

PUC is a letter No. 23011/3/2016-FRA dated 7.6.2018 received from the Deputy Secretary to Govt. of India, Ministry of Tribal Affairs, New Delhi regarding status of pending claims of forest rights made under FRA, 2006. We are requested to furnish the details of number and status of pending claims filed under FRA, 2006 at different levels showing segregated information (STs and OTFDs) since the implementation of the Act in slots of three years in the prescribed proforma.

In this context it is submitted that the areas inhabited by the Scheduled Tribes have been declared as reserved area under the A & N Islands (Protection of Aboriginal Tribes) Regulation, 1956, wherein the entry as well as acquisition of any interest in land etc. by any person other than the members of the aboriginal tribes there are strictly prohibited. The interest of the Scheduled Tribes in A&N Islands therefore, have been fully protected under the Regulation, 1956 by exclusively reserving the area for them in which they have full rights to use the forest products for their bonafide use and sustenance, so no claim as such is for settlement under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

As regards, other Traditional Forest Dwellers, nobody qualifies for being the traditional forest dwellers having resided on the forest land/ tribal reserve for the bonafide livelihood needs for three generations (75 years) prior to 13.12.2005 for the purpose of recognition of forest right under the above said Act.

Recently, the A&N Administration has filed an Reply Affidavit of Writ Petition (civil) No. 50 of 2008 titled Wildlife Trust of India and Others-vs-Union of India and others pending before the Hon'ble Supreme Court, in which, we have committed that the interest and ownership rights of the Scheduled Tribes in Andaman and Nicobar Islands are fully protected under A & N Islands (Protection of Aboriginal Tribes) Regulation, 1956 and in absence of other traditional forest rights under FRA, 2006 does not arise

If approved, we may furnish the reply on the above lines to the Deputy Secretary to GOI, MoTA. Accordingly, a draft letter is submitted for approval please.

[Signature]
22/6
JRO

AC (TW)

May kindly approve!

Nishant Rishi
22/06/2018

Director (TW)

AC (TW)
JRO

[Signature]
23/6

Nishant Rishi
23/06/2018