

10. 13. Ignoring the clear findings of its own reports on false claims and the large-scale destruction of forests which is taking place during the pendency of the main Writ Petition 109/2008, the Ministry of Tribal Affairs (Respondent No. 3) had recently amended the Rules in 2012 enabling the filing of fresh claims even after the process of settlement of claims for such hamlets and habitations is already been completed. Thus the filing of claims under the amended Rule has become a never ending process with a view to encourage encroachers to file claims irrespective of the fact whether they are eligible or not. The newly inserted Rule 2A (c) of the Rules, framed under the Impugned Act reads as under-

*"2 A (c) on finalization of the lists of hamlets and habitations, the process of recognition and vesting of rights in these hamlets and habitations is undertaken without disturbing any rights, already recognized".*

14. The value of such forest land actually under illegal occupation could possibly work out to a staggering amount. If Net Present Value (NPV) is calculated for the total extent of estimated forest land for which claims have been rejected i.e. 4,79,690 hectare at the minimum rate of NPV as fixed by this Hon'ble Court, which is Rs. 4.38 lakhs/hectare, the value works out to Rs. 21,101 for just five States. If the maximum rate of NPV - Rs.10.43 lakhs/hectare were to be applied it would work out to Rs. 50,031 crores. The Mean NPV works out to Rs. 35,520 crores for just five States. The All-India figure