

दस्तावेजों की सूची-

1. ग्राम सभा का प्रस्ताव -
2. सामुदायिक फार्म उपबन्ध-1 प्रारूप-क
3. सामुदायिक वन संसाधनों के लिये हक उपबन्ध-4
4. सामुदायिक वन संसाधनों के लिये दावा प्रारूप-ग
5. साक्ष्य हेतु बुजुर्गों का बयान-दावेदारों की सूची के साथ
6. दावेदारों की सूची
7. दावा किया गया वन संसाधन का नजरी नक्शा
8. वनाधिकार कानून 2006 के तहत सामुदायिक वन संसाधन, अनुसूचित जनजाति, अन्य परम्परागत वन निवासी वन भूमि की परिभाषा
9. वनाधिकार कानून 2006 की संशोधित नियमावली 2012
10. कैमूर क्षेत्र में पाये जाने वाले गौण वनोत्पाद की ग्रामीण द्वारा बनायी गयी सूची
11. वन अधिकारों का विवरण, वर्किंग प्लान, 1973-74 से 1982-1983 तक
12. दावाकर्ता विभिन्न आदिवासी समूह का "गजेटियर मिर्जापुर" में उल्लेख की प्रति-1908
13. उ0प्र0 में आदिवासी समुदाय के साथ हुए ऐतिहासिक अन्याय, उत्पीड़न, सरकारी नीतियों में अनुसूचित जनजाति का दर्जा न दिया जाने का इतिहास, वन विभाग द्वारा ग्राम सभा की भूमि का अवैध रूप से हस्तांतरण का इतिहास Tribal Administration in India AMIR~ HASAN, पृष्ठ नं0 -
14. कैमूर दुद्धी क्षेत्र में जनपद सोनभद्र में आदिवासियों के राज का इतिहास " गजेटियर मिर्जापुर(1908)
15. गौण वनोपज की सूची एवं पशु, पक्षियों की सूची (कैमूर क्षेत्र)- "वर्किंग प्लान दुद्धी पोस्टर डिविजन (1964-65-1973-74)
16. जनपद सोनभद्र में धारा 20 में विज्ञप्ति भूमि एवं विज्ञप्ति की जाने वाली भूमि का विवरण-सोनभद्र वन प्रभाग प्रबन्ध योजना (2001से 2010-2011)
- 17- अन्य परम्परागत समुदाय के लिये 13 दिसम्बर 2005 से तीन पीढ़ी के निवास के बारे में केन्द्रीय अनुसूचित जनजाति मंत्रालय का 9 जून 2008 का आदेश।
- 18- न्यायालय में वन विभाग व ग्रामीणों/दावेदारोंमें किये गये मुकदमों की प्रति-साक्ष्य के लिये।

ग्राम स्तरीय वनाधिकार समिति ग्राम सभा की खुली बैठक में निम्न संकल्प पारित करती है

हम अधोहस्ताक्षरी दावेदारों कम संख्या 1 से...15 संख्या (पूर्ण विवरण व प्रमाण सहित सूची सलग्न) .
ग्राम पंचायत...हरि लालनगर की ग्राम स्तरीय वनाधिकार समिति के समक्ष प्रस्तुत ग्राम...लाला नगर
का सामुदायिक वनसंसाधन के लिए "अनुसूचित जनजाति एवं अन्य परम्परागत वननिवासी (वनाधिकारों की मान्यता) कानून-2006 तत्सम्बन्धी नियमावली 2007 व संशोधित नियमावली-2012" के अन्तर्गत उपरोक्त दावा इस समिति द्वारा एकट एवं नियमावली के अनुरूप उचित पाया गया। प्रस्तुत किए गए दावे को ग्राम सभा की खुली बैठक आयोजित करके सभी को पढ़कर सुनाया गया, जिससे सभी सहमत हैं। इसलिए इस दावे को पुष्टि की जाती है और कानून में निर्दिष्ट प्रावधान के अन्तर्गत अग्रिम कार्यवाही हेतु इस दावा प्रपत्र को अभिप्रेत साक्ष्यों सहित "उपखण्ड स्तरीय समिति" को यथोचित निर्णय लिए जाने के मतव्य से रस्तुति सहित प्रेषित करते हैं।

क्रमांक	समिति के सदस्यगण का नाम	पदनाम	हस्ताक्षर/नि०अंगूठा
1.	लाला देवी दुसाद पं० श्यामलाल	अध्यक्ष	लाला देवी
2.	विश्वनाथ चैरो - पु० दलगजन	सचिव	विश्वनाथ
3.	विद्यावती देवी गोंड पं० राजकुमार	सदस्य	विद्यावती
4.	रघुनाथ चैरो पु० मंगलराम	सदस्य	रघुनाथ
5.	पानपति देवी पं० चन्मन चैरो	सदस्य	पानपति
6.	फुलमति या देवी अगनीया पं० मंगल	सदस्य	फुलमति
7.	साविता देवी दुसाद पं० अजय	सदस्य	साविता देवी
8.	बसंती देवी चैरो पं० चनेरा	सदस्य	बसंती देवी
9.	मंजू दुसाद पं० लुनन्दू	सदस्य	मंजू
10.	विशुनधारी चैरो पु० मंगल	सदस्य	विशुनधारी
11.	रामजीत चैरो पु० गंगा	सदस्य	रामजीत
12.	जानकी गोंड पु० बिहारी गोंड	सदस्य	जानकी
13.	जशोदा देवी चन्मन देवराज	सदस्य	जशोदा
14.	राजपति देवी पं० जमुना चैरो	सदस्य	राजपति
15.	कलावती देवी चैरो पं० हरिचन	सदस्य	कलावती

क्र. सं.	उपविध सदस्यों का नाम	प्रस्ताव	कार्यवाही जो किया गया	उपविध सदस्यों का इच्छाक्ष
1	क. लालती	सं०	हम सभी ग्रामसभा हर्रा - लालनगर - ब्लॉक चौपन परगना - डी.डी. जिला - सोनमपुर 130 प्र०	लालती देवी
2	विश्वनाथ		सदस्य अनुसूचि. जनजाति एवं अन्य पट्टमपरागत	विश्वनाथ
3	विद्यावती		वन निवासी (वनाधिकारों को मान्यता) यानी -	विद्यावती
4	पानपति - चनमन		वनाधिकार कानून 2006 के तहत अपने टोले	पानपति
5	रघुनाथ		की ग्रामवनाधिकार समिति का गठन करते	रघुनाथ
6	बसंत		हैं। यह गठन कानून की धारा (2) (छ) के	बसंत
7	सविता		तहत की जा रही है। व कानून की नियमा-	सविता
8	फुलमति		वली दिनांक 01-01-2008 की धारा (3) के	फुलमति
9	मंजू		तहत की गई है। कानून की धारा (2) -	मंजू
10	विशुन धारी		(छ) यह कहती है कि ग्रामसभा से ऐसी -	विशुन धारी
11	रामजीत चैरी		ग्रामसभा अभिप्रेत है जो ग्राम के सभी	रामजीत चैरी
12	जानकी गौड़		व्यक्त सदस्यों से मिलकर बनेगी। और	जानकी गौड़
13	जशोदा चमार		ऐसे राज्यों कि दशा में जिसमें कोई ग्राम	जशोदा चमार
14	राजपति		प्रंचापत नहीं है पाड़ा-टोला और वैली	राजपति
15	कलावती		पट्टमपरागत ग्राम से सहाए और निर्वाचित	कलावती
16	गुलाबी		ग्राम समितियां भी हैं। जिसमें भीहलाओं	गुलाबी
17	रामकली		कि पूर्ण और निर्वाचित मागी वाली है	रामकली
18	पानपति - रामनाथ		दिनांक 08-02-2008	पानपति
19	सुनिता चैरी		चयनित सदस्य -	सुनिता चैरी
20	पनवतिया		1) लालती पासवान अध्यक्ष	पनवतिया
21	शान्ती		2) विश्वनाथ - चैरी पुं. व. ल. ग. जन सचिव	शान्ती
22	मीरा		3) विद्यावी गौड़ पुं. व. ल. ग. जन सदस्य	मीरा
23	हृत्ती		4) रघुनाथ चैरी पुं. व. ल. ग. जन सदस्य	हृत्ती
24	हरोजन		5) पानपति चैरी पुं. व. ल. ग. जन सदस्य	हरोजन
25	सिमित्री		6) फुलमति - अगाधिया पुं. व. ल. ग. जन सदस्य	सिमित्री
26	अनिता		7) सविता पासवान - अजय (2) जानकी गौड़ पुं. व. ल. ग. जन	अनिता
27	ममता		8) बसंत - चैरी - धनेसा (3) जशोदा चमार पुं. व. ल. ग. जन	ममता
28	कबुती		9) मंजू पासवान - बन्डू (4) राजपति चैरी पुं. व. ल. ग. जन	कबुती
29	फुलशारीया		10) विशुन धारी चैरी - मंगल (5) कलावती चैरी पुं. व. ल. ग. जन	फुलशारीया
30			11) रामजीत चैरी पुं. व. ल. ग. जन	

अनुसूचित जनजाति और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) नियम, 2007

भारत, सरकार, जनजाति मंत्रालय
उपबंध --1 [नियम 6 (झ) देखें] प्ररूप - क
वन भूमि के अधिकारों के लिए दावा प्रारूप
[नियम 11 (1) (क) और (4) देखें]

- 1- दावेदार (री) का/के नाम सुची सलमन है
- क-एफडीएसटी समुदाय : (अनुसूचित जनजाति)हां/ नहीं : हां
- ख- ओटीएफडी समुदाय : (अन्य परम्परागत वननिवासी)हां/ नहीं : हां
- 2-ग्राम : हरा
- 3-ग्राम पंचायत : इसी ग्राम पंचायत
- 4- तहसील/तालुका : शिवपुर जिला
- 5- जिला : खोनामड (उदुपूर)
- प्रयोग किए गए सामुदायिक अधिकारों का स्वरूप:-
- 1- सामुदायिक अधिकार जैसे निस्तार, यदि कोई हो : सुची सलमन है - पृष्ठ 3
[अधिनियम की धारा 3(1) (ख) देखें]
- 2- गौण वन उत्पादों पर अधिकार, यदि कोई हो : सलमन है पृष्ठ 4
[अधिनियम की धारा 3(1) (ग) देखें]
- 3- सामुदायिक अधिकार सलमन है - पृष्ठ 4
- क. उपयोग या पान्नता (माछली, जलाशय) यदि कोई हो :
- ख. चरने हेतु, यदि कोई हों :
- ग. पारंपरिक संसाधनों तक यायावरों और पशुपालकों की पहुंच, यदि कोई है, (अधिनियम की धारा 3 (1) (छ) देखें) :
- 4- पीटीजी व कृषि पूर्व समुदायों के लिए प्राकृतिक वास और पूर्ववास की सामुदायिक अवधियां, यदि कोई हो, (अधिनियम की धारा 3 (1)(ड) देखें) :
- 5- जैव विविधता तक बौद्धिक संपदा और पारंपरिक ज्ञान तक पहुंच का अधिकार, यदि कोई हो : (अधिनियम की धारा 3(1)(ट) देखें) : सलमन है पृष्ठ 5
- 6- अन्य पारंपरिक अधिकार, यदि कोई हो : सलमन है पृष्ठ 5
(अधिनियम की धारा 3(1)(ठ) देखें)
- 7- समर्थन में साक्ष्य : (नियम 13 देखें) : सामुदायिक वन अधिकारों पर दावाकर्ता
- 8- अन्य कोई सूचना : दारा प्रमाण की सूची पृष्ठ नं.

दावेदार (री) के हस्ताक्षर/अंगूठे का निशान

सभी दावेदारों का हस्ताक्षर सूची में किया हुआ है।

प्रयोग किसे गये सामुदायिक अधिकारों का स्वरूप :-

I - संलग्नक

(क) - घर बनाने में उपयोगी

(1) खैर	(9) हल्दी
(2) विजय सोल	(10) साखू
(3) सिद्ध	(11) आसन
(4) घोरा	(12) प्रसिद्ध
(5) बल्ली	(13) माम्हर
(6) गाला	(14) सासन
(7) बाडेर	(15) गुरही
(8) धरन	(16) अमलतास
	(17) तेन्दू

(ख) - लकड़ी व खेती में उपयोगी औजार हेतु प्रयुक्त
जैसे - हल, जुआ आदि

(1) गम्हार	(12) बरगद
(2) कारी	(13) परहल
(3) पियार	(14) घोरा
(4) धनबह	(15) तेन्दू
(5) सागन	(16) सासन
(6) भुङ्कुष	(17) खैर
(7) केकर	(18) साल
(8) बैर	(19) बेललन
(9) कठपान	(20) सीसम
(10) सेमर	(21) बहरा
(11) सलई	(22) जिगना
	(23) चिलबिल

(म) - जलोनी लकड़ा, सूखी गिरी पड़ा हुई लकड़ा व चरेलू इस्तेमाल के लिये।

(२) - गौण वन उत्पादों पर अधिकार

(क) - ग्रामिणों द्वारा बनाई गयी संलग्न सूची

(ख) - सन् 1973 का वर्किंग प्लान संलग्न

(ग) - तेन्दू पन्ना, बास, बगई बास, कत्था, गांद आदि अधिकार

(३) - सामुदायिक अधिकार जैसे (जलाशय, नदी व तालाब)

(क) - मछली मारने का अधिकार

(1) पशुओं को पानी पिलाने का अधिकार

(2) सिंचाई प्रणाली

(ख) - चरने हेतु अधिकार

(1) बैल गाय

(2) भैंस

(3) भेड़

(4) बकरी

(5) घोड़ा

(6) गधा

(7) सुअर

(ग) - पारम्परिक संशाधनों पर पहुँच

(1) स्थानीय समुदाय द्वारा बनायी गयी संरचना के अन्तर्गत

(2) पवित्र वृक्ष

(3) गुफाएँ

(4) काब्रस्तान, श्मशान

(5) देवस्थान

(4) - जैव विविधता तक बौद्धिक सम्पदा और पारम्परिक तक पहुँच।

(क) - जंगल के व्यवस्थापन व सुरक्षा का अधिकार

(ख) - पारम्परिक वृक्षां व जड़ी-बुटियों के पोषा करने का एवं फलों के वृक्ष लगाने का अधिकार

(ग) - जैव विविधता व बौद्धिक सम्पदा का अधिकार

(5) - अन्य पारम्परिक अधिकार

(1) - रास्ते का अधिकार

(2) - पत्थर, पहाण व चट्टान

(3) - बालू, गिट्टी, बाल्डर

(4) - पारम्परिक चिकित्सा पद्धतों को बढ़ावा व इलाज करने का अधिकार

(5) - बनीय वनोपज को बेचने का अधिकार

(क) तेन्दू पत्ता

(ख) शहद

(ख) बांस

(ख) हरी, बहेड़ा, आंवला

(ग) बगइँचास

(ख) चन्दावर

(घ) गौद

(ख) सतावर

(ङ) मकली

(ख) कुचिला आदि

(6) - बनीय वनोपज को बेचने के लिये सरकारी सामिल बनाने का अधिकार

(6) - वन जीवों एवं पक्षियों के संरक्षण का अधिकार

“उपाबंध-4”

समुदायिक वन संसाधनों के लिए हक

[नियम 8(i) देखिए]

1. ग्राम/ग्रामसभा : हर्षा चौला लाल मगर
2. ग्राम पंचायत : हर्षा पो. पणरक्ष
3. तहसील/तालुका : राल ट.स. जोज
4. जिला : सतना
5. अनुसूचित जाति/अन्य परंपरागत वननिवासी : अनुसूचित जनजाति समुदाय/ओटीएफडी समुदाय/ दोनों : दोनों हैं
6. अधिकार का वर्णन और प्रकृति, जिसका समुदाय पारंपरिक रूप से संरक्षण या परिरक्षण करता रहा है :

7. सीमाओं का वर्णन जिसके अंतर्गत प्रमुख सीमा चिन्ह तक और खसरा/कंपार्टमेंट सं. तक रुढ़िजन्य सीमा भी है :

उक्त क्षेत्र के भीतर इस समुदाय को सामुदायिक वन संसाधनों की संरक्षा, पुनरुज्जीवित करने या परिक्षित करने या प्रबंध करने का अधिकार प्राप्त है और यह (नामोद्धिष्ट करें) समुदाय वन संसाधन, जिसका वे इस अधिनियम की धारा 3 (1)(i) के अनुसार संधार्य उपयोग के लिए पारंपरिक रूप से संरक्षण या परिरक्षण करते रहे हैं।

हम, अधोहस्ताक्षरी इसके द्वारा, सरकार के लिए और उसकी ओर से ऊपर उल्लिखित ग्राम सभा(ग्राम सभाओं)/समुदाय (समुदायों) के लिए हक में यथावर्णित सामुदायिक वन संसाधन (सीमा, मात्रा, क्षेत्र, जो भी लागू हो, में नामोद्धिष्ट और विनिष्ट किया जाए) की पुष्टि करने के लिए अपने-अपने हस्ताक्षर करते हैं।

(प्रभागीय वन अधिकारी/उप वन संरक्षक)

(जिला जनजातीय अधिकारी)

(जिला कलक्टर/उपायुक्त)“

[फा.सं. 23011/32/2010-एफआरए (जिल्द 2)]-डॉ. साधना श्रुत, संयुक्त सचिव

टिप्पणी : मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खण्ड 3, उपखण्ड (i) में सा.कि.नि. (अ) तारीख : जनवरी 2008

द्वारा प्रकाशित किए गए थे।

“प्रारूप-ग”

सामुदायिक वन संसाधन के लिए दावा प्रारूप

{अधिनियम की धारा 3(1)(i) और नियम 11(1) और (4क) देखिए}

1. ग्राम/ग्रामसभा : हरी रोला बालांगर
2. ग्राम पंचायत : हरी
3. तहसील/तालुका : रावटसिंग
4. जिला : सीनभद्र (50 सठ)
5. ग्राम सभा के सदस्यों के नाम (प्रत्येक सदस्य के सामने उपदर्शित एसटी/ओटीएफडी प्रास्थिति सहित अलग एक प्रपत्र के रूप में संलग्न करें)

दावा करने के लिए कुछ जनजातियों/अन्य परंपरागत वननिवासियों का होना पर्याप्त है।

हम, इस ग्राम सभा के अधोहस्ताक्षरित निवासी यह संकल्प करते हैं कि नीचे और संलग्न मानचित्र में निर्दिष्ट क्षेत्र जिसमें हमारा ऐसा सामुदायिक वन संसाधन सम्मिलित है, जिस पर हम अपने अधिकारों की मान्यता का दावा कर रहे हैं।

(अवस्थित ग्राम की पारंपरिक या रुढ़िजन्य सीमाओं के भीतर भूमि चिन्ह या चारागाही समुदायों की दशा में उस स्थलाकृति का मौसमी उपयोग, जिसके लिए समुदाय पारंपरिक पहुंच रखता था और जिन्हें संधार्य उपयोग के लिए पारंपरिक रूप से संरक्षित या परिरक्षित करते रहे हैं, को दर्शाते हुए सामुदायिक वन संसाधन का मानचित्र संलग्न करें। कृपया ध्यान दें कि इसके लिए शासकीय सीमाओं के अनुरूप होने की आवश्यकता नहीं है।)

6. खसरा/कंपार्टमेंट संख्या (संख्याएँ) यदि कोई हों और ज्ञात हों : 2034/4ख
7. सीमा से लगते हुए ग्राम :

- (i) उत्तर में सीन नदी
- (ii) दक्षिण में पहाड़
- (iii) पूरुब में निगाई, पश्चिम में पठारक्ष

(इसमें से किसी अन्य ग्राम के साथ संसाधनों का हिस्सा बंटाने के संबंध में जानकारी भी सम्मिलित की जा सकेगी)

8. समर्थन में साक्ष्य की सूची (कृपया नियम 13 देखिए) :

