

- 1) Suo-motto review undertaken by some of the States is in process and needs to be completed before next hearing.
- 2) Several States have not communicated the Status of rejected claims to the claimant in writing. Hence it was recommended to undertake Suo-motto review. One of the State Government has expressed that undertaking Suo- moto review at this stage, will open a Pandora Box and make it virtually impossible for DLC to hear and dispose the same.
- 3) Few States have historically recorded the customary and traditional rights of the Forest Dwellers. In tribal / hill areas, the forest is owned by the tribal individuals or communities / tribal chiefs as ancestral lands. In Sixth Scheduled Areas the State Laws as well as local regulations have safeguarded tribes right over land.

Specific Concern in respect of States of Himachal Pradesh and Manipur

1. In the meeting chaired by Secretary (TA) on 06.03.2019, the matter regarding peculiarity of FRA implementation status pertaining to the States of Himachal Pradesh and North Eastern States like Manipur came up.
2. The State Government of Himachal Pradesh informed MoTA that the Forest Right settlement of Forest Dwelling Communities has already taken place in late 19th and early 20th century. Such record of customary rights, recognizes, inter alia, their right to access forest resources, right to passage, right to graze cattle over forest land and seasonal migratory tracks. Albeit, the nature and scope of these rights are limited to user rights and not protective as anticipated under the Forest Rights Act, 2006.
3. State Government of Manipur communicated that being a sixth Schedule State, Tribe's traditional and customary rights are already recognized. Tribal in hills has full right and ownership over forest since time immemorial. The land is owned by community itself. In 2010, SLMC conducted meeting observed that in respect of Manipur, this Act has little relevance while Manipur assembly had communicated to implement the Act. The local self-governance institutions provided under the Village Authority Act can be considered as unit for Gram Sabha. Since SDLC and DLC is already in place, let the community decide if it requires implementation.