

Ref.PP 160-168/C

22 PUC-I is a letter dated 16.9.2014 from the Under Secretary to the GoI, MoTA, New Delhi addressed to the Secretaries / Commissioners of all States/UT govts. regarding review of the Forest Rights Act, 2006 due to large scale misuse of the Act all over India. He has requested to take appropriate action in the matter and apprise the position to the MoTA.

23 As for the tribals comprising of the Onge, Andamanese, Jarawas, Sentinelese, Shompens and Nicobarese of this UT, they have been living in the forests and sustaining on its resources. Following the coming into force the A & N Islands (Protection of Aboriginal Tribes) Regulation, 1956 as further amended from time to time the areas inhabited by the tribals have been declared as reserve area and the interests of the tribals in the lands situated in the reserve area have been fully protected. As per the said law, no non-tribal can acquire any interest in the lands falling in the reserve area. Even entry of non-tribals in the reserve area is banned except on the authority of a pass granted by the Competent Authority U/S 7 of the PAT Regulation.

24 In this UT, tribals hold land on community basis as per their tradition / convention and individual ownership of land in the reserve area / reserve forests is not practiced by the tribals, so there is no need to confer on tribals any rights in respect of the land held in the reserve area on community basis by them until they themselves come forward and claim for it. In view of this no forest rights have yet been vested in any tribals. Other than the tribals of this UT, none is eligible to acquire lands in the tribal reserve / reserve forests. Thus there is no case of misuse of Forest Right Act in respect of the reserve area of this UT.

PUC-II (PP.169-176/C)

25 This is another letter dated 16.9.2014 from the Under Secretary to the GoI, MoTA, New Delhi addressed to the Secretaries / Commissioners, all States / UT Govts. forwarding representation dated 20.3.2014 of Shri Sai Sampath M, Andra Pradesh regarding implementation of Forest Rights Act 2006 and concerns regarding depletion of forest land, biodiversity and wildlife in the country. The MoTA has requested to take appropriate action in the matter and apprise the position to them.

26 So far as this UT is concerned, no forest rights has yet been vested in any Scheduled Tribes under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. In fact, in this UT none other than the tribals fulfill the