दावेदार(दावेदारों) का/के हस्ताक्षर/अंगूठा निशान”

सभी दावेदारों का हस्ताक्षर सूची में किए हुए है।

साक्ष्य हेतु बयान

मैं कि जानकी गोड पुत्र/पुत्री श्री विहारी ग्राम हरि
ग्राम पंचायत हरि तहसील राठगोज जिला सोनभद्र जनपद सोनभद्र का
मूल निवासी हूँ। मैं शपथ पूर्वक बयान करता/करती हूँ कि श्री शंभु ग्राम वासी
..... ग्राम पंचायत हरि तहसील राठगोज जिला सोनभद्र का
रहने वाला है। जो भूमि आरिज नं० 707-742-744-748-844-848 को बाप-दादें
से पुश्त दर पुश्त जोत कोड करते चला आ रहा है। मैं अच्छी तरह से जानता हूँ। मौफें पर
बांध-क्यारी, कुआं-बावली, बाग-बगीचा, घर-द्वार बनाकर अबाद है। यही जीवका चलाने
का अधार है। मैं यह वहलफ बयान लिखकर स्वस्थ मन मस्तिष्क से लिख दिया कि वक्त
जरूरत पर काम आवे।

दिनांक 08-2-2018

हस्ताक्षर/निशान अंगूठा


जानकी गोड

साक्ष्य हेतु बयान

मैं कि विशुनधारी पुत्र/पुत्री श्री मोनाहराम चौबी ग्राम हरी
ग्राम पंचायत हरी तहसील रावटखोरा जिला सोनभद्र जनपद सोनभद्र का
मूल निवासी हूँ। मैं शपथ पूर्वक बयान करता/करती हूँ कि श्री शंभरत ग्राम वासी
ग्राम पंचायत हरी तहसील रावटखोरा जिला सोनभद्र का
रहने वाला है। जो भूमि आरिज नं० 707-742-744/मी-748-844-848 को बाप-दादे
से पुश्त दर पुश्त जोत कोड़ करते चला आ रहा है। मैं अच्छी तरह से जानता हूँ। मौफे पर
बांध-क्यारी, कुआं-बावली, बाग-बगीचा, घर-द्वार बनाकर अबाद है। यही जीवका चलाने
का अधार है। मैं यह वहलफ बयान लिखकर स्वस्थ मन मस्तिष्क से लिख दिया कि वक्त
जरूरत पर काम आवे।

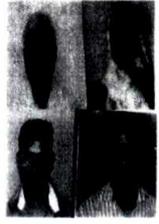
दिनांक 08-02-2018

हस्ताक्षर/निशान अंगूठा



विशुनधारी चौबी

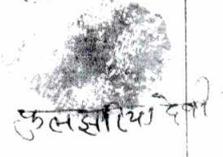
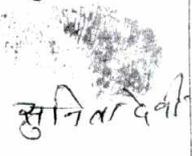
ग्राम हरी विसरुआ लालनगर, ब्लॉक चौपरा, सोनभद्र
सामुदायिक वन संसाधनों के हक के लिये दावाकर्ताओं की सूची ①

क्र. सं.	दावाकर्ताओं का नाम	पिता/पति का नाम	परिवार के सदस्य	दावाकर्ताओं के परिवार की फोटो	हस्ताक्षर/ अंगूठा
1-	मीरा देवी चरो	लालमनी	बिरेन्दर 24 सुरेन्दर 18		अ० नि०  मीरा देवी
2-	कलावती देवी	हरिचलन	कुलदीप 28 नागेन्दर 24		अ० नि०  कलावती देवी
3-	लालती देवी	श्यामलाल	चन्द्रेश 24 जुगेशकर 22		लालती देवी
4-	विद्यावती देवी	राजकुमार	रमेश कुमार 20 दोत कुमार 13		अ० नि०  विद्यावती देवी
5-	राजपति देवी	श्री केवल	मुन्ना लाल 20 लालन कुमार 18 प्रमोद कुमार 16		अ० नि०  राजपति देवी

क्रासिमा इरी लाल नगर ब्लॉक चौपन - सोनभद्र
सामुदायिक वन संसाधनों के हक के लिये दावाकर्ताओं की सूची

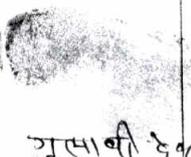
क्र. सं.	दावाकर्ताओं का नाम	पिता/पति का नाम	परिवार के सदस्य	दावाकर्ताओं के परिवार की फोटो	हस्ताक्षर/ अंगूठा
6	पानपति देवी	चनरमन	सुरिन्दर 35 अनवरुमा 20 श्यामविहारी 40		अ० नि०  पानपति देवी
7	वसंती देवी	चनेसर	बिलावती 18 शिलावती 15		अ० नि०  वसंती देवी
8	सविता देवी	अजय	निरज कुमार 12 धिरज कुमार 5		अ० नि० सविता देवी
9	सिमिमी देवी	हुलास	बन्धू 22 बसंतू 20		अ० नि०  सिमिमी देवी
10	पनवासिया देवी	रामजीत	सनोज कुमार 18		अ० नि०  पनवासिया देवी

सामुदायिक वन संसाधनों के हक के लिये दावाकर्ताओं की सूची

क्र. सं.	दावाकर्ताओं का नाम	पिता/पति का नाम	परिवार के सदस्य	दावाकर्ताओं के परिवार की फोटो	हस्ताक्षर/ अंगूठा
11	मन्जू देवी	नन्दू			अ० मि०  मन्जू देवी
12	फुलझारिया देवी	रघुनाथ	जगदीश सोहराम शशीका कुमार चन्ददीप		अ० मि०  फुलझारिया देवी
13	सुनिता देवी	लाल मुन्नी	सोमारु कु० २१ अजीत कु० १३		अ० मि०  सुनिता देवी
14	रामकली देवी	हरिदाश	मनीश कु० २९ कुलदीप कु० २६		अ० मि०  रामकली
15	फुलमतिया देवी	मंगरु	सन्तोस ३० बालकुमार २० ववलू २२		अ० मि०  फुलमतिया देवी

ग्राम सभा द्वारा - लालनगर 00वाक चोपिन
सांनमह

सामुदायिक वन संसाधनों के हक के लिये दावाकर्ताओं की सूची

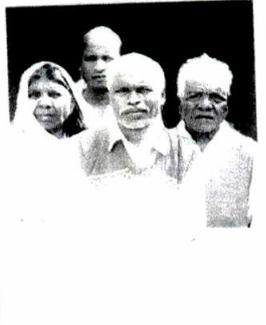
क्र. सं.	दावाकर्ताओं का नाम	पिता/पति का नाम	परिवार के सदस्य	दावाकर्ताओं के परिवार की फोटो	हस्ताक्षर/ अंगूठा
16	राजपति देवी	जमुना	प्रदीप कुमार 35 श लेश कुमार 25 दिनेश कुमार 22 रमेश कुमार 20		अं नि ०  राजपति देवी
17	आलिया देवी	विशुन घाटी	बाबू लाल 25 दौटे लाल 22		अं नि ०  आलिया देवी
18	पानपति देवी	चन्द्र दीप	दिनेश 25 सुनिश 23 अंसू 18		अं नि ०  पानपति देवी
19	सुरतानी देवी	मनोहर			अं नि ०  सुरतानी देवी
20	गुलाबी देवी	बन्धुराम	बिन्धाचल 30 लालबहादूर 28		अं नि ०  गुलाबी देवी

ग्राम सुभा हरी भाल नगर लोक चौक
सांभल

सामुदायिक वन संसाधनों के हक के लिये दावाकर्ताओं की सूची

क्र. सं.	दावाकर्ताओं का नाम	पति/पति का नाम	परिवार के सदस्य	दावाकर्ताओं के परिवार की फोटो	हस्ताक्षर/ अंगूठा
२१	कबुतरी देवी	विश्वनाथ	सुरेश ३० उदय २५ सुधाकर २५		अं निं कबुतरी देवी
२२	जशोदा देवी	देवराज	सुनिल कुं २५ विजय कुं ३० राजेंद्र ३५		
२३	संजीवा देवी	नन्दलाल	लालाशु १५ शिवेशुमा ८		अं निं संजीवा देवी
२४	अनिता देवी	रामप्रकाश	दीपू कुमा ७ विकेश कुमा ३		अं निं अनिता देवी
२५	पानपति देवी	रामनाथ	प्रभास कुमा ३०		अं निं पानपति देवी

ग्राम सभा द्वारा बिलरुआ बालनगर 0 भाग चोकर
सामुदायिक वन संसाधनों के हक के लिये दावाकर्ताओं की सूची सोनभद्र

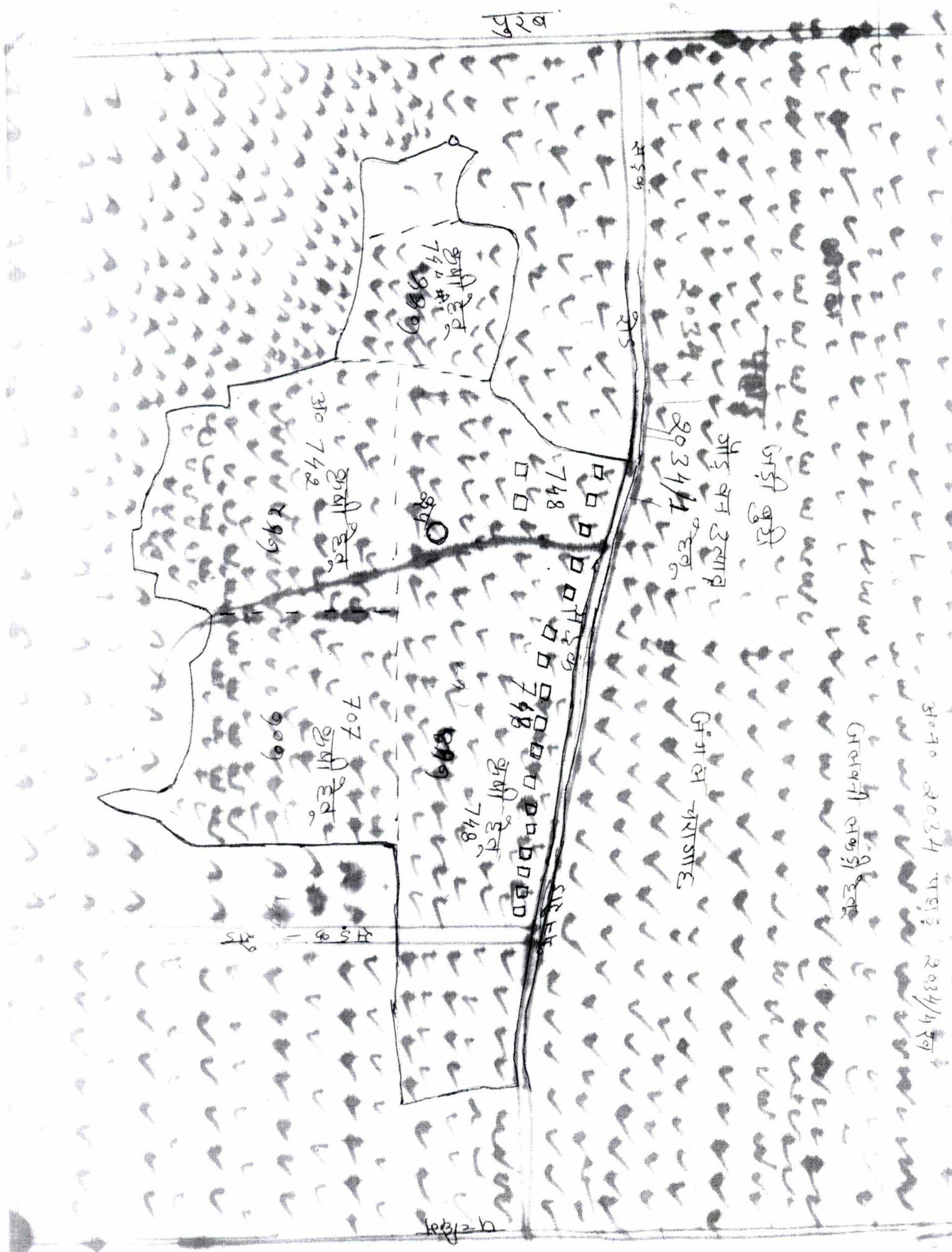
क्र. सं.	दावाकर्ताओं का नाम	पिता/पति का नाम	परिवार के सदस्य	दावाकर्ताओं के परिवार की फोटो	हस्ताक्षर/ अंगूठा
26	कुन्ती देवी	नागेन्द्र चौरा	मुस्त रामजनम 30 रामजनम 29 शिलपुजन 24		अ० नि० कुन्ती देवी
27	शान्ती देवी चौरा	रामेश्वर चौरा	मधुरा 35		अ० नि० शान्ती देवी
28	ममता देवी	चन्द्रेश	अनु प्रिया कुं 3 माह		ममता देवी
29	अनिता देवी	दिवेश	रोहित कुमारी 5 रुक्मी कुमारी 7 निराशा कुमारी 9 साधना कुमारी 12 वन्दना कुमारी 14		अ० नि० अनिता देवी
30	सरोजनी देवी	राजकुमार चौरा	अजित 13 परमजित 16		अ० नि० सरोजनी देवी

ग्राम सभा द्वारा लाल नगर ब्लॉक चोपन सोनभद्र

सामुदायिक वन संसाधनों के हक के लिये दावाकर्ताओं की सूची

क्र. सं.	दावाकर्ताओं का नाम	पति/पति का नाम	परिवार के सदस्य	दावाकर्ताओं के परिवार की फोटो	हस्ताक्षर/ अंगूठा
(31)	कलावती देवी	लालभन्नी	सितारा कुमारी 15 चन्पा कुमारी 13		31-11-15 कलावती

श्री १० २०३४ तारीख २०३४/४९



श्री १० २०३४

आधिकार कानून 2006 की धारा 2(क) के तहत

'सामुदायिक वन 'संसाधन' से ग्राम की परम्परागत या रूढ़िगत सीमाओं के भीतर रूढ़िगत सामान्य वनभूमि या चारागाही समुदायों की दशा में भू-परिदृश्य का मौसमी उपयोग अभिप्रेत है जिसके अंतर्गत आरक्षित वन, संरक्षित वन और संरक्षित ऐसे क्षेत्रों की भूमि है जैसे अभयारण्य और राष्ट्रीय उद्यान जिन पर समुदायों की परम्परागत पहुंच थी ।

कानून की धारा 2(ग) के तहत

“ वन में निवास करने वाली अनूसूचित जनजाति ” से अनूसूचित जनजातियों के ऐसे सदस्य या समुदाय अभिप्रेत है जो प्राथमिक रूप से वनों में निवास करते हैं और जीविका की वास्तविक आवश्यकताओं के लिए वनों या वनभूमि पर निर्भर हैं और इसके अंतर्गत अनूसूचित जनजाति चारागाही समुदाय भी है।

कानून की धारा 2 (घ) के तहत

“वनभूमि को किसी वनक्षेत्र के अंतर्गत आने वाली किसी प्रकार की भूमि अभिप्रेत है और और उसके अंतर्गत अवर्गीकृत वन,असीमांकित विद्यमान या समझे हुए वन , अरक्षित वन, संरक्षित वन , अभयारण्य और राष्ट्रीय उद्यान भी है ।

कानून की धारा 2 (ण) के तहत

“अन्य परम्परागत वननिवासी ” से ऐसा कोई सदस्य या समुदाय अभिप्रेत है , जो 13 दिसम्बर 2005 से पूर्व कम से कम तीन पीढ़ियों तक प्राथमिक रूप से वन या वनभूमि में निवास करता रहा है , और जो जीविका के वास्तविक आवश्यकताओं के लिए उन पर निर्भर है ।

वनाधिकार कानून-2006 की नियमावली में किए गए संशोधनों के सम्बंध में

वनाधिकार कानून-2006 व तदनुसार अधिनियम-2008 की नियमावली में भारत सरकार द्वारा 6 सितम्बर 2012 को संशोधन पारित किए गए हैं। इन संशोधनों का 20 सितम्बर 2012 को प्रकाशन करके सार्वजनिक किया गया। देशभर में वनाधिकार कानून के क्रियान्वयन की प्रक्रिया में सामने आ रही अड़चनों को देखते हुए ये संशोधन किए गए हैं। कानूनी भाषा जटिल होने के कारण इन संशोधनों को हम सरल भाषा में बिन्दुवार इस दस्तावेज़ के माध्यम से समझने का प्रयास करेंगे।

1. नियम 2 के उपनियम (1) में पूर्व में केवल अधिनियम की धारा 3(1) (जिसमें वनाधिकार कानून के तहत मान्यता प्राप्त हुए अधिकारों को स्पष्ट किया गया है) के क, ग व घ के तहत ही अधिकारों को मान्यता दी गई थी। संशोधन में उक्त धारा में क से लेकर ठ तक अधिकारों को मान्यता देने की बात जोड़ी गई है। इसके अलावा उक्त नियम 2 के घ को बदला गया है जिसमें लघुवनोपज को व्यक्तिगत व सामूहिक रूप से इकट्ठा करना व अपनी सहकारी समितियां या फेडरेशन संघ आदि बनाकर उनको बाज़ार में बेचना व परिवहन के साधनों को इस्तेमाल करने के अधिकार को और अधिक स्पष्ट किया गया है। यानि अब हम लघुवनोपज को ना सिर्फ अपने इस्तेमाल के लिए बल्कि आजीविका के लिए भी इसका संग्रहण व व्यक्तिगत अथवा सामूहिक रूप से बाज़ार में बेच भी सकते हैं। अब वनविभाग ये नहीं कह सकता कि आप जलौनी, घासफूस अथवा कोई भी लघुवनोपज केवल सर पर रख कर ही ला सकते हैं। यह भी स्पष्ट किया गया है कि इसके लिए अब परमिट प्रणाली को अपनाया जाएगा, जो कि ग्राम स्तरीय वनाधिकार समिति अथवा ग्राम सभा ही जारी करेगी और इसके लिए कोई फीस अथवा शुल्क नहीं लिया जाएगा।
2. नियम 2 में ही विस्तार देकर नियम 2 क, 2ख व 2 ग को जोड़ा गया है। इसमें 2 क में प्रत्येक पंचायत को यह जिम्मेदारी दी गई है कि वह अपने पंचायत क्षेत्र में आने वाले ऐसे प्रत्येक गाँव अथवा आवास या पुरवों की सूची तैयार करेगी जिसे अभी तक राजस्व या वनग्राम के रूप में कहीं भी अभिलेखों में दर्ज नहीं किया गया है। इसके लिए पंचायत ऐसी सूचियां बनाकर उपखण्ड स्तरीय समितियों को सौंपेगी व ऐसे गाँवों को अधिसूचित कराने का काम करेगी। 2 ख में उपखण्ड स्तरीय समिति के अधिकारियों को जिम्मेदारी दी गई है कि ऐसे गाँवों अथवा आवासों को जनता की टीका टिप्पणियों पर विचार करके जनता की सहमति से इनको रिकार्ड में दर्ज करने के काम को अंतिम रूप देंगे व 2 ग में स्पष्ट किया गया है कि ऐसे गाँवों अथवा आवासों के पहले से प्राप्त अगर कोई अधिकार हैं तो उनमें बिना कोई व्यवधान डाले इस काम को पूरा किया जाएगा।
3. नियम 3 के उपनियम 1 में ग्राम सभा का संयोजन करके बनाई जाने वाली ग्राम स्तरीय वनाधिकार समितियों में पूर्व में अनुसूचित जनजातियों के सदस्यों की संख्या एक तिहाई से बढ़ाकर कम से कम दो तिहाई की गई है। यानि पहले 15 लोगों की समिति में कम से कम 5 सदस्य अनुसूचित जनजाति के होने की अनिवार्यता को बढ़ाकर अब कम से कम 10 सदस्य किया गया है।
4. नियम 3 में उपनियम 3 (4) जोड़ कर स्पष्ट किया गया है कि संशोधन 2012 के आने से पूर्व मान्यता दिये गये अधिकारों पर इस संशोधन के कारण कोई अंतर नहीं पड़ेगा।
5. ग्राम सभा की जिम्मेदारियों से सम्बंधित नियम 4 में खण्ड उ के बाद खण्ड च और छ को जोड़ा गया है। खण्ड च में ग्राम समिति को अधिकार दिया गया है कि वह वनों के प्रबंधन के लिए वन संसाधनों का परीक्षण व योजनाएँ भी तैयार करेगी और वनविभाग द्वारा तैयार की जाने वाली कार्ययोजनाओं व योजनाओं में अगर समिति आवश्यक समझेगी हस्तक्षेप

