

- (3) The FRA, 2006 does not require de-notification/de-reservation of the forest land for recognition of the forest right relating to conversion of forest villages and other such villages into revenue villages.
- (4) The FRA, 2006 envisages recognition and vesting of forest rights in the forest dwelling Scheduled Tribes on all forest lands including sanctuaries and National Parks.
- (5) As per the Provisions of the FRA, 2006, conversion of forest villages and other such villages, into revenue villages U/S 3(1)(h) of the Act is not pre-condition for recognition and vesting of forest right in the forest dwelling Scheduled Tribes.

In this regard it may be mentioned that other than the forest dwelling Scheduled Tribes there are no other Traditional Forest Dwellers in this UT in terms of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006. As per the Act, to qualify for being other Traditional Forest Dwellers, a person or community should have primarily resided at least three generations, i.e, 75 years prior to 13th Day of Dec., 2005 and depended on the forest for bonafide livelihood needs. So the Act is not applicable to this UT as far as it relates to other Forest Traditional Dwellers. This was confirmed by the Forest Deptt. Way back in 2008 vide their note dated 28.2.2008 (P.20a).

The minutes recorded on the PUC by the Commissioner-cum-Secretary (TW) are reproduced below:-

"Pl examine where all is this applicable in ANI. What about a new chingen village in GNI."

With regard to implementation of the FRA, 2006 in respect of the forest dwelling Scheduled Tribes of this UT, it is stated that the A & N Islands (Protection of Aboriginal Tribes (PAT) Regulation, 1956 promulgated by the President of India is in force for the protection of the interests of socially and economically backward aboriginal tribes in A & N Islands. All the six aboriginal tribes viz. Andamanese, Onges, Jarawas, Sentinelese, Shompens and Nicobarese have been duly declared as Scheduled Tribes as per the Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1956 in relation to A & N Islands. Certain geographical area in its entirety in relation to each Scheduled Tribe has been declared as reserve area under the provision of the A & N Islands (Protection of Aboriginal Tribes) (PAT) Regulation, 1956. The interests of the tribals in