

State Governments have taken steps towards this, similar steps need to be taken up by all the States. In particular, Bihar, Jharkhand and Uttar Pradesh are to identify the potential areas and extent of forest land where Individual, Community and Community Forest Resource rights under Forest Rights Act can be vested.

4. However, while creating geo-referenced data base and maps of areas/ potential areas under FRA, 2006, it needs to be kept in mind that it is one of the evidences to recognise the rights, but not the only evidence. The geo-referenced data should be corroborated with other sources of information as delineated under Rule 13 of the FR Rules so as to rule out possibility of wrongful claims or denials. Geo-referenced data has its limitations and there have been instances in the past where such data has been used for wrongful denials. For example, in case of shifting cultivation, the satellite data will not show continuous agricultural operation in an area. Hence, this should be supplemented with ground verification so as to create the data base. The verification on ground would be important so as to identify genuine claimants and land under their occupation. This includes lands left fallow on account of shifting cultivation or for any other reason.

5. For identification of forest land under the Community Forest Resource rights and community purposes, geo referencing may, particularly, be useful. It would be important to map villages having forest land within its revenue boundary, villages located within and at the fringes of Reserve Forests, protected forests, National Parks and Sanctuaries or any other forest land as under State Forest Department. Further, all forest villages, old habitations, unsurveyed villages etc. have to be taken into account for delineation of the potential areas and creation of maps where FRA is likely to be implemented.

6. In Sixth Schedule areas of Assam, Meghalaya, in Mizoram, Nagaland, Tripura, Arunachal Pradesh, Himachal Pradesh, Hill areas of Manipur etc., most of the rights have already been vested. These recognised rights should be translated into individual and community record of rights as per the process laid down under FRA, 2006.

7. We hope that these processes are completed within the current year.

With regards,

Yours sincerely,

Hrusikesh Panda
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