करके बदलाव ला सकेगी। खण्ड छ में स्पष्ट किया गया है कि ग्राम समिति लघुवनोंपाद के एकत्रीकरण के लिए परिवहन परमिट व विक्रय से आय के उपयोग या प्रवर्धन योजना से सम्बंधित तमाम फैसलों को अनुमोदित कर सकेगी।

6. नियम 4 के उपनियम 2 में ग्राम सभा की बैठक में न्यूनतम संख्या दो तिहाई से घटाकर कम से कम आधी की गई है व इसमें जोड़ा गया है कि उपस्थित सदस्यों में कम से कम एक तिहाई महिलाओं का होना अनिवार्य होगा।
7. नियम 6 के खण्ड 8 में दावा फार्म के प्रारूप में एक फार्म प्रारूप ग बढ़ाया गया है, जिसमें सामुदायिक वन संसाधनों के अधिकारों को अभिलिखित किया जाएगा।
8. राज्य निगरानी समिति के कार्यों से सम्बंधित नियम 10 में खण्ड ग को बदला गया है। इसमें राज्य निगरानी समिति की बैठक जो कि पहले कम से कम 6 माह में एक बार करने के स्थान पर अब कम से कम 3 माह में एक बार करने की बात की गई है। जो कि राज्य में वनाधिकार कानून के क्रियान्वयन से सम्बंधित सागने आ रही तमाम समस्याओं पर विचार करके उनका निपटान करेगी। इसमें नियम 4 के उपनियम 8 से सम्बंधित मामले जिनमें वनविभाग अथवा विभिन्न प्रयोजनों के लिए वनभूमि अधिग्रहित करके लोगों को विस्थापित किया गया है उन भूमियों का अगर उक्त प्रयोजनों के लिए इस्तेमाल नहीं किया गया है तो समुदायों को वापिस सौंपने के मामले पर भी अब राज्य निगरानी समिति निगरानी रखेगी व ऐसे मामलों का निपटान करेगी।
9. नियम 11 के उपनियम 4 में सामुदायिक वनाधिकार शब्द के स्थान पर अब सामुदायिक वन संसाधन पर अधिकार शब्द रखा जाएगा।
10. नियम 12 में नियम 12 क व इसके उपनियम 1 से 11 तक जोड़ा गया है। विशेष रूप से वनाधिकार कानून के क्रियान्वयन से सम्बंधित अधिकारियों को जिम्मेदारी दी गई है कि ग्राम समिति द्वारा सूचना प्राप्त होने पर वे सत्यापन प्रक्रिया के समय वहां मौजूद रहेंगे। अगर वे एक बार उपस्थित नहीं रहते तो दावे फिर से ग्राम समिति को सौंपे जाएंगे व अधिकारियों को फिर से सूचित किया जाएगा लेकिन अगर वे दूसरी बार भी उपस्थित नहीं रहते तो ग्राम सभा के निर्णय को ही अंतिम माना जाएगा और दावा सत्यापन प्रक्रिया सम्पन्न कर ली जाएगी। उपनियम 10 में स्पष्ट किया गया है कि ग्राम सभा या ग्राम स्तरीय वनाधिकार समिति के अलावा कोई भी अन्य समिति अथवा किसी भी रैंक का अधिकारी किसी भी दावे को ना तो मंजूर करेगा ना ही निरस्त करने की ताकत रखेगा। यह शक्ति केवल ग्राम सभा अथवा ग्राम स्तरीय वनाधिकार समिति के पास ही होगी।
11. नियम 12 के उपनियम ड के बाद उपनियम च व छ बढ़ाए गये हैं। इसमें दावों को ग्राम सभा के साधारण बहुमत से अनुमोदित करने की बात व स्पष्टीकरण में नेशनल पार्क, सेंचुरी, अभयारण्यों यानि टाईगर रिजर्व क्षेत्रों व संरक्षित वन आदि में सामुदायिक वन संसाधनों तक पहुंच, उनका संरक्षण व निरंतर उपयोग करने के अधिकार की बात को पहले से और अधिक स्पष्ट किया गया है।

कैमूर क्षेत्र में पाई जाने वाली गोबर उत्पाद की सूची

क्र.सं.	जड़ियों का नाम	कौन महिने	से कब तक	
	सफेद घुमची	बरहमासा		शरीर में दर्द होने पर सरसो तेल में मालीस
2.	अकाश बवर	बरहमासा		परसूत के लिए उबालकर भार दिया जाता है।
3.	पतली गुम्मी	जुलाई से	अक्टूबर तक	मियादी बुखार के लिए सांग खिलाया जाता है।
4.	बांस1	बरहमासा		टोकरी बनाने के काम आते हैं।
5.	बते	जून से	अप्रैल तक	खाची बनाई जाती है।
6.	टसर	बरहमासा		रेशम बनाई जाती है।
7.	कोवों	बरहमासा		रेशम बनाई जाती है।
8.	हरजोड़	बरहमासा		हडडी टूटने पर लेप किया जाता है।
9.	समेर फल में	जनवरी से	फरवरी तक	रुई निकलती है।
10.	करवन की सोर	बरहमासा		बुखार के लिए पिलाई जाती है।
11.	प्यार	फरवरी से	अप्रैल तक	फल मिलता है।
12.	महुआ	फरवरी से	अप्रैल से जून तक फुल मिलता है।	डोरी मिलती है।
13.	गुरसंकरी	जून से	दिसम्बर तक	घाव पर रखने से घाव पकाकर फोड़ देता है।
14.	पतरकी बवर	जून से	दिसम्बर तक	बुखार के लिए मरिच के साथ पिना होगा।
15.	रामवास	बरहमासा		हडडी में दर्द होने पर मालिस किया जाता है।
16.	सहद	बरहमासा		पुजा के काम आता है।
17.	चिन्हार	बरहमासा		जोड़ों के दर्द पर मालिस किया जाता है।
18.	ममरी	बरहमासा		बुखार के लिए
19.	कोरया की छाल	बरहमासा		खैर बनाया जाता है।

20.	खैर	बरहमासा		दामा होने वालों को पिलाया जाता है।
21.	कहुआ	बरहमासा		चोट लगने पर पीसकर लेप किया जाता है।
22.	गुल्लर	बरहमासा		ताकत की दवाई बनायी जाती है
23.	सीशो	बरहमासा		हवा लगने पर मालिस किया जाता है
24.	वन अरुई	जून से	अक्टूबर तक	सरबत बनाया जाता है
25.	पताल कोहड़ा	जून से	दिसम्बर तक	दूध बढ़ाता है पशुओं को पिलाई जाता है
26.	गेठी	जून से	अक्टूबर तक	पशुओं को पिलाया जाता है।
27.	बेल	जून महीने से	मई तक	पशुओं को चुहा जानवर होने पर लेप किया जाता है।
28.	सत्तावड़	जून से	मार्च तक	
29.	आटिल	बरहमासा		
30.	गोड़ाड	बरहमासा		
31.	बिठकन्दरा	जून से	मार्च तक	कम्बल के सेत में लगाया जाता है
32.	लालकन्दा	जून से	अप्रैल तक	
33.	तेन्दु फल	फरवरी से	मार्च तक	
34.	धवई का फूल	फरवरी से	मार्च तक	रंग बनाया जाता है
35.	धावरा का लाशा	फरवरी से	अप्रैल तक	पेचिस के लिए खिलाया जाता है
36.	छिवला की छाल	बरहमासा		पेचिस की दवा दुध के साथ दिया जाता है।
37.	मदार	बरहमासा	गैस्टिक के	फूल पीसकर गोली बनाई जाती है गोली सुबह शाम खिलाई जाती है।
38.	लरमा घास	बरहमासा		चोट घाव लगने पर पीसकर लेप किया जाता है
39.	पथरचट्टी घास	बरहमासा		धातु के लिए कच्ची चीनी में मिलाकर पिना होगा।
40.	कुश	बरहमासा		शादी ब्याह में पैत्ती बनाई जाती है।
41.	वन भिडडी	जुलाई से	अक्टूबर तक	ताकत के लिए पशुओं को पिलाया जाता है।

42.	वन सेमी	बरहमासा		खून बढ़ाने वाली जड़ी है कच्ची चीनी के साथ पिना होगा
43.	खेखशा	जुलाई से	सितम्बर तक	ताक के लिए
44.	नारुन फल	सितम्बर से	अक्टूबर तक	मियादी बुखार को जड से खत्म कर देता है।
45.	वन कुनुरु	अगस्त से	अक्टूबर तक	ताकत के लिए सब्जी बनाई जाती है
46.	ईमली	फरवरी से	मार्च तक	अचार चटनी आदि के लिए
47.	बरसिंहा	बरहमासा		शाल कबरने पर रगड़कर लगाने से दर्द ठीक हो जाता है।
48.	करज	जून से	दिसम्बर तक	खसरा पीरकी के लिए पीसकर लगाना होगा।
49.	इन्द्रर बगीईया	जून से	मार्च तक	चोट के लिए
50.	मेद	बरहमासा		शाल के लिए
51.	सेहुर	बरहमासा		नरकहीया घाव के लिए
52.	वन पुदीना	जून से	अक्टूबर तक	चाय के साथ पिया जाता है
53.	कुचेला	सितम्बर से	फरवरी तक	कुत्ता काटने पर लगाया जाता है।
54.	मुरेरा	जून से	दिसम्बर तक	इससे कई दवाईया बनाई जाती है।
55.	जंगली भन्टा	जुलाई से	अक्टूबर तक	घाव को बैठाता है सेकाई करन से
56.	तिलया	बरहमासा		गलाघोट मर्ज के लिए
57.	सिगर लउरीया फुल	मई से		बुखार न छोड़ने पर टिकरी बनाकर खिलाया जाता है
58.	धावरा पेड़	बरहमासा		दमा के लिए
59.	करोहारी	जुलाई से	दिसम्बर तक	गठीयाबाद के लिए सरसो तेल में मिलाकर मालीस करें।
60.	अठउल का फुल	जून से	दिसम्बर तक	धातु के लिए कच्ची चीनी में पीना होगा।
61.	बथुआ	अक्टूबर से	मार्च तक	पशुओं के लिए पाचन शक्ति है।
62.	मुनगा की छाल	बरहमासा		चोट के लिए
63.	बरीयारी	जून से	दिसम्बर तक	कमजोरी के लिए

WORKING PLAN

FOR THE

NAINI FOREST DIVISION, DIDDI (MIRZAPUR)

SOUTHERN CIRCLE

UTTAR PRADESH

1973 - 74 to 1982 - 83

Compiled in the Working Plans Circle, U. P.

By

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PARTS I & II



NAINI TAL

WORKING PLANS CIRCLE, U. P.

1973

- (i) **BUILDING MATERIALS** - For the house construction and repairs or for cattle sheds the villagers generally require ballies, bamboos and thatching material. These are supplied from the forests either free of cost or at concessional rates. For ballies the species most in demand are sal, asan, sidha, tandu, parisidh, sandan, amaltas and dhaura. Haldai is used in the shape of sawn timber for door leaves. The earlier nomenclature of bader, golas, chaudhar, mudkatti, sonhatta and dharan are no more in use by the contractors. These are all grouped into ballies and sawn timber according to their sizes. The larger sizes of ballies and sawn timber for the use of villagers are mostly supplied by the local forest contractors. Some times, petty sales of a few trees of asan, sidha, sal, haldai etc. at full schedule rates are also made from the forests for the bonafide domestic needs of the people.
- (ii) **TIMBER FOR AGRICULTURAL IMPLEMENTS** - Khail, sal and sandan are required for ploughs while dhaura is needed for cart axles. These requirements are met from the forests.
- (iii) **FIRE WOOD** - The villagers collect dry firewood free of cost from the forests to meet their bonafide domestic requirements.
- (iv) **GRAZING AND FODDER** - The villagers keep large herds of cattle, sheep and goats, far in excess of their requirements. They are seldom stall-fed and the villagers depend mainly on the forests for their grazing. The incidence of grazing is, however, unevenly distributed. It is heaviest in forests close to habitation. Lopping of green trees is also resorted to by the graziers. Grazing, free or at concessional rates, is permitted all the year round and throughout the division except in parts of the forests closed to grazing on account of plantations or for regeneration purposes. Free collection of fodder grass is allowed from the forests. According to 1966 census the cattle population of the tract (Dudhi tahsil) was as follows :-
- | | | |
|--|---|-----------------|
| (a) Bullocks and cows (of all ages) | - | 1,41,319 |
| (b) He and she buffaloes (of all ages) | - | 13,914 |
| (c) Sheep | - | 2,656 |
| (d) Goats | - | 60,954 |
| (e) Horses and ponies | - | 1,948 |
| (f) Mules | - | 45 |
| (g) Donkeys | - | 122 |
| (h) Camels | - | 53 |
| (i) Pigs | - | 503 |
| Total | - | <u>2,21,414</u> |
- (v) **MINOR FOREST PRODUCE** - Thorny bushes for fencing of agricultural fields, bagai grass and mahulain fibres for rope making and flowers and fruits of mahua, tandu, river, sonli, harr, bahera, ber, julli, etc. for domestic consumption are needed by the villagers and these are allowed free to them. Leaves of dhao, the fruit of kakor and bark of ariun are good for tending purposes. However there is little demand at present for these materials.

3.4. MARKETS - The local markets are Renukoot, Dudhi, Wynthaganj and the surrounding villages. HINDALCO at Renukoot requires salai for packing cases. Timber, charcoal and firewood is also consumed in the above markets. The principal outside markets are Varanasi, Allahabad, Mirzapur, Kanpur, Calcutta, Dhulian (West Bengal), Aurangabad, Garhwa Road, Patna, Bhagalpur, Dehri-on-Son, Dalmia-nagar, Gursahaiganj (in Farrukhabad district for biri leaves), Ballia, Jalaun, Obra and Ahraura where most of the forest products of the division such as timber, firewood, charcoal, bambu salai and bamboo for pulp, katha, bagai-grass, and tendu leaves are exported.

3.5 MARKETABLE PRODUCTS - The chief marketable products of these forests are given below :-

- (1) TIMBER - Timber is extracted in the round mainly in the form of ballies and golas. Ballies are extracted in the diameter classes ranging from 7.5 cm to 22.5 cms under bark. The measurement is taken at the point 30 cms away from the butt end. The round timber above 22.5 cm diam is called gola. The earlier nomenclature of bader, chaudhar, mudhatti, gorbaha and gharan have fallen into disuse and instead all the round timber is grouped into ballies and golas and the swan timber is sold in the shape of planks and karis of various dimensions as per requirements of the purchasers. Murdhawa and Dudhi are two forest timber depots of this division where forest contractors have installed several saw machines for sawing and sale of timber of all sizes. The species sold at these places are sal, asan, sidha, tendu, haldu, amalta, dhaura, sarsida and salai; but timber of sal and asan is preferred over all other species. Most of the timber produced in these forests is consumed in the markets of Varanasi, Mirzapur, Allahabad, Jaunpur and Ballia. Salai, in the shape of planks is used for packing cases by Hindalco in large quantities. Phorrahs used largely for shuttering in concrete constructions at Obra and Renukoot are supplied entirely from these forests. For the past few years there has been a big demand of ballies for electric transmission posts. The same have been supplied from Murdhawa and Dudhi. Some teakwood of koraya is exported to Ahraura and Varanasi. Salai pulpwood is transported to Rohtas Paper Mills and the Star Paper Mills, Saharanpur.
- (11) BAMBOOS - There are 3 forms in which bamboos are exported viz.,
 - (a) TERRA - The butt end pieces of the culms 2.7 m long; usually exported in bundles of 10 for use in chappar making.
 - (b) BARAHI - The middle piece of the culm, 3.7 m to 4.3 m long; usually exported in bundles of 10 for chappar making.
 - (c) SORAHAI - The top most section of the culm 2.7 m and upwards in length; usually exported in bundles of 10, for use in chappar making and also use in the roofs of tiled mud houses.

Some times, bamboos are cut and exported to Dehri-on-Son for paper manufacture. For this purpose, no special size or shape is necessary as every bit of it is utilised for conversion into pulp.

A part of the bamboos is consumed locally, and the balance is exported to the markets of Dehri-on-Son (for paper manufacture), Varanasi, Mirzapur and Allahabad.

- (iii) FIREWOOD - There is a heavy demand for firewood at Pipri, Kenukoot, Dudhi, Wynthanganj, Luirpur and the towns of Varanasi, Mirzapur and Allahabad. The small sized firewood which does not require splitting before use is preferred. Practically all the species except salai, kurlu, mirra, dogudala, galal, and sandh are used as firewood. The species mostly prized as firewood are dhaura, kakor, sidha, appla and ber.
- (iv) CHARCOAL - All the good firewood species yield quality charcoal. Main markets of charcoal are Varanasi, Mirzapur and Allahabad. The charcoal made from salai, is exported to some textile mills, probably for use in the rayon manufacture.
- (v) KATHA - Katha, both of Varanasi quality locally known as dudhia-katha and ordinary quality is manufactured in these forests. Dudhia katha is exported to Varanasi and Mirzapur while ordinary katha generally goes to Kanpur.
- (vi) TENDU LEAVES - This is the main-stay of revenue in this division and is used for the manufacture of 'biris'. With the nationalization of trade in tendu leaves (since 2.3.71) the revenue from tendu-leaves of this division has increased from about Rs. 8 lakhs in 1971-72 to over Rs. 53 lakhs (net) in 1972-73. Mirzapur, Calcutta, Dhulian (West Bengal), Mirangabad, Garhwa road, Patna, Bhagalpur, Gursahaiganj (Farrukhabad district) are the main markets for this commodity.
- (vii) BAGAI GRASS - This is generally used for cordage and rope making and is mostly consumed locally. Only a little of this produce is exported to Robertsganj, Ahraura, Mirzapur and Palamau (Bihar). Some times grass is exported to Dehri-on-Son for paper manufacture.
- (viii) GUM - Gum is extracted from khair, dhau, kurlu and piyar and is generally exported to Ahraura, Hathras and Delhi.
- (ix) PULP WOOD - Salia wood and bamboo is exported to Rohtas Paper Mills and Star Paper Mills for pulp and paper.
- (x) KORAYA WOOD - Koraya wood, in small quantities, is exported to Ahraura and Varanasi for toy making.
- (xi) OTHER MINOR FOREST PRODUCTS - Various minor forest products such as fish, hides and horns, honey and fruits of harsa, bahera, sonla etc. are collected and consumed locally or exported to Mirzapur, Varanasi and Allahabad. Leaves of kakor, dhau, sidha, and barks of ardun are good for tanning but there is hardly any market for them at present.

3.6 LINES OF ROUTE - The means of communications have greatly improved in the tract in recent years. The Chunar-Garhwarood railway line runs through this division from Belhathi forests to Wyndhamganj via Jogidih, Renukoot (Pipri), Jharo, Dudhi and Wyndhamganj. Forest produce like timber, charcoal, firewood, bamboo, salai, wood for pulp and tendu leaves are exported from these stations. The Obra-Singrauli railway link also passes through Jogendra and Randhor forest blocks. At present this railway link is being used only for transporting Singrauli coal to Obra power house. Three good painted Public Works Department motor roads viz, the Hathinala-Dudhi, Mirzapur-Pipri and Pipri-Singrauli roads pass through these forests. In addition there is a net work of forest motor roads in the area. These roads and the railway lines have greatly eased the position of transport and communication which only few years ago was extremely difficult and acute.

