



Government of India
National Commission for Scheduled Tribes
(A Constitutional Commission set up under Art. 338A of the Constitution of India)

File No. PC/1/2017/MENV1/SEOTH/RU-IV

Dated: 10.01.2018

To

(As per list attached)

Subject: Press clipping dated 12.04.2017 published in the Mint, Delhi edition caption "no forest rights for tribals in critical tiger habitats".

Sir/Madam ,

I am directed to enclose copy of the Minutes of the Meeting held on 02.01.2018 at 3.00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes, New Delhi on the subject cited above, for appropriate action.

Yours faithfully,

D.S. Kumbhare
10.1.2018

(D.S. Kumbhare)

Under Secretary to Government of India

PH No. 24657271

o/c

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10/1/18

1. The Secretary,
Ministry of Environment
Forest and Climate Change,
Indira Paryavaran Bhavan,
Jorbagh Road,
New Delhi - 110 003
2. Dr. D. Swain, ADG,
Member Secretary,
National Tiger Conservation Authority
B-1 Wing, 7th Floor,
Pt. Deendayal Antyodaya Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003
3. Shri Surendra Kumar,
Principal Secretary,
SC/ST Development Department,
Government of Odisha,
Bhubaneswar
4. The Principal Secretary,
Tribal Development Department,
Government of Maharashtra,
Mantralaya,
Mumbai - 32.
5. The Principal Secretary,
Tribal Development Department,
Government of Madhya Pradesh,
Bhopal.
6. The Principal Secretary,
Social Welfare Department,
Government of Karnataka,
Vikasa Soudha,
Bengaluru.
7. Shri S.C. Mahapatra,
Additional Chief Secretary,
Forest & Environment Department,
Government of Odisha,
Bhubaneswar.
8. Shri Nishant Varma,
DIG,
National Tiger Conservation
Authority,
B-1 Wing, 7th Floor,
Pt. Deendayal Antyodaya Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.
9. Shri Rakesh Singh,
Director, TADP,
Tribal Development Department,
Government of Madhya Pradesh,
Bhopal.
10. Shri S.Y. Patil,
Joint Secretary,
Tribal Development Department,
Government of Maharashtra,
Mumbai.

MINUTES OF THE MEETING HELD ON 02.01.2018 AT 03.00 PM UNDER THE CHAIRMANSHIP OF SHRI NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) AT LOK NAYAK BHAWAN, NEW DELHI REGARDING PRESS CLIPPING DATED 12.04.2017 PUBLISHED IN THE MINT, DELHI EDITION CAPTION "NO FOREST RIGHTS FOR TRIBALS IN CRITICAL TIGER HABITATS".


(F. No. PC/1/2017/MENV1/SEOTH/RU-IV)

A meeting was held on 02.01.2018 at 03.00 PM under the Chairmanship of Hon'ble Chairperson, NCST, in context of National Tiger Conservation Authority letter no. 1-7/93-PT(Vol.I) dated 28.03.2017 which was an advisory to the Chief Wildlife Warden (s) of all Tiger Range States to refrain from confirming rights under Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) to the Scheduled Tribes. A list of participants is at Annexure-I.

2. At the outset, Secretary, welcomed the participants which was followed by introduction of participants. Secretary, NCST pointed out that the issue was discussed with the officers of National Tiger Conservation Authority in a meeting held on 04.07.2017 under the Chairmanship of Secretary, National Commission for Scheduled Tribes. Further, the issue for utilization of Compensatory Afforestation Fund (CAMPA) for voluntary relocation for Scheduled Tribes from Critical Wildlife Areas and Critical Tiger Habitats was discussed in the 98th meeting of the Commission held on 16.08.2017. In the meeting, the Commission decided to call a separate meeting to discuss the issue for utilization of CAMPA. In the meeting, Commission recommended that:

- (a) The compensation amount be increased from Rs. 10 lakhs per family (existing) to Rs. 20 lakhs per family and the CAMPA funds may be utilized for this purpose.
- (b) The land be provided in the compensation package consisting of 4 hectares or equivalent land. In the case land of similar nature is not available, then double the area of actual occupation or 8 hectares, whichever is less should be provided for relocation/rehabilitation of tribal from protected areas and tiger reserves.
- (c) The entire exercise of cash compensation or relocation/rehabilitation should be carried out within a period of 3 years, failing which the forest rights should be conferred immediately.
- (d) No Tribal should be vacated from the forest area until alternate land is provided to them.


3. The Hon'ble Chairperson, NCST vide D.O. letter dated 24.10.2017 has requested the Hon'ble Minister for Environment Forest & Climate Change for utilization of CAMPA funds for voluntary relocation of tribal from Critical Wildlife Areas as well as Critical Tiger Habitats along-with enhanced compensation package.


Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

- (7) The convergence approach adopted by the Government of Odisha should be adopted by other States while undertaking relocation of villages from Tiger Reserves.
 - (8) CAMPA fund should be utilized for voluntary relocation of villages from Tiger Reserves.
 - (9) The Committee constituted by NTCA under the Chairmanship of Shri B.K. Patnaik, retired PCCF and Chief Wildlife Warden, Uttar Pradesh should take into account the above recommendations of NTCA and also consult the NCST before finalizing their report.
 - (10) No tribal person should be evicted from Tiger Reserves without his/her explicit consent and until the compensation package is fully provided to him or her.
9. Meeting ended with vote of thanks to the Chair.



(Nand Kumar Sai)
Chairperson,
National Commission for Scheduled Tribes,
Government of India,
New Delhi



Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

Copy for information to:-

1. PS to Hon'ble Chairperson
2. PS to Hon'ble Vice-Chairperson
3. PA to Hon'ble Member (HKD)
4. PS to Hon'ble Member (HCV)
5. PS to Hon'ble Member (MCI)
6. Sr. PPS to Secretary
7. PA to Joint Secretary
8. SSA (NIC) for uploading on the website of the Commission.