3.7 The list of the existing forest motor roads which are also used for export purposes is given in para 5.105.

3.8 METHODS OF EXPLOITATION AND THEIR COST - With the enforcement of 'The Uttar Pradesh Tendu Patta' (Vyapar Vinnyaman) Act, 1972 the state of Uttar Pradesh has taken over the monopoly in the purchase and distribution of tendu leaves and the matters connected therewith in the districts of Allahabad, Mirzapur, Banda, Hamirpur, Jhansi, Jalaun and Varanasi, with effect from 2-3-72. Consequently no person, other than the state Govt. or duly authorised officer of the State Govt. can purchase, sell or transport tendu leaves. The entire area (including Kastkari areas) falling within the territorial jurisdiction of the division has been divided into 'Units'. The Govt. approves agents for the purpose of purchase and trade in tendu leaves on its behalf for each unit. The agent establishes depot for the purchase of tendu leave and makes payments to the labour and tenure holders for the leaves offered at the depot at rates fixed by the Govt. During 1972 season the rates per standard beg (manak bag) for the leaves collected from the Government forests and those from the tenure-holders fields were Rs.16/- and Rs.18.50 respectively. One standard beg contains 1000 gaddies (bundles)-each gaddi (bundle) of 50 leaves. The tendu leaves so collected are disposed off by the usual method of inviting tenders. During 1972-73 average tendered rate per manak bag was Rs.73.00. In practice these purchasers are fixed before the appointment of agents. The purchasers are responsible for the curing, packing, storage and transport of the leaves.

3.9 The produce of all other categories is sold on lump sum contract by public auction. The majority of the growing stock of these forests consists of trees too small to yield sawn timber. Trees are, therefore, felled and converted by axe and exported in the round. In case of other forest produce also, the responsibility for collection or cutting, conversion and export of the produce is that of the buyers. The export is done by trucks.

3.10 The present cost of conversion and extraction of various forest produce is given below. The cost fluctuates appreciable depending on the condition of the forest, its accessibility and condition of the roads:-

GAZETTEER OF MIRZAPUR.

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PREFACE.

The old Gazetteer of Mirzapur was compiled by Mr. W. Grierson Jackson and edited by Mr. F. H. Fisher in 1883. There appears to have been but little available material in writing and Mr. Jackson was compelled to rely largely on his own personal enquiries for his facts. Even then accurate information, or, in some cases, information at all was often lacking. Since that time much has been written about Mirzapur, especially concerning its population and ethnography; but it is still a district about which comparatively little is known. Nearly one-third of it has never been cadastrally surveyed; and even in the more accessible tracts lying north of the Kaimurs general information is more meagre probably than in any other district of the plains. The present volume contains a large amount of matter collected from a great variety of sources, of which the list of references is by no means exhaustive; but there are many points of interest which it has been found impossible to hardly more than notice; for, although so peculiarly interesting a district offers a rich field to the antiquarian and ethnographer, it can hardly as yet be said to have been exploited. I am much indebted to Messrs. P. Wyndham and J. B. Ormrod for their ready help in supplying information and material.

NAINI TAL:

September 1909.

D. L. D-B.

their surplus waters carried off by the Chandraprabha and the Karamnasa. In pargana Barhar and tappa Upraudh, the surface drainage flows westwards into the Belan, which from this point of view must rank as one of the three most important rivers in the district. The whole of the south of the district, including the portion of pargana Bijaigarh lying south of the Kaimurs, drains into the Son or one of its tributaries. It may easily be conceived that the district contains nothing that can be dignified with the name of a lake. Such natural *jhils* as there are, are of the shallowest character and seldom retain water even up to the commencement of the hot weather, though Tal Samdha, the largest, situated near the eastern boundary of pargana Bhadohi, may be as much as two miles broad after a favourable monsoon. On the other hand, in the upland portions of Mirzapur, as in similarly situated tracts, advantage has been taken of marked drainage lines to construct a number of artificial tanks, such as those at Kandia and Gaharwargaon, by means of embankments, which impound considerable quantities of water. These, however, are made with the definite object of irrigation, and will be more fittingly treated when that subject is discussed.

The barren area not available for cultivation amounts to some 1,539,506 acres or 45.92 of the whole district. It is necessary, however, to point out that a large portion of the district, namely parganas Agori, Singrauli, Dudhi, and the area of 64 villages in pargana Bijaigarh, covering in all some 1,259,177 acres, has never been cadastrally surveyed; so that not only has this figure to be accepted merely as an approximation, but owing to the absence of annual returns accurate details of the area cannot be obtained. Moreover, complete statistics are unprocurable for a portion of pargana Kera-Mangraur in the Family Domains of the Maharaja of Benares, and detailed information therefore is available only for tahsils Mirzapur, Chunar and the portion of Robertsganj comprised in pargana Barhar and a part of Bijaigarh. According to the returns, the average area of the surveyed portion of the district between 1902 and 1907 was 1,536,358 acres, out of which 303,334 acres or 19.76 per cent. were barren waste. This, however, included the area under water, amounting to 61,689 acres, and all the land occupied by sites, roads and the like. The remainder consists for

the most part of rivers, jungles and rocky hills, and covers 183,984 acres, over half of which is in Mirzapur tahsil. Of local tracts, pargana Ahraura has 22.80 per cent. of barren waste, and is followed by Saktesar, 18.14 per cent. and Upraudh, 15.59 per cent. At the opposite extreme come the densely populated portions of the Ganges valley; and in Bhuli the proportion does not exceed 1.43 per cent. and in Qariat Sikhar 1.83 per cent.

Incidental mention has already been made of the forests with which the eastern portion of the tableland and the southern hills are clothed. These are the remains of a dense tree growth which once covered all but the most arid portions of the upland of the district. Except in the Chakia preserves and the more inaccessible localities they now contain no valuable timber. The demand for firewood and charcoal in the cities of Mirzapur and Benares has led to an almost complete denudation of the nearer hills, and, wherever jungle grows, it is usual to cut it every seven years to meet this demand. The inaccessibility of Sonpar has saved the forests of southern Mirzapur from a similar fate but even here the trees though numerous in quantity are generally speaking poor in quality, except in the immediate vicinity of the rivers on the lower elevations. The outskirts of the jungle are especially poor and thin owing to the recklessness of woodcutters and the former wasteful system of *dhaiya* cultivation. Before the Government stepped in to prevent this practice in the Dudhi estate, the nomad cultivator would select a well-wooded piece of jungle, fire it, and having thus cleared it, would crop it till the soil was exhausted and then move on to a fresh plot. There is no closed forest in Sonpar, but steps have been taken to prevent the denudation of the existing jungle. In the forests owned by the Raja of Singrauli and the Rani of Barhar, an axe tax, called *tangai*, is levied on each person; this ranges from four annas to one rupee per annum. Agarias and *khair* workers pay a similar due, termed *chulhai*. Cultivators, however, are permitted to take wood free for building houses, making implements and for other *bona fide* domestic or agricultural purposes. In Dudhi the jungle is divided into protected and non-protected forest, its total area being returned at approximately 78,876 acres. The former is technically called *rakhat*, while in the latter, which is known as *katal*, any person is allowed to go and cut wood without let or

hindrance. The forests of south Mirzapur were examined by an assistant conservator of forests in 1869, with a view to reservation. He reported that there were in the northern portion of Dudhi no forests of present or prospective value and that little could be expected from the existing jungles under any circumstances. As regards the southern half of the pargana he was more hopeful, owing to the prevalence of *sal* trees and the more generous growth of bamboos. Steps to preserve these forests were first taken in 1870-71, after the visit of Sir William Muir to Dudhi, by restricting wasteful intermittent cultivation; and in 1874 the area of protected forest was marked off. Four forest guards were subsequently appointed to look after the protected area, and their number was increased to nine in 1901, their pay being provided out of the income of the Dudhi state. The extension of this staff was under consideration in 1908, but no further steps were taken in the way of conservancy: though, in view of the decrease of timber, it was decided to extend protection to a larger area of waste land at the settlement of 1909.

Besides the *bargad*, *pipal*, *shisham*, mango, *nim*, *bel*, *jamun* and tamarind, the common trees of a Gangetic landscape, which are too well known to need description, there is a large number of trees growing in the Mirzapur forests which are more or less confined to the rocky portions of the province. Moreover, there is hardly one which is not put to some use by the inhabitants. The silky wool which grows in the pods of the *semal* (*bombax malabaricum*) is used to stuff quilts, mattresses and the pack-saddles of animals: the root makes a tonic medicine. The *aonla* (*phyllanthus emblica*) and *bahera* (*terminalia bellerica*) yield a red dye. The berries of the former are acid in taste and useful as an astringent, and from the fruit of the latter ink and an aperient medicine are made. The black heart wood of the *tendu* (*diospyros melanoxylon*) supplies the ebony of commerce, while its round, yellow fruit is much consumed by jungle tribes. The *dhaora* or *siuda* (*lagerstrœmia parviflora*) is a large deciduous tree with wood of a greyish-brown colour: it is tough, elastic and durable and might, if transport were easier, prove of large commercial value. Its leaves are used by Chamars in tanning. The *salai* (*boswellia thurifera*), rising with its ashly and leafless

Jungle
trees.

branches above the underwood, gives the forest a bleak and wintry appearance. Out of its trunk are made the troughs (*dongi*) used as repositories in which the catechu syrup that is extracted from the *khair* wood by boiling is dried. The bright scarlet flowers of the *palus* or *dhak* (*butea frondosa*) yield a yellow dye, brighter than gamboge: its seeds are useful medicinally as a vermifuge and purgative, while its inspissated juice has astringent properties. From its leaves are made the platters so much used in marriage ceremonies; and the root furnishes a fibre for caulking boats. It also bears lac. The *parsidoh* (*hardwickia binata*) seems to flourish particularly in south Mirzapur. The leaves are used as fodder for cattle. The heart-wood is tough and is used for bridges and house posts, as well as for lighter fancy work. In the Son river piles of *parsidoh* have been found after 20 years as sound as when first put in. This tree bears a sacred character among the aborigines of Sonpar, and invariably forms the first pole of the marriage pavilion. The *haldu* (*adina cordifolia*) yields a fairly durable wood, which is in some request for furniture and tools of husbandry; from the *bijaisal* (*pterocarpus marsupium*) are obtained good beams and a red gum resin known to commerce as *kino*. Its wood is used for making the drums which are beaten at religious ceremonies. The bark of the *kahua* or *arjun* (*terminalia arjuna*) is employed by Chamars in tanning, and the galls of the *harra* (*terminalia chebula*) are similarly utilized, its bark being largely exported to Ahraura bazar. From the *kulu* (*sterculia urens*) a valuable marketable gum, called *katila*, is procured. This tree derives the botanical name of *sterculia* from the foul smell of its leaves, and on its pinkish white bark is supposed to be written the name of *Rama*. The root of the *gamhar* (*gmelina arborea*) is used as a laxative and tonic medicine, and is useful in fevers: the wood is even-grained, durable and does not warp, and is consequently much in request for furniture, palanquins and similar articles. Other trees which need only be mentioned and whose utility is familiar to every one, are the *mahua*, the *bamboo*, and the *sal* or *sakhu*. The last named produces a gum called *dhup*, to obtain which many trees used, till preventive measures were taken, to be annually girdled and destroyed. Two others, the *asen* and the *khair*, are connected with small industries.

sacrifice being usually offered under the sacred tree of the village, though Raja Chandol is not considered to belong to the *deohar* or aggregate of village gods. Raja Chandol has a shrine on the Gaura hill in Dudhi under a *pipal* tree, where he is worshipped by Manjhis. He appears to be the same as Chandor, a deity of the Bengal Mundas, who has been identified on another theory with the goddess Chando Ormol or Chanala, the moon, worshipped by women as the wife of Singbonga and the mother of the stars.

The Hindu community includes representatives of no fewer than 75 separate castes, excluding subdivisions, while in the case of 1,420 persons no caste was specified at the last census. A large number of these castes, however, are very scantily represented. In 13 instances the total exceeds 20,000 persons apiece. Among the remainder an unusually large number deserve notice on account of their comparative rarity in or total absence from other districts of the province; for Mirzapur presents a greater variety in the composition of its population than any other district. Many of the castes, however, occur almost everywhere, and are too well known to call for detailed mention.

First on the list come Brahmans, who number 152,705 persons and form 15·1 per cent. of the Hindu population. This caste is most numerous in the Mirzapur and Korh tahsils, though everywhere they form one of the largest divisions of the people. The bulk of them are Sarwarias or Sarjuparis: Kanaujias, Gauras and Sakaldips also occur, but only in small numbers. Of the three principal *gotras* of the Sarwarias, Garg Brahmans are found in pargana Barhar, with the village of Naugaon as their principal seat; Gautams in Chaurasi; and Saudils in pargana Bhagwat. Of *gotras* which are usually classed as inferior the Parasar occur in Chaurasi; and the Bharadwaj, Kasyap and Vashisth in Barhar. As landholders Brahmans form an important portion of the population. Their advent into the district is due probably to the grant of lands in return for services as family priests; while others trace their position to the liberality and patronage of Chandel princes.

After them come Chamars with 134,384 representatives, forming 13·3 per cent. of the Hindu inhabitants. They call for no detailed mention. They occur in large numbers in every tahsil in the district, and comprise the general labouring population of

each tract. In tahsil Ohakia, Chunar and Robertsganj they outnumber Brahmans; and as cultivators are certainly among the most laborious, and often among the best.

Ahirs, who follow Chamars and have 101,755 representatives or 10 per cent. of the Hindus, are almost entirely Gwalabans. By occupation they are cowherds or cultivators, and are well distributed over all tahsils. They are succeeded by Kurmis to the number of 64,348 or 6·38 per cent. over half of whom are confined to the Chunar tahsil. The Kurmis of Mirzapur belong to a large number of subdivisions, the best represented of which is the Jaiswar. As usual they are the most skilful portion of the agricultural population.

Ahirs and
Kurmis.

Rajputs number 41,858 members and form 4·1 per cent. of the Hindu population. This caste comprises members of a large number of clans, but only four of these occur in numbers exceeding 2,000 and many have very few representatives. Rajputs are most numerous in Korh and Mirzapur and first among the clans comes the Gaharwar, totalling 6,181 persons. The latter are headed by two notable families—one, which has for some 350 years professed the Musalman faith, formerly possessed in sovereignty the pargana of Kera-Mangraur, while the Rajas of Kantit are the heads of the younger branch. Their history is the same as that of their leading representatives, and, like that of the Chandels, who number 2,456 and count among their number the Rajas of Agori-Barhar and Bijaigarh, will be more fittingly postponed till we come to speak of the leading families of the district. Gaharwars are followed by Bais Rajputs to the number of 4,594 persons, and are scattered over all tahsils. They and the Bisens, numbering 2,500 persons, probably came into the district for the most part through intermarriage with other Rajput clans, though some appear, as for example in Bhadohi, to have received grants of land from ancient Bhar chieftains. Of the remaining Rajput clans, the only one which deserves notice is the Monas or Maunas, whose number was not separately recorded at the census of 1901.* The Monas are found almost exclusively in the Benares division, and in Mirzapur occur chiefly in pargana Bhadohi. They say that their original seat was Ambar, and that over fifty generations ago some of them

Rajputs

* In 1891, however, they numbered 9,144.

started on a pilgrimage to Gaya. Bhadohi was then ruled by the Bhars, and one of the Bhar Rajas ordered a Brahman, named Siva Man, to give his daughter in marriage to his son. The Brahman appealed to many of the neighbouring Rajas for protection: but they failed him, until the party of Monas Rajputs took up his cause and finally captured Chauthar which was the chief stronghold of the Bhars. Thus they gained the country; and their last Raja was Takht Singh, who was overcome by Balwant Singh, the first Raja of Benares.

Before proceeding to give an account of the semi-Hinduised or aboriginal tribes, who furnish the chief point of interest in the ethnology of Mirzapur, a few words are necessary concerning the other most numerous Hindu castes. These are Kewats, 40,462 persons, practically all of whom live in Korh and Mirzapur; Koris, 40,375; Telis, 23,626; Bantias, 23,575; Lohars, 22,978; and Gadariyas, 22,295. No detailed mention is needed concerning Koris, Telis and Lohars. They are well distributed over all tahsils and follow traditional occupations which are well enough known. Bantias belong for the most part to the Kasarwani, Agrahari and Umar subdivisions; but as a body they have decreased in importance since the commercial decline of the city of Mirzapur began about 1850. They are found in all tahsils, but are of course most numerous in Mirzapur. Gadariyas, like Kewats, occur in largest numbers in tahsils Korh and Mirzapur, and after these in Chunar: elsewhere they are comparatively scarce. They are professional shepherds, and belong for the most part to the commonest or Nikhar subdivision. Other castes having more than 10,000 representatives are Pasis, 19,699, chiefly in Korh; Kahars, 17,637; Kalwars, 15,834; Nais, 15,445; Kayasths, 12,885; Lunias, 12,174; Mallahs, 11,269; and Dhobis, 10,722.

The numerically strongest of the aboriginal tribes is the Kol. In 1901 they amounted to 27,346 persons, two-thirds of whom are to be found in tahsils Mirzapur and Robertsganj. They state that they are emigrants from a place called Kutali in the territories of the Bardi Raja in Rewah State. They name one Nanhu as their ancestor, and like the Musahars, have a tribal temple at Pipari, near Chunar, where is the shrine of Birmha Devi. Like many of the kindred tribes, they have legends of a kingdom in

the Gangetic valley, whence they were expelled by the Savaras or Seoris and retired into the hill country to the south. What is now Saktesarh in the hill country above Chunar was formerly called Kolana, and the pargana of Kol Asla in Benares still bears their name. The name is probably derived from "Ho," which means "a man" in the pure Kol dialect; and the tribe is certainly related to the Mundaris and Mundas of Bengal. But whatever their origin may have been, the customs of the Kols have now become deeply tinged with Hinduism. They have shaken off the elaborate system of totemistic septs still found among the Mundas of Bengal and have adopted a subdivision into endogamous *kuris* or *gotras*. The number of the latter is variously given, but is probably seven, and they are derived from the exogamous *tat* or *thal* of olden days. *Tat* properly signifies the tribal mat on which the assembled council of elders sits; this council is composed only of the heads of the families. As regards religion, they appear to have lost all recollection of the Singbonga, the Sun God, revered by the Mundas; for the Mirzapur Kol, though he bows before Suraj Narayan or the Sun when he leaves his house in the morning, does not seem to venerate him more than all Hindus do. He worships demons and spirits, whom he greatly fears, and the souls of the dead. In the north of the district the Kols generally employ Ojhas or witch-finders for worship and exorcism; but south of the Son, their worship is carried on through the Baiga or Bhuiyar, who acts both as exorcist and witch-finder. The chief god of the Kols is Raja Lakhan: he has sometimes a rude shrine of his own but in general he is believed to inhabit the village *bargad* tree, and is worshipped by the head of the family who sacrifices a ram in his honour and pours a little liquor near the shrine. Besides this there are several minor deities, such as Rakhel and Phulmati Devi, who are the local guardians of men and cattle; Baghaut or tiger-ghost; Bansapti or Banspati Mata; Bhawani; Chithariya Bir, "the hero of tatters," who lives in a tree on which rags are hung; and many similar deities of forest and mountain. The goddess Sitala Mata is worshipped when small-pox breaks out, and the Nag or snake-god at the Nagpanchmi festival. Most Kols are ploughmen and a few have land of their own: but the more primitive among them are addicted to the destructive system of *dhariya* cultivation.

Next to Kols come Majhwars with 21,259 representatives, entirely in Robertsganj; they are called indifferently Manjhis,* Majhwars and Gond Majhwars. The name is derived from the Sanskrit *madhya* or middle, and is said to mean either the holders of the middle land, or, as is more probable, leader or headman. Their appearance is of the ordinary Gond type, their heads being broader and their noses coarser than those of the Kols and Pankhas. Their traditions point to a western origin and fix the date of their immigration into the district about 1650 A. D. They represent themselves as having come from a series of forts along the line of the western Vindhyan and Kaimur ranges, and they maintain their connection with their native land by occasional pilgrimages to shrines at Sarauggarh† and Maruagarh‡. They have a legend to the effect that when Ram Chandra broke the famous bow at the court of Janaka, king of Videha and in Mithila, its pieces fell in four places, to the site of one of which, on the banks of the Narbada, they still resort for pilgrimage. Their connection with the Gonds is further kept up by the common worship of the national deities, *Burha Deo* or *Ningo*, and his attendant *Baghiya*; and they say that there are a temple and images of these tribal gods at their place of pilgrimage on the Narbada. In Mirzapur, however, Ningo resides either in the common village shrine, *deohar*, or in some ancient *sal* tree, which no Manjhi will cut or injure. The Manjhis are divided into five exogamous subdivisions, known as Poiya, Tekam or Tekma, Marai, Oika or Waika and Olku, each of which includes a number of totemistic septs and is said to have been derived from a Gond who had five sons. As regards religion, they are still in a great measure free from the yoke of Brahmanism. The exorcism of ghosts and devils, the discovery of witches and the like are in the hands of the Baiga, while domestic ceremonies are in the hands of the Patari. They do not worship all ghosts, but believe that all disease is due to them. Many curious stories attach to ghosts. Thus Turkin, a deified Muhammadan female ghost, who lives on the Jungel hill south of the Son, and Barwat, a small ghost who lives on the Aundi hill, are sister and brother and rule all the

* There were 81 Manjhis separately recorded at the census of 1901, apparently by error.

† In Bilaspur.

‡ The same as Maru, probably, in Bilaspur.

mountain ghosts in that part of the country. In a stream called Sukandar, a tributary of the Kanhar, on the Sarguja boundary, there is a deep water-hole supposed to be of unknown depth. In the middle of this is a mound on which grows a *kurlu* tree. When ghosts become troublesome, the Ojha searches for a piece of deer horn in the jungle: this he hammers with a stone into the tree, and thus shuts up the ghost. There is another river named the Kurso in Sarguja which is also infested by water-ghosts; and to these the Baiga does sacrifice that there may be good rain, productive harvests, and that epidemics may not visit the village. In Sarguja, there are two noted caves, one on the Maroha and the other on the Banka hill. In the former lives a male deity called *Mahadani Deo*, and in the latter a demon of the *Dano* species. Her name is unknown, but she brings pain and disease and is of a very violent temper. On the Ahlor hill in Sarguja lives the ghost of an Ahir named Bachhraj Kunwar, a malignant godling, while his wife lives on the Jhoba hill in the same locality. Similarly, on the Maura hill in Singrauli lives a demon known as Dariapat Deo; and on the Chainpur hill, in Dudhi, Mirga Rani and Kota Rani. A similar deity worshipped by the Manjhis is Raja Chandol, who has already been described. In common with the Korwas and many other tribes of this part, the Manjhis venerate the *karam* tree and have a dance connected with it. The legend attached to it is as follows. There were seven brothers of the Majhwar tribe who lived together. The six elder ones used to go out to work, while the younger one stopped at home to cook the food. He used to get his six sisters-in-law to cook it, and when it was ready would take it to his brothers in the fields. This youngest brother was in the habit of planting a branch of the *karam* tree in the courtyard, and of dancing before it with his six sisters-in-law. Now this delayed the cooking and one day the elder brothers, coming home unexpectedly, found them so engaged, tore up the tree in anger and threw it into the river. At this the younger brother was enraged and left the house. Then everything went wrong with him, till he saw the *karam deota* floating along the river. He tried to draw near to it, but a voice from the branch sternly forbade him to approach, because he was a sinner. He then propitiated the godling by prayer, and was directed to go home. On his return he

found everything that had been evil on his former journey changed. Even the family house, which had fallen into ruins, and his brothers, who had been reduced to great poverty, were restored to their former state. He accordingly called his brothers together and told them that their misfortunes had fallen on them because they had dishonoured the *karam deota*. Since that time the deity has been worshipped by the tribe.

The Kharwars number 15,442 persons, the majority of whom are in Robertsganj; but a few are also found in Chakia. The name of the clan is derived, on local authority, either from their occupation as makers of catechu from the *khair* tree or from their traditional seat, Khairagarh. According to Santal legends, the two tribes Kharwar and Santal are identical, and, if this is accepted, Khairagarh must be the place of that name in the district of Hazaribagh. The Mirzapur tradition seems to point, however, to some place of the same name to the south or west, in which case Khairagarh must be identified with the state of that name in Chhattisgarh or with the Khairagarh tahsil in Allahabad. In Chutia Nagpur the Kharwars declare their original seat to have been Rohtas, so called from its having been the chosen abode of king Rohitaswa, son of king Haris Chandra of the family of the Sun. Considering themselves to be of the same family as their chief, some of them call themselves Surajbansis: others say they are a mixed race that originated in the time of king Ben and call themselves Benbansi Rajputs. Of all the aboriginal tribes of the district, they are the most deeply tinged with Hinduism. In appearance the more advanced numbers of the tribe are in strong contrast to the primitive families. The former have received some admixture of Hindu blood, but the real Kharwars have a distinctive appearance of their own. The hair is black and straight, the form of the face is more oval, and the nose and lips are thinner than is the case with the other hillmen, the Chero, who has more regular features, alone excepted. "There is nothing peculiar in the skull, but a slight depression from the extremities to the eyes and downwards gives a height to the cheeks and a protrusion but closeness to the lips, imparting an expression of shyness, for which the Kharwar is noted. The chest is rather narrow, the abdomen large, the limbs long and flat, the gait erect, but both fingers and toes disproportionately

heavy."* Their internal tribal organization differs in different parts of the district, but throughout they seem to have shed off the elaborate organization of totem septs. North of the Son there are four exogamous subdivisions known as Surajbansi, Dualbandhi, Patbandhi and Benbansi; and one endogamous subdivision called the Khairaha.† The origin of the first name has already been indicated, while of that of the fourth there are two accounts. One is that this subdivision is descended from a *Ben*, which means a bamboo, and which some of them will not cut. Others derive it from Raja Ben or Vena, the early type of the insolent opponent of the religion established by the Rishis. Both these subdivisions have made rapid strides in the direction of acquiring the rank of Rajputs; and while the former is represented by the Rajas of Ramgarh and Jashpur in Bengal, the head of the latter is the Raja of Singrauli in Mirzapur. The Dualbandhis say that their name is derived from *dual*, a leather belt, because they were once soldiers: and the Patbandhis declare they are so called because they were once very rich and wore silk (*pat*). These four subdivisions are exogamous and intermarry on terms of equality, though hypergamy is advancing in favour. The Khairaha, on the other hand, are said to derive their name from the *khair* tree, the juice of which they extract. The occupation is considered disreputable, and the members of this subdivision do not intermarry with those of the other four. South of the Son, in Dudhi, only two subdivisions, the Dualbandhi and Patbandhi, are recognized; but in Singrauli there are seven, consisting of the Bhogta or Bhugta, the Kharchurwa, the Chikchickwa and the Pradhan, in addition to the Patbandhi, Dualbandhi and Surajbansi already described. The Kharchurwa appears to be identical with the Khairaha. The Kharwars call themselves Hindus, but they do not worship any of the usual Hindu gods, except the Sun, to whom they appeal in times of trouble, and to whom the householder bows when he leaves his house in the morning. Their tribal deities are Jualamukhi Devi and Raja Lakhan: the former's shrine is at Kota in the Singrauli valley, and she is not to be confounded with the more famous deity of the same name who is worshipped at

* *Calcutta Review*, LXIX, p. 356.

† There were 88 Khairahas separately recorded at the census of 1901 as a distinct caste.

More interesting and historically more important are the Cheros, numbering 5,933 persons, all but a few of whom live in tahsil Robertsganj. They are undoubtedly of Dravidian stock, and are probably a branch of the well-known Kol tribe, with whom they enjoy *connubium*. As they exist to-day the Cheros are a race of labourers and cultivators, but in the district of Shahabad they are said to have once been rulers of the country extending from Charanadri, the modern Chunar, to Giridih, and from the Ganges to the hills which form the boundary of south Bihar, including the entire extent of the country in the Patna division south of the Ganges. They entered Palamau in 1612 A.D. and ruled that district for nearly two hundred years till they were expelled by the British. Their last famous men were two robbers, Nora and Kora. Armed with bows and climbing for refuge, when pursued, to the lofty crag of Mangeswar, these two committed many daring robberies and murders; they were not captured until 1858, when they were both executed. The Cheros vary in colour, but are usually of a light-brown complexion. They have as a rule high cheekbones, small eyes obliquely set, and eyebrows to correspond, low broad noses and large mouths with protuberant lips. In Mirzapur they are popularly known as Baigas. North of the Son the Cheros' great god is Gansam Deo, but in Dudhi they are mostly ancestor worshippers. Raja Chandol and Bariyar Sah are other local gods whom they venerate. The latter was a Rakhel Rajput, a member of the royal family in Sarguja. Taking possession of Mahuli in tappa Pulwa, he lived on what is known as the *sona pahar* or "golden mountain." He was killed by a certain Bhuiya, Bhawani Singh, Raja of Nagar, and his wife became *sati* on the *sona pahar*.

After Cheros come Pankhas with 4,824 representatives. They are a low tribe, the men of which work as weavers and are employed as watchmen, living in the south of the district, and are known indifferently as Panka, Panika or Pankya, and Kotwar,* the last of which means "keeper or porter of a castle." The name Panka or Panika is usually taken to be derived from *panik*, which means the elastic bow which the weaver uses to extend the cloth as it is woven. Though they have lost in

* There were 53 Kotwars separately recorded at the census of 1901.

Mirzapur their totemistic septs, still their appearance clearly indicates their connection with Dravidian races like the Majhwars. They profess a sort of bastard Hinduism: their two great festivals are the *Holi* and *Dasami* or *Dasahra*; but they in no way follow Hindu usage on these festivals, and offer a burnt offering to the marriage god, Dulha Deo, who is represented by a piece of rudely cut stone on a mud platform. They observe the Nagpanchami festival and are much afraid of evil spirits, which are commonly supposed to reside in *mahuu*, *pipal* or *bargad* trees.

The Baiswar, who number 1,943 persons, are of doubtful origin. According to their own account they are Rajputs of the famous Bais stock of Dhaundia Khera, descended from two brothers who after being condemned to death escaped into Rewah and received estates from the Rajas of these parts. They are now, however, endogamous and have no connection with Baiswara. Their tribal worship is conducted at a temple of Bhawani in Bardi, the south-eastern division of Rewah, abutting on Mirzapur; and it is very doubtful if they have really any Rajput blood, for they are dark and have much of the characteristic look of the Dravidian races by whom they are surrounded. Besides this, their subdivisions, some of which are totemistic, point to a non-Aryan origin. They rank, however, as respectable high caste Hindus, and are either landholders or tenants with occupancy rights; while, in matters of religion, they principally worship Devi through Brahmans and the local gods through the Baiga.

The total number of Bhuiyas in 1901 was 1,599: they are a Dravidian tribe, and all were returned as living in tahsil Mirzapur. They claim descent from the sons of two *Rishis*, known as Bhad and Mahesh, and for this reason often call themselves Rishasan Bhuiyas. The Mirzapur legends assert their kinship with the Musahars and Bhuiyars; but these claim to be distinct tribes. From the latter, however, they can only be distinguished with very great difficulty, and are doubtless closely connected with them. The Bhuiyas call themselves Hindus. Their chief deity is the Hindu Kali, who has doubtless succeeded some aboriginal goddess; but they also worship, through the Baiga, the village gods and Dharti Mata. They have a special tribal hero named Nadu Bir.*

* For an account of him *vide* Crooke: *Tribes and Castes*, Vol. II, p. 81.

Most Bhuiyas are hereditary serf ploughmen, but some are makers of catechu and are hence known as Khairahas. They are a quiet, industrious, simple and confiding people.

A Dravidian tribe found in some of the districts in the east of the province, but principally in Mirzapur, is that of Dhangars. At the last census, 1,261 representatives were enumerated in the district. Local tradition has it that the tribe emigrated from a place called Barwai, somewhere in the south, about 300 years ago. They say that they occupied a narrow valley called Sathorwa, where they used to beset and rob travellers, till an imperial general made terms with their leaders, Jura Mehto and Buddha Bhagat. By the promise of a rent-free estate he induced them to lay down their arms, and then treacherously ordered a general massacre. The few survivors escaped to Mirzapur. These two leaders, Jura and Buddha, are the deified heroes of the tribe. The Dhangars are nominally Hindus, but worship none of the regular Hindu deities. They venerate the *deohar*, or collection of village gods, through the Baiga; but the special objects of their veneration are Barna Bhawani and Goraiya Deva: the latter is the god of cattle. Generally they work as ploughmen; but they are as a rule little better than a miserable, depressed tribe of field serfs very clannish and afraid of strangers.

The Bhuinyars are another Dravidian tribe found in the hill country of south Mirzapur, and in 1901 numbered 3,870 souls. They are also known as Beonriha from *beonra*, a local term for the *dhaiya* system of cultivation. Their traditions of origin are very vague. They speak of a place called Bhaunrodah as their original head quarters, but of this they know nothing more than that it is somewhere to the south. They call themselves Hindus; but their tribal god is Siwanriya, the deity of boundaries and some worship Dharti Mata or mother earth and some Mahadeva. They do not keep priests of any other tribe and have no regular temple; while ancestor worship is carried out by the head of the family, who also, if as is usually the case, he is a Baiga, performs similar functions to Mahadeva, Dharti Mata and Siwanriya. They have nothing to say to Brahmans for whom they entertain a contempt, and most Bhuinyars are Bajgas—in fact one general name for the tribe is Baiga, and they officiate in this capacity for other tribes besides their own. The Bhuinyars are among the

wildest of the aboriginal tribes. Their usual occupation is the cutting of wood and bamboos, collecting silk cocoons, lac, dyes and other jungle products. It is only quite recently that they have taken to eating anything but jungle fruits. They are still expert with the bow and arrow.

There were 2,101 Bhurtiyas recorded in the United Provinces at last census, all of whom were in Mirzapur; but in 1891 there were only 423 returned, all of whom were enumerated in the Allahabad district. Possibly some confusion has taken place, for they claim to be an offshoot of the Ahirs, whom indeed they closely resemble in appearance and customs. The origin of the name is very uncertain, and little is known about them: in ordinary life they are respectable, industrious people, and make their livelihood by cultivation and rearing cattle.

Peculiar to Mirzapur again are the Agarias, numbering 1,186, who confine themselves almost entirely to mining and smelting iron. They approximate very closely to and are probably connected with other Dravidian tribes such as the Korwas and Parahiyas, but they have a particularly gaunt appearance and worn expression of countenance, which is probably the result of the severe occupation which they follow. They say that about 100 years ago they emigrated to Mirzapur from Rewah, having heard that they could carry on their business in peace in British territory. Their former head quarters were at the village of Rajaura in Rewah and their first settlement in Mirzapur was in that of Khairahi in pargana Dudhi. They do not, however, make any pilgrimages to their original settlement or draw their priests or tribal officials from there. They worship none of the regular Hindu deities, but make offerings through the Baiga to the village gods in *Aghan*, and in *Pus* to their tribal deity, Lohasur Devi, the goddess of iron. The Agarias practically do no agriculture. The system of iron forging practiced by them has already been described.

There were 850 Pahrirs separately recorded in the Mirzapur district at the census of 1901 out of a provincial total of 1,590, all being in the Benares division. The Pahrir is not a district tribe but is a subdivision of either Pasis, Doms or Dusadhs. It is uncertain to which of these castes the Pahrirs of Mirzapur belonged, but they were probably Pasis and were found for the most part in Chunar tahsil

Bhurtiyas

Agarias.

Pahrirs.

Though numerically inconsiderable, the Korwa is one of the most interesting of the aboriginal tribes of Mirzapur. According to the census returns of 1901 it only comprised 617 persons, all of whom are to be found in pargana Dudhi, especially along the Sarguja frontier. They assert that they have emigrated from Sarguja only within the last three or four generations, and this is substantiated by the fact that at the census of 1891 they only numbered 33 souls. The Korwas appear to be the aborigines of Sarguja, Jashpur and Palamanu, and the priests who propitiate the local spirits are always selected thence. There is little doubt that in name and origin they are closely connected with the Kurs, and like them they have some traditions connecting them with the Mahadeo hills in Berar as the first seat of their race. Their appearance is particularly wild and uncouth, and is accounted for by themselves by the following folk tale. The first inhabitants of Sarguja, being much troubled by the depredations of wild beasts in their crops, put up figures made of bamboos as scarecrows in their fields, which were the most hideous caricatures of humanity that they could devise. When the great spirit saw these, he bethought him to save his votaries the trouble of having again to reconstruct them. He animated the dangling figures, thus bringing into existence creatures ugly enough to frighten all the birds and beasts in creation. These were the ancestors of the Korwas. They do not pretend to be Hindus; and neither their religious nor their social ceremonies are tainted in any degree with the intricate ritual of Hinduism. They worship as their tribal god Raja Chandol in *Phagun*; and they are much beset by malignant ghosts, particularly those of strange villages, which have to be excluded by the Baiga.

The Patharis or Pataris who were separately recorded to the number of 542 souls are really a branch of the Majhwar tribe. They say that they and the Majhwars are descended from seven brothers, the youngest of whom was compelled by the six others to become the family priest. The word Pathari is synonymous with Pradhan and is also a sept of the Raj Gonds of the Central Provinces, among whom it performs functions similar to those of the Pathari of Mirzapur. A Majhwar must be attended as his priest by a Pathari of the same sept as his own. The result of this arrangement is that the parishioners or constituents of a Pathari

are scattered over a large area, and he has to undertake long journeys in order to pay his periodical visits. Although the Patharis are the family priests of the Majhwars, their position is a decidedly low one in the social scale. No Majhwar will eat with them or drink water from their hands. The Pathari is, moreover, looked upon with contempt as a beggar, and is discredited because he takes the clothes and other property of the dead man which are given to him in the belief that he will pass them on for the use of the deceased in the next world.

The Ghasias are another Dravidian tribe of south Mirzapur, and number only 345 persons. Nothing very definite is known concerning their origin, but one legend makes them of common origin with Kols, Bhuinyars and Santals. The clear distinction that now prevails between them and the neighbouring tribes appears to be of comparatively modern growth, but, unlike many of the kindred tribes, they have retained a complete set of totemistic septs. They call themselves Hindus, but their religion is of a very irregular type. Sometimes they worship Mahadeva, but the boundary deity, Siwana, Dulha Deo and an obscure tribal godling called *Chhat Baba* or "lord of the sixth," are among the objects of their reverence. They employ Baigas for most ceremonies, and are greatly in fear of evil spirits. As regards social status, they are in a very inferior scale. They will not do degrading occupations in which they class shoemaking, and they generally work as grooms and keepers of elephants.

There were in 1901 only 234 Parahiyas recorded. The tribe is of Dravidian origin, and fixes its head quarters in the villages of Jhansi and Uspar in the Sarguja state close to the British frontier. The Parahiyas of Mirzapur have emigrated thence in quite recent times, and emigration is still going on; while for the festivals of the *Ram Naumi* and *Dasahra*, they still go to their original home. In appearance, they are a wild looking set of stunted creatures, about five feet three inches in height. Their worship is of a non-Aryan type, and is offered to the *dih* or collection of village gods, a female deity called Sairi Devi and Dharti Mata or mother earth. The Parahiyas make a living principally by cutting and selling wood and bamboo, and by collecting and exchanging forest produce such as lac. They are miserable people, living in little huts,

Ghasias.

Parahi-
yas.

TRIBAL ADMINISTRATION

IN
INDIA

AMIR HASAN

1960

UNIVERSITY OF DELHI
NEW DELHI

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Preface

One of the main problems of tribal administration in India is that the State Governments which have been made responsible for administering the tribal areas with full jurisdiction under the Constitution, are either ignorant or ignorant of the goals of tribal administration and have no interest in achieving them. Unfortunately tribal development has got linked up with exploitation of minerals, timber and minor forest produce as well as with the process of industrialization, for which most of the tribal areas have great potential and offer big opportunities to non-tribal entrepreneurs and contractors, in addition to the need for consideration of non-tribal interests. It is the main fear of the tribal people that these vested interests will be taken into account by the State Governments, in formulation of tribal development policies and programmes, which will be to the detriment of the best interests of the tribal people.

In Uttar Pradesh the situation became more complicated because Uttar Pradesh was a Scheduled Tribes till 1957, i.e. for 1 year after the enforcement of the Constitution. This was a unique situation in the country when tribal interests were not taken into account.

way of life and want to change their moral codes, the freedom of their women, their food and their drink, etc. Tribal youth who have had some education, get fascinated with the non-tribal way of life and join this group. Such people cause irreparable damage to tribal life and culture and also to tribal economy.

Tribal Administration

Now that we have got an idea of tribal people and tribal areas, let us try to understand the term 'Administration' or to be more precise 'Public Administration' as we are not concerned with administrative activities of private individuals or groups of individuals. According to L.D. White, Public Administration is that branch of political science which deals with the art and science of management applied to the affairs of the state.³⁵ It embraces all these processes resulting in the fulfilment or enforcement of public policy.³⁶ According to Waldo Dwight, Public Administration is a co-operative human action with a high degree of rationality.³⁷

Public administration cannot be uniform every where. The type of administration a community develops for itself, depends upon a number of factors. According to Dwight, "there are important differences between administrative systems, depending upon the location, the tasks, the environments, and the inhabitants of the system."³⁸ The Administration is also 'culture bound', i.e. it has to be compatible and consistent with the culture of the community which is administered.³⁹ After independence and especially after the enforcement of the Constitution, an important objective of Public Administration in India has been the socio-economic development of rural and backward communities. In the case of the tribal people in particular, it has attempted to bring them up to the level of other sections of population. Thus Public Administration in India today is not only a catalyst for change but also constitutes a vital instrument of change.

It is, therefore, obvious that the Administrative System in tribal areas will have to be different from those in advanced areas or for that matter in many other areas. It has to perform certain specific tasks in the light of its prescribed role in keeping with the state policy.

We should now be in a position to define Tribal Administration. In simple words, Tribal Administration is management of tribal affairs according to a laid-down state policy. Keeping in view the spirit of the proceedings of the Constituent Assembly and constitutional provisions, we can say that Tribal Administration in post-Independence India, comprises all those processes which lead to fulfilment of state policy towards tribal people and tribal areas as enshrined in the Constitution.

Tribal Administration in India

The British followed a policy ranging between non-interference and limited interference in tribal affairs depending upon the industrial potential of the area. They evolved a system of lightly administering the tribal people and tribal areas by adopting a single line administration which did not usually interfere with the traditional organization and tribal customs. It resulted in isolating the tribal people from the rest of the country but not from exploiters or moneylenders, with an eye on tribal land as well as forest contractors who had appeared on the scene due to increasing exploitation of major and minor forest produce undertaken by the British Government. The Government itself did not undertake any developmental activities among the tribes but, nevertheless, provided facilities to Christian Missions which undertook educational and medical activities among the tribal people along with their proselytizing activities. These policies were in tune with the basic objectives of the British Administration, i.e. maintenance of law and order and effective control of the Empire.

The period between 1947 and 1950 was a transitory period for tribal administration. While the British administrative system was being discarded, a new system was yet to emerge. While the Constituent Assembly set up two such committees to enquire into the tribal situation and the Central Government was giving a good deal of attention and importance to tribal development, an adverse trend was noticeable in some provinces and princely states ceded to the Indian Union. In the erstwhile British domain, some of the popular provincial governments started to do away with the special administrative

arrangements made by the Britishers and to treat the tribal areas as normal areas. In tribal areas in some of the erstwhile princely states, informal and unsophisticated administration was replaced with the formalized form of British Administration.⁴⁰

Among the provinces embarking upon the normalization of administration in tribal areas was Uttar Pradesh (the then United Provinces of Agra and Oudh). Here even after enforcement of the Constitution, not a single tribe was scheduled till 1967, and no tribal area has been notified as a Scheduled Area so far. At the same time, the tribal areas have been subjected to large scale industrialization, colonization and other extensive areas developmental activities, directly effecting the tribal inhabitants, their socio-economic life and culture.

As a matter of fact, in administering tribal areas of Uttar Pradesh since Independence, the special interests of the tribal people have been mostly overlooked. The tribal environments, the socio-cultural life of tribals and their special needs, have not usually been taken into account. Administration in tribal areas in Uttar Pradesh has not been in consonance with the national objectives of tribal development as set forth in the Constitution and as interpreted by the Central Government and Planning Commission from time to time. Indeed, it needs to be carefully studied whether there has been any effort in Uttar Pradesh to evolve an administrative system for tribal areas at all or whether administration in tribal areas, as it exists to day, can be termed 'Tribal Administration'.

Uttar Pradesh has a small tribal population, yet it comprises a large tribal area which continues to remain unscheduled. Large scale area development activities in this area, do not take into account the tribal people living there and their special needs. Therefore, a study of tribal administration carried out in Uttar Pradesh, since Independence has acquired an added significance and importance.

TABLE I'1
Tribal Population of Uttar Pradesh

Scheduled Tribes*	District	Population
1. Bhotia	Almora	1558
	Chamoli	6528
	Pithoragarh	14845
	Uttar Kashi	1098
		24029
2. Buxa	Bijnor	3158
	Dehradun	11201
	Nainital	18943
	Pauri Garhwal	893
		34195
3. Jaunsari	Dehradun	63710
4. Raji	Pithoragarh	371
5. Tharu	Bahraich	3567
	Gonda	10,583
	Gorakhpur	1967
	Kheri	16980
	Nainital	53406
		88854
Total		211159

*As per 1981 Census.

✓
TABLE 1.2

<i>Non-Scheduled Tribes included in the list of SCs.**</i>	<i>District</i>	<i>Population</i>
1. Agaria	Mirzapur	12555
2. Bhuiya	Mirzapur	6011
3. Chero (Baiga)	Mirzapur } Varanasi }	6415
4. Ghasia	Mirzapur	2193
5. Gond (Majhwar)	Mirzapur	45811
6. Kharwar (Khairwar)	Mirzapur } Varanasi }	35965
7. Kol	Allahabad } Banda } Mirzapur } Varanasi }	135617
8. Korwa**	Mirzapur	600
9. Oraon (Dhangar)	Mirzapur	24072
10. Parahiya	Mirzapur	1217
11. Panika (Pankha)	Mirzapur	3941
12. Pathari	Mirzapur	1412
13. Sahariya	Jhansi } Lalitpur }	12483
Total		293292

**Estimated by this Author as Census figures are incorrect.

1961

TABLE 1.3

<i>Non-Scheduled Tribes (Not listed as SCs)</i>	<i>District</i>	<i>Population</i>
1. Jaunsari—Types***	Uttar Kashi Tehri Garhwal	110000 16000
	.	126000
2. Muslim Gujars****	Dehradun Pauri Garhwal Bijnor Saharnpur Nainital	1936 616 1749 1556 1418
		7275
Total (1.3)		133275
Grand Total (1.1, 1.2, 1.3)		621652

***Hasan, A Souvenir to Tribal People of U.P., op. cit., p. 22.

****Estimated by the U.P. Forest Department.

Indian States and Other Agencies in Tribal Areas

Among the Indian States, Hyderabad (Deccan) recognized the special problems of the tribals and arranged for the primary education of their children in their mother tongue.³⁰

There were quite a few British officials who disregarded the British policy of 'let alone' and worked for the welfare of the tribals and suggested measures for their development. Important among them were W.V. Grigson and J.H. Hutton. Patronized by the British, the Christian Missionaries started many welfare programmes along with their proselytizing activities³¹ especially in Assam and Bihar.³² Credit goes to A.V. Thakkar (popularly known as Thakkar Bapa) that the service of the tribal community was included in the programme of constructive activities of the Congress during Swaraj Movement. He was also responsible for setting up a number of tribal welfare centres in the provinces of Orissa, Bihar, and Assam.³³ Sarat Chandra Roy was another illustrious Indian who championed the cause of tribals of Chhota Nagpur.³⁴ Gopal Krishna Gokhale (1866-1915) formed the Servants of India Society to serve the Harijans and the tribal people.³⁵

All these activities in the tribal areas helped the tribal people to assess their problems and inculcated in them a desire to move forward and come out of the isolation forced on them by the British.

Tribal Administration in Uttar Pradesh

The British ruled tribal areas in Uttar Pradesh within the broad framework of policies laid down by the Government.

In Mirzapur, the tribal area lies south of the Kaimur Range. At the beginning of the British rule in the district, a portion of this area was under the rule of the Rajas of Singrauli. The remaining areas consisting of four tappas of Dudhi, Pulwa, Barhar and Gonda Bajia consisting of two hundred and forty villages and one hundred and fifty one mahals were under the domain of a tribe called Bhuiya. The British learnt about the existence of these four tappas only in 1808-1809 when Udwant Singh, Raja of Singrauli put fourth his claim to these pattas. By 1830, the Raja had been able to oust the Bhuiyas and obtain complete control of these pattas as already described. In view of tribal disturbances and outbreak of

violence, W. Roberts was appointed to make enquiries. On the basis of a report in 1849, formal proceedings under Regulation II of 1819 (a regulation providing for the assessment of land that for any reason had escaped settlement) were instituted and these culminated in a decision to hold the Dudhi tappas by the British under their direct (Kham) management in 1853 although as a matter of grace, the Raja of Singrauli was allowed a *malikana* (allowance) of ten per cent on the revenue collection. After W. Roberts, had completed the settlement operation in the area, it was put under the charge of special officer. The first officer, Moore, a joint magistrate, was not able to undertake his duties, since he was killed in the disturbances of 1857. The system was, however, changed a few years after and administration was carried out through a *sazawal* or manager subordinate to the collector.³⁶

Then we come across an interesting event. In 1862, a missionary organization called London Missionary Society, showed interest in taking the area on lease, the main object being the conversion of the aborigine rather than any profit to the society.³⁷ The local officials were sold on the idea but the Board of the Society itself rejected the scheme since it was "at a loss to perceive how the duties of missionaries are to be rendered compatible with those of landlords".³⁸

✓ In 1864 the area south of Kaimur became a non-regulated tract under Act XIX of 1864 (which was an act to remove certain tracts of country in the district of Mirzapur from the jurisdiction of local courts). This law was repealed and Act XIV of 1874 (Scheduled Districts Act) was enforced. The portions of the district scheduled under this Act, were Tappas Agori Khas and South Kon in Pargana Singrauli, Tappas Pulwa, Dudhi and Barha in Pargana Bichhipar, the portion lying south of the Kaimur range.³⁹ This law, however, did not change the situation materially and Tappas remained under Kham administration as before. The total area constituting the Scheduled District was made a separate administrative Zone. Many of the ordinary laws pertaining to revenue and civil matters in force in the province, were not extended to the area. Civil justice was regulated by the provisions of the Code of Civil Procedure (CPC) (Act V of 1908). Five grades of courts were set up. The Tahsildar

known as the Excluded and Partially Excluded Areas (other than Assam) Committee was headed by A.V. Thakkar who was deeply involved with the cause of tribal. On the basis of his recommendation, the Constituent Assembly laid down the principle that the new democratic government had a responsibility for the welfare of the tribal people and the development of tribal areas.²

This sub-committee made an important recommendation that the contemplated Constitutional arrangements should embrace not only the tribal people living under the Excluded and Partially Excluded Areas but also those living outside such areas and wherever found. This involved a significant change from the British policy since it emphasized the need for viewing the tribal problem as a whole.³

Pre-Constitution Scene UP

Whereas India became Independent on 15th August, 1947, the Constitution came into force from 26th January, 1950. It would be worthwhile to examine the tribal situation during this transitory period when the British system was being discarded but a national tribal policy was yet to emerge.

As a consequence of the repeal of British laws, the Excluded and Partially Excluded Areas were brought under normal administration. In case of tribal areas in Indian states, important basic changes were effected as an informal, unsophisticated form of administration was gradually replaced by the more formalized administration of British India.⁴ However, in many provinces, wide powers were given to the local administration to enable them to deal with the special problems of the tribes and tribal areas in keeping with the tradition of exercising local discretion since British times. This enabled the provincial government to sort out problems of transition before they adopted the new system as provided in the Constitution.⁵ However, some States including Uttar Pradesh (then United Provinces) took this opportunity to normalize administration in Excluded and Partially Excluded areas. In Uttar Pradesh the intervening period extended much beyond 1950 as no tribes or tribal areas of Uttar Pradesh found place in the list of Scheduled Tribes or in the Fifth Schedule.

Constitutional Provisions

✓ Article 46 of the Constitution constitutes the pivot of State Policy towards Scheduled Tribes, Scheduled Castes and other weaker sections of the population. It says: "The State shall promote, with special care, the educational and economic interests of the weaker sections of the population and, in particular of the Scheduled Castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation."⁶ To implement this objective, a number of Articles have been incorporated in the Constitution. Article 342 provides for scheduling of tribes for a state as a whole or any part thereof. For administration of areas of tribal concentration, Article 244 of the Constitution empowers the President to declare any area where there is any substantial population of tribal people, as a Scheduled Area. While tribal areas of North East were included in the Sixth Schedule, tribal concentrations in the rest of the country found place in the Fifth Schedule. Under this (i.e. the Fifth) Schedule the state under which a Scheduled Area falls, exercises executive powers but the Governor is vested with authority (a) to modify central and state laws in their application to them and (b) to frame regulations for their peace and good government and in particular, for the protection of the rights of tribals in land, the allotment of waste land and their protection from money-lenders.⁷ There is provision for establishing a Tribes Advisory Council which is mandatory in states having Scheduled Areas. Such councils can on the direction of the President, be established in states having Scheduled Tribes but no Scheduled Area. The Governor is required to consult the Council in framing regulations for a Scheduled Area. The Council is also expected to be a channel of discussion about the stages in which the laws and rules generally obtaining, should be applied to the tribal area.⁸ The Governor is further required to submit an annual report to the President. The Government of India is responsible for the administration of Scheduled Areas and for providing additional funds to raise the level of administration and the standard of life of the tribal communities.⁹

It will thus be seen that the Constitution distinguishes between the tribals living in Scheduled Areas and those outside

it. As already stated, the Governor can by a simple notification, modify or amend any existing law in its application to a Scheduled Area so that it would not be applicable at all. Secondly, the Governor has powers to legislate for a Scheduled Area by making regulations which can have effects of repealing an existing law legislated by the Parliament or State Legislature. However, he has to consult the Tribes Advisory Council before regulating and obtain the assent of the President before its promulgation. As for Sixth Schedule which is applicable to the North-East alone, certain aspects relating to personal law, self-government, etc. have been kept outside the purview of legislation unless agreed to by the District Councils established under the Constitution.

As for Scheduled Tribes living outside Scheduled Areas, Articles 15, 16 and 19 enable the Parliament and State Legislatures to take into consideration, the condition of the tribes in the matter of enforcing the provision relating to the equality of all citizens.¹⁰

Under the First Provision to Article 275 (1), all the recurring and non-recurring expenditure on development of Scheduled Areas and welfare of Scheduled Tribes, has been charged to the Consolidated Fund of India.¹¹

Articles 330 and 332 Part 16, provide for reservation of seats for Scheduled Castes and Scheduled Tribes in the Parliament and State Legislatures. Article 335 provides for reservation in services.¹²

Article 164 Part IV makes a provision for a special ministry for Scheduled Tribes in Bihar, Madhya Pradesh and Orissa. Under Article 338, there is provision for appointment of a Special Officer (now called Commissioner for Scheduled Castes and Scheduled Tribes) for reporting to the President as to whether Constitutional guarantees have been properly implemented. The Parliament discusses this report and reviews the actions taken by the Government on it. Under Article 339, the Constitution envisaged appointment of a Commission after ten years of commencement to report on the administration of the Scheduled Areas and the welfare of the Scheduled Tribes in the states. A commission was accordingly set up in 1961 under the presidentship of U.N. Dhebar. The Commission made many important recommendations for

evolution of a new strategy for tribal development. The Commission strongly advocated general legislations for tribes living in non-scheduled areas, dealing with land alienation, indebtedness, regulation of money-lendings, etc. as an alternative to the regulatory powers of the Governor in Scheduled Areas.¹³

While making a critical appraisal of the implementation of the Constitutional provisions, it has been rightly pointed out by B.D. Sharma that financial arrangements contemplated under Article 275 (1) of the Constitution have remained inoperative. Although after the Fifth Five Year Plan, the Union Government introduced the principle of supplementation for the outlay incorporated in the state plan, a suitable mechanism for activities not covered by the plan, particularly the administration of tribal areas, has yet to be evolved. In fact even the term 'raising the level of administration' remains undefined.¹⁴

Uttar Pradesh Tribes and the Constitution

The concern expressed in the Constitution for tribal people, however, does not appear to have been shared by the Union and State Governments as far as Uttar Pradesh is concerned. The constitutional provisions remained completely inapplicable to tribes in Uttar Pradesh till 1967 when five tribes numbering about two lakhs, were declared Scheduled Tribes. The remaining tribes whose population is more than four lakhs still remain un-scheduled although the Government of Uttar Pradesh has been approaching the Government of India in this connection since 1970. The Government of Uttar Pradesh took three years after the declaration of Scheduled Tribes to fix a reservation of 2% in the services vide G.O. No. 71/1/69 R.A., dated April 25, 1970. The proposal to set up a Tribes Advisory Council is pending with the State Government for over twelve years. A tragic aspect of areas in Mirzapur and Dehradun scheduled during British days which were de-scheduled after Independence, is that they have been brought under normal administration. While the proposal for scheduling of Jaunsar Bhabar and other areas inhabited by Scheduled Tribes, is pending with Government of India for over twelve years, the area south of Kaimur in Mirzapur cannot be scheduled as the

We are not elaborating the problem of trespass here as we will be discussing the problem of land alienation in Tarai in a subsequent chapter.

A study of density of population per square mile in Nainital district reveals that percentage increase in 1951 over 1941 is only 14.9% against Uttar Pradesh 11.8% but percentage increase in 1961 over 1951 is 86.6% against Uttar Pradesh 16.3%. This should dispel the popular belief that most of the settlers in Tarai were Pakistani refugees. If this were so, the percentage increase would not have been so low in 1951 and so high in 1961.

Correspondingly, the cultivated area too increased many times. In 1920 the cultivated area was only 4.97 lakh bighas. It rose to 21.74 lakh bighas in 1958-59.²³

✓ Industrialisation and Other Development Measures in Mirzapur

Next to Nainital, Mirzapur is another track which has undergone tremendous transformation after Independence. However, while in case of Nainital, the changes are due to influx of non-tribals for agricultural purposes, in Mirzapur, it is primarily due to rapid industrialisation. ✓

Before we examine the progress of industrialization in the district, it may be stated that although only the area south of Kaimur was declared a Scheduled District and later a Partially Excluded Area, the district has a considerable tribal population mainly Kols in the rest of the district too, especially in Nagwa, Ghorawal, Robertsganj, Halia, Rajgarh and Madihan blocks. As such industrialization in the portion lying south of Kaimur as well as in the rest of the district has affected the tribal people.

The Rihand Dam Project which envisaged the construction of a 3254 feet long concrete gravity dam rising 271 feet above the river bed along with a power house (on Rihand river at Pipri) with an installed capacity of 2,50,000 KW lying south of Kaimur Range, was started in 1948 but the work was suspended a year later. It was, however, taken up again in 1955 and completed during the Third Plan Period.²⁴

The Obra Hydel Project located 32 Kms. down-stream of Rihand Dam for generation of power by constructing an earth and rock fill dam on river Rihand with an installed capacity of

25 MW, was started in second Plan period and completed during the Third Plan period.

Ahaura Dam is another medium irrigation project started in the First Plan and completed in the Second Five Year Plan with an irrigation potential of 8870 hectares.²⁵ It is, however, located in the north of the Kaimur Range and the tribe affected as the Kols.

The Churk Cement Factory located in Robertsganj Tahsil, hardly twenty kilometres north of the Kaimur Range was set up in the land of the Kols during the First Five Year Plan at a cost of Rs 3.12 crores.²⁶ The factory was further expanded in the Second and Third Five Year Plans to raise its production capacity from 700 tons per day to 1400 tons per day.²⁷

Turning to industrial development under the private sector, the Birlas set up Hindalco, an aluminium plant at Renukoot near Pipri during the Second Plan period with a capacity of about 50,000 metric tons of aluminium ingots at a cost of about 17 crores of rupees.²⁸ The project was further expanded during the Third Five Year Plan.²⁹ Another important project set up in the private sector is the Kanoria Chemicals located about fifteen kilometres from Hindalco.

The tribal tract in Mirzapur has rich deposits of coal especially in the area formerly under the occupation of Raja of Singrauli bordering Madhya Pradesh. It is estimated that there are deposits of 900 million tons of second and third grade coal in the district. The Government of India launched a project to exploit the Singrauli coal fields in the Third Five Year Plan and began to raise coal from the field by the end of the Third Plan itself.

Mirzapur has marched fast on the industrial map of India. Besides the early developmental programmes stated above, some of the important projects taken up later were the Obra Thermal Power Project, cement factories at Dalla and Kajrahat, Kanhar Irrigation Scheme, Anpara Thermal Projects, and Singrauli Super Thermal Power Project of the National Thermal Power Corporation Ltd.

It will be thus observed that in Mirzapur in general and in the portion south of Kaimur in particular, industrialization is still in full swing. This has led to the entry of a large number

TABLE 3.1: Population Increase in Mirzapur District

Year	Rural		Urban		Total		% Increase in U.P.
	No.	% of Increase	No.	% of Increase	No.	% of Increase	
1951	903034	—	114255	—	1017289	—	11.8
1961	1105926	22.46	153727	22.79	1249653	22.84	16.6
1971	1355703	22.58	185385	28.98	1541088	23.32	19.8
1981	1766337	30.29	267497	44.29	2033834	31.97	25.8

of outsiders as industrialists, contractors, various categories of engineers, technicians, salaried employees, businessmen, traders, and miscellaneous workers. This is more noticeable in urban areas than in rural areas as Table 3.1 will show.²⁰

Table 3.1 shows that increase of population in Mirzapur, has been much larger than the corresponding average in Uttar Pradesh but is considerably less than the influx of non-tribals in Tarai. It may be emphasized here that whereas the main attraction of Tarai for the outsiders has been land, in Mirzapur it has been industry and the lure of employment.

The policy of the State Government to ignore the presence of tribals in areas of intense economic activities viz. colonization, industrialization and mining, has led to disastrous results for the tribal people.

As a result of the colonization of Tarai, a large number of Tharus and Buxas have been deprived of their land. Many have left their home and hearth and others are leading an extremely precarious life. We will examine their position in some details in another chapter.

On account of industrialization and establishment of irrigation and power projects, a large number of tribals have been displaced, not once but three or four times in districts like Mirzapur.

Before we attempt to trace the evolution of national policy towards tribal development and administration, it would be worthwhile to dwell briefly on the different approaches advocated to deal with the primitive people.

The oldest view whose main exponents are a large number of anthropologists, is that the tribal people should remain isolated from the rest of the Indian people. They should be more or less museum pieces ever available for study. The British too subscribed to this policy although for entirely different reasons. However, the result of this policy was that "nothing positive was being done for their welfare, national workers were not admitted into their hills, but merchants, money lenders, landlords and missionaries were destroying their arts and dances, their weaving and their whole culture."²¹

In view of the industrialization and developmental measures already undertaken on a large scale in many tribal areas, this

Dehradun district and forest villages. The Act stipulated that its provision could apply to such areas with or without modifications by a notification from the state government.

The spirit of this epoch making legislation that the ownership of land must vest in the tiller, was bound to make its impact in those tribal areas also where the Act was not enforced. The zamindars in such areas were quick to apprehend danger to the zamindari system and therefore, began ejecting tenants from their land and bring it under their own plough.

Mirzapur

In the area south of Kaimur, the Agra Tenancy Act was still in force. The Act permitted ejection of non-occupancy tenants. This was being taken advantage of by the zamindars who began ejection proceedings on a large scale. Making use of Section 2 of the ZA and LR Act, the State Government promulgated the Uttar Pradesh Stay on Suits and Proceedings (Mirzapur) Act 1952 (Uttar Pradesh Act XX of 1952) in order to provide relief to non occupancy tenants.⁴⁰

The ZA and LR Act was enforced in Singrauli pargana, a zamindari area, vide Notification No. 3 A-429-49 dated 30-6-1953 and in the area of the Government Estate by Notification No. 3122/1-A-10003-54 dated 1-7-1954. The Rakhat and Katat forests of the Government Estate, which had been transferred to the Forest Department in 1950, were however, excluded from the operation of the Act. The ZA and LR Act had been applied to Pargana Agori of Robertsganj tahsil which lay south of Kaimur Range, along with the Singrauli pargana vide Notification dated 30.6.1953 referred to above. The notification was, contested by the Raja of Barhar area in a court of law which ultimately decided in favour of the State Government and upheld enforcement of the Act with effect from 1.7.1953.⁴¹

It appears that during the British period, land records were not properly maintained. Many oral pattas were issued by the zamindars and there was no proper demarcation of holdings. This created many a bottlenecks in the implementation of the Act. Another complicating factor was that private forest areas and Estate lands were interspersed with land holdings.

The State Government had issued an order on October 10, 1953, laying down certain principles to be followed in demarcating such land for use in the Forest Department or Gaon Samaj. It was laid down that all private forests of fifty acres more or smaller areas contiguous to government forests should be placed under the management of the Forest Department. In case of wastelands, if the area was a hundred acres or more and the uncultivated area remaining with the Gaon Samaj was not less than 50% of the total cultivated area of the village, such areas should be transferred to the Forest Department. The remaining areas were to vest in the Gaon Samaj.⁴² It was found that the collector of Mirzapur had transferred all private forests to Forest Department by an order dated 16.11.1953 in mistaken compliance of the government order referred to above.⁴³ ✓

In 1958, a notification was issued by the State Government vesting certain land in Gaon Sabhas u/s 117 of the ZA and LR Act. This notification was, however, cancelled in 1965 and another notification was issued with fresh instructions which created many complications in Dudhi tahsil. As a result of this notification, many areas coming in the categories of paths, abadi sites, threshing floors, unauthorized cultivated area, etc. were transferred to the Forest Department.⁴⁴ ✓

The situation was further complicated when another notification was issued on 21.12.1967 which created an impression in the mind of both forest and revenue officials that all non-holding areas came within the purview of the Forest Department.⁴⁵ ✓

In Pargana Agori of tahsil Robertsganj, things were no better. Here too, as a result of interpretation of the notification of 1967, all non-holding areas including public places and unauthorized cultivated areas became the property of the Forest Department.⁴⁶ ✓

The meeting was attended by the Settlement Commissioner Uttar Pradesh, Forest Secretary and representatives of the Adivasis, considered the problem and realized that the government orders had made matters worse. Based on the recommendations of this meeting, the State Government issued another order on 24.5.1978 embodying instructions for demarcation of forest and non-forest land. But they also

modified the G.O. of 1953 in favour of the Forest Department by ordering that all private forests of twenty-five acres or more and all wastelands exceeding fifty acres in area were to be the property of the Forest Department whereas the G.O. of 1953, it may be recalled, had fixed limits of fifty and hundred acres respectively. The G.O. also contained instructions to regularize possession of certain categories of occupants.⁴⁷ In 1981 another G.O. was issued. This order while maintaining the concession given to the Forest Department, cancelled the instructions on conferring of rights to the occupants on the ground that a government order could not confer rights which could only accrue under law. The G.O. emphasized that the persons found in unauthorized possession on forest land so demarcated, be ejected forthwith. However, in case of areas not demarcated in favour of forests if specified categories of persons were found in possession, certain principles were laid down to decide their claim. The main instructions laid down in favour of Scheduled Caste/Adivasi occupants are as follows:⁴⁸

1. If the area under possession of a occupant does not exceed 4.68 acres and he is a Scheduled Caste/Adivasi and conforms to the conditions under Section 22 b (4f) of ZA and IR Act, then such an occupant may be declared a bhumidhar. If the land under possession exceeds 4.68 acres and belongs to Gaon Samaj, it may be resumed and then keeping in view the law on ceiling, a patta of the land may be issued in favour of the Scheduled Caste/Adivasi occupant. Similar action was to be taken on land belonging to the Government Estate and a patta was to be issued under the Government Grants Act to the occupant.
2. If a Scheduled Caste/Adivasi is recorded in class 9 of Khatauni, he may be declared a tenure holder under Section 210 or 165.
3. If a Scheduled Caste/Adivasi has been ejected from land after 30.6.1975 and the land has not been settled, then such land may be resumed and a patta may be issued to such a person under the Government Grants Act.

This G.O. emphasized the need for a speedy demarcation of

forest land from Gaon Samaj and private lands. While forest settlement work has been in operation since 1956, so far only 394.50 square kilometres out of 3338.26 square kilometres of forest have been declared reserved forests.⁴⁹ As for the progress of record operations which are embracing two hundred and sixty-six villages of Dudhi and Robertsganj tahsils, this operation has been completed in thirty seven villages. In one hundred and twenty-four villages it is nearing completion and in the remaining one hundred and five villages, the work has been started.⁵⁰ It was found that both forest settlement and land record operations were not progressing satisfactorily as the number of officers assigned for the job was inadequate and many posts remained vacant for long periods.

As a result of the enactment of the Forest (Conservation) Act 1980 which strictly prohibits nonforest use of forest land the implementation of the Revenue Department G.O. of 1981 has been put in jeopardy because the Forest Department has been laying claim on most of the land under irregular occupation of the Adivasis. The Adivasis and their representatives spoke bitterly about this in a seminar organized by Servants of India Society and State Planning Institute at Muirpur (District Mirzapur) on 12-9-1982. On the basis of the recommendations made at the end of this seminar, the State Government in the Planning Department, appointed a high powered committee of officials headed by the Secretary, Planning Department. U.O. No. 860/35-3-82 dated 12.10.1982 to examine the problems concerning land, forest industrialization, etc. Before this committee could submit its report, the State Government in the Revenue Department constituted another high powered committee of four officials headed by Maheshwar Prasad, ex-Chairman Board of Revenue by an order dated 11th March 1983 to examine the land and forest problems of Mirzapur Adivasis. It would be seen that both the committees have almost similar terms of reference.

The Maheshwar Committee has come out in its report with the following main recommendations in December 1983.⁵¹

1. A Special Agency be set up to decide cases of persons recorded in possession of land notified under

- Section 20 of the Indian Forest Act in 1372F or 1385F provided that they had not filed objections before the Forest Settlement Officer or had not gone to a court of law. It should however, be ensured that ultimately the total land owned by an Adivasi should not exceed 72 bighas.
2. The Committee has recommended exchange of cultivated land with forest land in certain cases to do away with patches of forest land in midst of holdings and vice versa.
 3. Action to rectify further land under Section 20 of the Indian Forest Act be stopped and the proposed Special Agency be authorised to dispose of the cases involving these unnotified holdings in the light of the committee's recommendations.
 4. The committee made similar recommendations regarding land notified under Section 4 but not notified under section 20 of the Indian Forest Act.
 5. In case the record officer has accepted possession of an Adivasi over Government Estate land to the extent of 7.5 bighas only, the committee recommended leasing out of further land to him under the Government Grants Act, subject to a ceiling of 72 bighas from all sources. On the other hand if a tenant has been given title to over more than 72 bighas of land under record operation, it should be annulled and fresh record proceedings should be undertaken.
 6. It further recommended that instead of the District Magistrate, Mirzapur, another I.A.S. officer in the supertime scale of service, should be appointed as a full time record officer. It further suggested the appointment of five forest settlement units consisting of a hundred villages headed by I.A.S./Senior P.C.S. officers assisted by two or three Dy. Collectors and an Assistant Conservator of Forests (A.C.F.). The employees should be given monetary and other incentives.
 7. The committee recommended that the operation should be completed in two years time.

The committee's recommendations are practical and should

be able to solve most of the land problems. These recommendations will have to be cleared by the Central Government in view of the provisions of the Forest (Conservation) Act.

To sum up, although notification to abolish zamindari was made in 1953 in the area south of the Kaimur Range, implementation became a problem because revenue and land records were in a mess. Matters became worse when government orders were construed to convey the right of the Forest Department on such pieces of land which were in possession of Adivasis or were lands of public utility. The State Government issued orders to remedy the situation and confer rights on Adivasis in actual possession but the Forest Department opposed such rights in view of the provisions of the Forest (Conservation) Act referred to earlier. The problem has assumed a serious proportion in the absence of a proper demarcation of forest land. It is therefore necessary that the State Government should accept and implement the recommendations of the Maheshwar Committee with a sense of urgency.

Dehradun

Northwards an Act was enforced in Jaunsar Bawar soon after Independence with the main objective of protecting the interests of Koltas, Bajgis and otheas who, despite being actual tillers of soil, were denied ownership of land in their possession. The Jaunsar Bawar Security of Tenure and Land Records Act 1952 (U.P. Act No. V of 1953) provided protection to the tillers, placing the law relating to the land tenures on a more stable footing and regularized the preparation of records of rights as a result of the records operation undertaken since 1950.⁵²

The zamindari was abolished in Jaunsar Bawar with the enactment of Jaunsar Bawar Zamindari Abolition and Land Reforms Act (Act XI of 1956) which was, however, enforced only from July 1, 1961. The Act abolished the inter-mediaries with certain exceptions and replaced the tanures existing in the parganas with those of bhumidhars, sirdars and asamis as in other parts of the state. The Act also established Gaon Samajs for land management and to admit new tenants to the land vested in it. The functions of the Gaon Samajs are now

15. Chief Statistical Officers	2
16. Senior Accounts Officer	1
17. Medical Officers	3

Important non-gazetted executive and technical officers are:²⁵

1. Forest Rangers	476
2. Plantation Officers	112
3. Dy. Plantation Officers	67
4. Dy./Jt. Forest Rangers	603
5. Foresters	1419
6. Forest Guards	4114

The State has been divided into circles and further sub-divided into territorial divisions as mentioned below:²⁶

Name of Circle	No. of Territorial Divisions
1. Kumaon	4
2. Western	6
3. Garhwal	4
4. Tehri	5
5. Shiwalik	4
6. Central	4
7. Eastern	6
8. Bundelkhand	4
9. Southern	5

Then we have social forestry circles headed by a Regional Director as given below:²⁷

Name of Social Forestry Circle	No. of Territorial Divisions
1. Bareilly	6
2. Avadh, (Lucknow)	7
3. Varanasi	5
4. Saryu Region, (Faizabad)	5
5. Agra	6

There are also functional circles dealing with wild Life:

Preservation, Research and Development, Working Plan Training, Tiger Project, etc.

Forestry in Uttar Pradesh

Now that we have acquainted ourselves with forest policies, laws and a broad view of forestry and forest administration, let us now examine the situation in Uttar Pradesh. Before we embark upon this, it would be worthwhile for us to equip ourselves with a few relevant figures about the Uttar Pradesh forests and forest produce:

Data on Uttar Pradesh Forests as on 31-3-1982²⁸

1. Total geographical area of Uttar Pradesh	2,94,413 sq. kms.
2. Total forest area	51,26,6.53 sq. kms.
3. Forest area as percentage of geographical area	17.41
4. Forest area under control of Forest Department	
(a) Reserved	34,822.75 sq. kms.
(b) Protected	17,87.59 sq. kms.
(c) Unclassed	40,76.84 sq. kms.
Total	40,687.18 sq. kms.
5. Civil & Soyam forests under control of revenue department in Pithoragarh, Garhwal & Nainital	8013.63 sq. kms.
6. Panchayat forests in Almora, Garhwal, Nainital, Chamoli & Pithoragarh districts	2368.00 sq. kms.
7. Private forests in Dehradun & Almora Districts	158.88 sq. kms.
8. Municipal Cantonment & other forests	38.84 sq. kms.
Total	51,266.53 sq. kms.

The main species found are:

TABLE 5.1: Main Species Found

	Main Species	(% of total forest area)
1. Sal	5,35,287 sq. hectare	13.16
2. Chir	4,11,782 ..	10.12
3. Fir & Spruce	89,405 ..	2.20
4. Khair & Shisham	74,429 ..	1.83
5. Teak	51,792 ..	4
6. Kail	18,417 ..	0.5
7. Deodar	18,411 ..	2.11
8. Cypress	3,295 ..	0.08
9. Miscellaneous		
Spruce	19,19,619 ..	47.05
10. Unproductive		
blanks etc.	9,58,120 ..	23.55

The following figures give an idea of production and value of major forest produce in 1980-1981.³⁹

TABLE 5.2: Major Forest Produce

Item	Unit of quantity	Quantity	Value in lakhs of rupees
Timber	cubic metres	9,47,112	4347.85
Fuel	17,49,806	196.09
			4543.94

Minor Forest Produce (MFP)

The following are out-turn and value of important Minor Forest Produce for the year 1981-82.⁴⁰

TABLE 5.3: Minor Forest Produce (MFP)

Item	Unit of Quantity	Quantity	Value in lacs of rupees
Resin	Quintals	1,41,241	588.82
Tendu leaves	..	1,84,180	2,30.37
Katha	..	411	20.55
Khair gitta	..	33,752	124.19
Bamboos	Number	1,22,76,529	96.16
Baib grass	Quintals	89,866	3.15
Hides and horns	..	1097	0.82
Honey and wax	..	453	5.24
Fodder grass			
& grazing	..	27,271	38.20
Gum	..	1,290	3.74
Cash crops	..	39,943	86.85

Thus the value of total MFP in 1981-82 was 13.55 crores of rupees. The total produce from forests in 1981-82 was valued 58.98 crores.⁴¹

Lac is another forest produce found only in Mirzapur district in U.P. Its annual production is of the order of 2000 metric tons with a valuation of about a crore of rupees.

Forest Villages

Forest Villages were colonies composed of tribals collected to work in the interior of forests. Their tenure in forest villages was admittedly tenancy on sufferance.⁴² The tribal tenants were not able to get credit facilities as they could not offer the land as security to financing institutions. In Kheri,

a large number of Tharu habitations had existed prior to the formation of Forest Department. These villages were declared forest villages, but the tribals had not been brought there by the Forest Department. Matters came to a head when after scheduling of Tharus as a Scheduled Tribe in 1967, certain facilities could not be extended to them because they had no right to set up a permanent dwelling place, to construct a well or to own land under their possession under G.O. No. 171/Ra-1/77/12(16)/75 dated 2nd March 1978, the State Government exercising their power under section 1(2) of the U.P. Land Revenue Act 1901, declared thirty-seven villages in Kheri as revenue villages with effect from 15th March 1978. However, even after the Revenue Department had taken over these villages for four full years, they took almost no action to confer legal rights to the Tharu tenants although in the meantime, many instances of illegal trespass were reported. Now record operations are under progress as already stated. The State Government has taken a decision to convert all forest villages in U.P. into revenue villages but in many cases the villages are yet to be transferred to the Revenue Department. Such gaps between decision and implementation create many problems because of the uncertain and fluid situation created by the decision. It is a sound policy decision indeed to abolish forest villages because the settlers of these villages were administered as second citizens.

Forest Areas of Tribal Concentration

Now we propose to examine the condition of forests and forest administration in forest areas where the tribals are residing in large numbers.

Mirzapur

According to the District Gazetteer, although a large area of Dudhi parganas were covered with forests, the forest was of a poor quality. However, the best forests nearly 80,000 acres in area, called Rakhat, were declared reserved forests under the Indian Forest Act. In the remaining forest, called Katat, any person could go and cut wood without obstruction. These jungles were used for grazing cattle during October and November but in December the grass dried up due to scarcity

of water and the cattle were moved southwards in Sarguja in present day Madhya Pradesh.⁴³

The Gazetteer further reports that the Mirzapur tribals indulged in a form of shifting cultivation called dhaiya which was checked in the British period itself.⁴⁴

After Independence, all private forests situated south of Kaimur range in Mirzapur district, which were fifty acres or more in area or if smaller, were contiguous to government forest as well as all wastelands measuring hundred acres or more, were transferred to the Forest Department by an order in 1953. We have examined the situation arising out of this and subsequent orders in detail in chapter 4 and shown that the situation has become worse with passage of time. The State Government appointed two committees to go into the problems of land and forests faced by the Mirzapur Adivasis. The report of the Maheshwar committee is under the consideration of the State Government as already mentioned in chapter 4.

After Independence because of legislations and government orders, the Forest Department feels rightly or wrongly that all recorded non-holding area is its property. The complicating factors are the inaccuracy and ill-maintenance of records during the British period. On the basis of erroneous entries in records, the forest officials have been trying, with or without success to dislodge the tribals from their land and houses, which are recorded as non-holding areas. The forest officials' contention is that in a large number of cases, the Adivasis are encroaching upon non-holding area and bringing it under cultivation and then claiming old possession. Realizing that there is an iota of truth in both versions, the State Government have been taking measures to set the records right by demarcating forest land from non-forest land. However, they have created problems by adopting a biased approach in favour of the Forest Department by erroneously declaring non-forest area as forest area. If there are areas which are wastelands and there is no forest or forest management in sight, there is every possibility that an attempt will be made to occupy and cultivate such land by a land-hungry people. Realizing that a large area recorded as non-holding was actually under occupation by tribals, the State Government

Book No. 2

WORKING PLAN
 FOR THE
PROTECTED AND VESTED FORESTS
 OF THE
DUDHI FOREST DIVISION, MIRZAPUR
 SOUTHERN CIRCLE
 UTTAR PRADESH

1143
12-7-65

1964-65 to 1973-74

Compiled in the Working Plans Circle

By

G. P. SINGH, A.F.C.,
 Deputy Conservator of Forests,
 Uttar Pradesh.

PARTS I & II



NAINI TAL
WORKING PLANS CIRCLE, U. P.
 1966.

Price Rs. 12.00

GLOSSARY OF LOCAL NAMES OF COMMON PLANTS

Pages	Local name	Botanical name
242 - 249		
250 - 252		
		(a) TREES
	<u>Ajan, ghorkara</u>	... <u>Ailanthus excelsa</u> , Roxb.
	<u>Am</u>	... <u>Mangifera indica</u> , Linn.
253 - 255	<u>Amaltas</u>	... <u>Cassia fistula</u> , Linn.
	<u>Aonla</u>	... <u>Emblica officinalis</u> , Gaertn.
256 - 258	<u>Arjun, kahua, kawa</u>	... <u>Terminalia arjuna</u> , Bedd.
	<u>Asan, asna</u>	... <u>Terminalia tomentosa</u> , W. & A.
	<u>Babul</u>	... <u>Acacia arabica</u> , Willd.
259	<u>Bahera</u>	... <u>Terminalia belerica</u> , Roxb.
	<u>Bans</u>	... <u>Dendrocalamus strictus</u> , Nees.
	<u>Bansa, kala siris</u>	... <u>Albizzia odoratissima</u> , Benth.
	<u>Bargad, bar</u>	... <u>Ficus bengalensis</u> , Linn.
259	<u>Bel</u>	... <u>Aegle marmelos</u> , Correa.
	<u>Ber</u>	... <u>Zizyphus mauratiana</u> , Lamk.
	<u>Bharuhi</u>	... <u>Chloroxylon swietenia</u> , DC.
260 - 263	<u>Bheksi, harsingar, siharu</u>	... <u>Nyctanthes arbortristis</u> , Linn.
	<u>Bhela, Bhelawan</u>	... <u>Semecarpus anacardium</u> , Linn.f.
	<u>Bheri</u>	... <u>Casearia tomentosa</u> (<u>Casearia graveolens</u>) Roxb.
264 - 265	<u>Bhoti</u>	... <u>Eriolaena hookeriana</u> , W. & A.
	<u>Bhurkul</u>	... <u>Hymenodictyon excelsum</u> , Wall.
	<u>Bichhula</u>	... <u>Grewia species</u> , Linn.
266	<u>Bijaisal, Biya</u>	... <u>Pterocarpus marsupium</u> , Roxb.
	<u>Chemraor</u>	... <u>Ehretia laevis</u> , Roxb.
	<u>Chilbil, kanju</u>	... <u>Holoptelea integrifolia</u> , Planch.
	<u>Dhak, palas, paras</u>	... <u>Butea monosperma</u> , (Lamk.) Taub.
267	<u>Dhaura, Dhau</u>	... <u>Anogeissus latifolia</u> , Wall.
	<u>Dhauri, sidha</u>	... <u>Lagerstroemia parviflora</u> , Roxb.
	<u>Dhobin</u>	... <u>Dalbergia paniculata</u> , Roxb.
	<u>Dudhi</u>	... <u>Wrightia tomentosa</u> , Roem. & Sch.
	<u>Galgal</u>	... <u>Cochlospermum religiosum</u> , (Linn.) Alston.
	<u>Gamhar, khambar</u>	... <u>Gmelina arborea</u> , Linn.
	<u>Ghanta</u>	... <u>Schrebera swietenoides</u> , Roxb.
	<u>Ghorkara, ajan</u>	... <u>Ailanthus excelsa</u> , Roxb.
	<u>Gular</u>	... <u>Ficus glomerata</u> , Roxb.
	<u>Gurhi, phaldu</u>	... <u>Mitragyna parvifolia</u> , (Roxb.) Korth.
	<u>Haldu, karam</u>	... <u>Adina cordifolia</u> , Hook f.
	<u>Hardi</u>	... <u>Dalbergia lanceolaria</u> , Linn.f.
	<u>Harra</u>	... <u>Terminalia chebula</u> , Retz.
	<u>Harsingar, bheks</u>	... <u>Nyctanthes arbortristis</u> , Linn.
	<u>siharu</u>	
	<u>Haura, haura</u>	... <u>Erythrina suberosa</u> , Roxb.
	<u>Imli</u>	... <u>Tamarindus indica</u> , Linn.
	<u>Jamun</u>	... <u>Syzygium cumini</u> , (Linn.) Skeels.
	<u>Jhigan, jigna</u>	... <u>Lansea coromandelica</u> , (Houtt.) Merr.
	<u>Jolgudala</u>	... <u>Sterculia villosa</u> , Roxb.
	<u>Kachnar</u>	... <u>Bauhinia variegata</u> , Linn.
	<u>Kadam</u>	... <u>Anthocephalus cadamba</u> , Miq.
	<u>Kahua, kawa, arjun</u>	... <u>Terminalia arjuna</u> , W. & A.
	<u>Kaitha</u>	... <u>Feronia limonia</u> (Linn.) Swingle.
	<u>Kakor</u>	... <u>Zizyphus xylophyrus</u> , Willd.
	<u>Kala siris, bansa</u>	... <u>Albizzia odoratissima</u> , Benth.
	<u>Kanju, chilbil</u>	... <u>Holoptelea integrifolia</u> , Planch.
	<u>Karan, haldu</u>	... <u>Adina cordifolia</u> , Hook.f.
	<u>Karcha</u>	... <u>Cleistanthus collinus</u> , Benth.
	<u>Kari</u>	... <u>Milusa tomentosa</u> , (Roxb.) J. Sinclair.
	<u>Kataila, katia</u>	... <u>Flacourtia indica</u> , (Burm.f.) Merr.

Local name	Botanical name	Local name
<u>Kathimanun</u>	... <u>Eugenia heyneana</u> , Duthie.	
<u>Kathmanul</u>	... <u>Bauhinia racemosa</u> , Lamk.	
<u>Kekar</u>	... <u>Garuga pinnata</u> , Roxb.	
<u>Khair</u>	... <u>Acacia catechu</u> , Willd.	
<u>Knaja</u>	... <u>Bridelia retusa</u> , Spreng.	
<u>Khajur</u>	... <u>Phoenix humilis</u> , Royle.	
<u>Khamhar, gamhar</u>	... <u>Gmelina arborea</u> , Linn.	chakwar
<u>Kharhar</u>	... <u>Gardenia turgida</u> , Roxb.	
<u>Kikar</u>	... <u>Acacia farnesiana</u> , Willd.	
<u>Koraya</u>	... <u>Holarrhena antidysenterica</u> , Wall.	
<u>Kumbhi</u>	... <u>Careya arborea</u> , Roxb.	
<u>Kurlu</u>	... <u>Sterculia urens</u> , Roxb.	
<u>Kusum</u>	... <u>Schleichera oleosa</u> , (Lour) Oken.	
<u>Lasora</u>	... <u>Cordia dichotoma</u> , Forst. f.	
<u>Mahua</u>	... <u>Madhuca indica</u> , Gmel.	
<u>Mamar</u>	... <u>Elaeodendron glaucum</u> , Pers.	
<u>Neem</u>	... <u>Azadirachta indica</u> , A. Juss.	
<u>Padal, Padar</u>	... <u>Stereospermum svaveolens</u> , DC.	
<u>Pakar</u>	... <u>Ficus lacor</u> , Buch. - Ham.	
<u>Palas, paras, dhak</u>	... <u>Butea monosperma</u> , (Lamk.) Taub.	
<u>Papar</u>	... <u>Gardenia latifolia</u> , Ait.	
<u>Parsidh</u>	... <u>Hardwickia binata</u> , Roxb.	
<u>Phaldu, gurhi</u>	... <u>Mitragyna parvifolia</u> , (Roxb) Korth.	
<u>Pipal</u>	... <u>Ficus religiosa</u> , Linn.	
<u>Piyar</u>	... <u>Buchanania lanzen</u> , Spreng.	
<u>Pula</u>	... <u>Kydia calycina</u> , Roxb.	
<u>Reonia</u>	... <u>Acacia leucophloea</u> Willd.	
<u>Ritha</u>	... <u>Sapindus emarginatus</u> , Vahl.	
<u>Rohina</u>	... <u>Sovmida febrifuga</u> , A. Juss.	
<u>Rohini</u>	... <u>Mallotus philippensis</u> , Muell. Arg.	
<u>Rose wood</u>	... <u>Dalbergia latifolia</u> , Roxb.	
<u>Safed siris</u>	... <u>Albizzia procera</u> , Benth.	
<u>Sagon, teak</u>	... <u>Tectona grandis</u> , Linn. f.	
<u>Sahjan</u>	... <u>Moringa oleifera</u> , Lamk.	
<u>Sal, sakhu, sakhua</u>	... <u>Shorea robusta</u> , Gaertn.	
<u>Salai</u>	... <u>Boswellia serrata</u> , Roxb.	
<u>Sandan</u>	... <u>Ougenia ooleinensis</u> , (Roxb.) Hochreut.	
<u>Sauna</u>	... <u>Oroxylum indicum</u> , Vent.	
<u>Sehur, sendh</u>	... <u>Euphorbia nivulia</u> , Buch. - Ham.	
<u>Serial</u>	... <u>Salmalia malabarica</u> , (DC) Schoot. & Endl.	
<u>Sendh, sehur</u>	... <u>Euphorbia nivulia</u> , Buch. - Ham.	
<u>Shisham</u>	... <u>Dalbergia sissoo</u> , Roxb.	
<u>Sidha, dhauri</u>	... <u>Lagerstroemia parviflora</u> , Roxb.	
<u>Sinaru, bheksi, harsingar</u>	... <u>Nyctanthes arbortristis</u> , Linn.	
<u>Sihore</u>	... <u>Streblus asper</u> Lour.	
<u>Teak, sagon</u>	... <u>Tectona grandis</u> , Linn. f.	
<u>Tendu</u>	... <u>Diospyros tomentosa</u> , Roxb.	

Local name	Botanical name
(b) SHRUBS AND HERBS	
ana, Duthie.	... <u>Embelia robusta</u> , Roxb.
osa, Lamk.	... <u>Urginia indica</u> , Kunth.
a, Roxb.	... <u>Cassia occidentalis</u> , Linn.
Willd.	... <u>Antidesma diandrum</u> , Roth.
a, Spreng.	... <u>Woodfordia fruticosa</u> , (Linn.)
s, Royle.	... <u>Kurz.</u>
a, Linn.	... <u>Grewia flavescens</u> , Juss.
da, Roxb.	... <u>Desmodium pulchellum</u> , Benth.
ana, Willd.	... <u>Indigofera pulchella</u> , Roxb.
<u>Idysenterica</u> ,	... <u>Grewia hirsuta</u> , vahl.
	... <u>Zizyphus nummularia</u> , (Burm.f.)
	... W. & A.
	... <u>Carissa opaca</u> , Stapf.
	... <u>Phoenix acaulis</u> , Buch. - Ham.
	... <u>Moghania chappar</u> , J.St. Hilaire.
	... (Flemingia chappar)
	... <u>Lantana camara</u> , Linn.
	... <u>Randia dumetorum</u> , Lamk.
	... <u>Helicteres isora</u> , Linn.
	... <u>Indigofera pulchella</u> , Roxb.
	... <u>Randia uliginosa</u> , DC.
	... <u>Lantana camara</u> , Linn.
	... <u>Asparagus racemosum</u> , Willd.
(c) CLIMBERS	
	... <u>Mimosa himalayana</u> , Gamble.
	... <u>Butea superba</u> , Roxb.
	... <u>Butea superba</u> , Roxb.
	... <u>Cryptolepis buchanani</u> , Roem and Sch.
	... (Ichnocarpus frutescens)
	... <u>Milletia auriculata</u> , Baker.
	... <u>Abrus precatorius</u> , Linn.
	... <u>Tinospora malabarica</u> , Miers.
	... <u>Ventilago calyculata</u> , Tulasne.
	... <u>Mucuna prurita</u> , Hook.
	... <u>Bauhinia vablii</u> , W. & A.
	... <u>Zizyphus oenoplia</u> , Mill.
	... <u>Celestrus paniculata</u> , Willd.
	... <u>Cissus repanda</u> , Vahl.
	... <u>Cissampelos pareira</u> , Linn.
	... <u>Smilax prolifer</u> , Roxb.
	... <u>Combretum ovalifolium</u> , Roxb.
	... <u>Abrus precatorius</u> , Linn.
(d) EPIPHYTES AND PARASITES	
	... <u>Cuscuta reflexa</u> , Roxb.
	... <u>Cassytha filliformis</u> , Linn.
	... <u>Dendrophthoe falcata</u> , (Linn.f.)
	... Etting.

(e) GRASSES

<u>Local name</u>		<u>Botanical name</u>	<u>English name</u>
<u>Anjana</u>	...	<u>Cenchrus ciliaris</u> , Linn.	
<u>Bagai, sabai</u>	...	<u>Eulaliopsis binata</u> , (Retz.)	
<u>Bhanjura, patpatawan</u>	...	<u>Apluda mutica</u> , Linn.	
<u>Bhorhi, guner</u>	...	<u>Themeda quadrivalvis</u> , O. Ktze.	duck or
<u>Bhusbhusia</u>	...	<u>Eragrostis tenella</u> , (Linn.) Beauv. ex Roem. & Schult.	antelope
<u>Chhota parwa, lappa</u>	...	<u>Aristida hystrix</u> , Linn. f.	bull
<u>Chikania</u>	...	<u>Chrysopogon fulvus</u> (Sprong.) Chiov.	horned slope
<u>Churrant, parwa</u>	...	<u>Heteropogon contortus</u> , (Linn.) Beauv. ex R. & S.	
<u>Dub</u>	...	<u>Cynodon dactylon</u> , Pers.	
<u>Guner, bhorhi</u>	...	<u>Themeda quadrivalvis</u> , O. Ktze.	na
<u>Jamhar, phularia</u>	...	<u>Bothriochloa pertusa</u> , (Linn.) A. Camus.	fox gazelle deer
<u>Janewa</u>	...	<u>Dichanthium annulatum</u> , (Forsk.) Stapf.	cat
<u>Kans</u>	...	<u>Saccharum spontaneum</u> , Linn.	or Le
<u>Khas</u>	...	<u>Vetiveria zizanioides</u> , (Linn.) Nash.	Wild b
<u>Kush</u>	...	<u>Chrysopogon gryllus</u> , (Linn.) Trin.	the
<u>Lappa, chhota parwa</u>	...	<u>Aristida hystrix</u> , Linn. f.	deer
<u>Munja</u>	...	<u>Erianthus munja</u> (Roxb.) Jesweit.	deer
<u>Musel</u>	...	<u>Iseilema laxum</u> , Hack.	
<u>Narkat</u>	...	<u>Phragmites karka</u> , (Retz.) Trin. ex Steud.	
<u>Parwa, churrant</u>	...	<u>Heteropogon contortus</u> , (Linn.) Beauv. ex R. & S.	
<u>Patpatawan, bhanjura</u>	...	<u>Apluda mutica</u> , Linn.	
<u>Phularia, jamhar</u>	...	<u>Bothriochloa pertusa</u> , (Linn.) A. Camus.	
<u>Rusa (Rosha) oil grass</u>	<u>Cymbopogon martini</u> , (Roxb.) Wats.	
<u>Sabai, bagai</u>	...	<u>Eulaliopsis binata</u> , (Retz.) C.E. Hubbard.	quail pigeon partridge
<u>Sain, saina, sedha</u>	...	<u>Sehima nervosum</u> , (Rottl.) Stapf.	quail fowl part. fowl grouse fowl

GLOSSARY OF LOCAL NAMES OF WILD ANIMALS AND GAME BIRDS

English name	Local name	Scientific name
(a) <u>Wild Animals</u>		
Black buck or Indian antelope	<u>hiran, mirga</u>	<u>Antelope cervicapra</u> , Linn.
Blue bull	<u>nilgai</u>	<u>Boselaphus tragocamelus</u> , Pallas.
Four-horned antelope	<u>chausingha</u>	<u>Tetracerus equadricornis</u> , Blainville.
Hare	<u>khargosh</u>	<u>Lepus nigricollis</u> , F. DuRoi.
Hyacna	<u>lakar-bagha</u>	<u>Hyaena hyaena</u> , Linnaeus.
Indian fox	<u>Lomari</u>	<u>Vulpes bengalensis</u> , Shaw.
Indian gazelle or Ravine deer	<u>chinkara</u>	<u>Gazella gazella bennetti</u> . Sykes.
Jackal	<u>geeder, siar</u>	<u>Canis aureus</u> , Linnaeus.
Jungle cat	<u>jungli billi</u>	<u>Felis chaus</u> , Guldenstaedt.
Panther or Leopard	<u>guldar, tendua</u>	<u>Panthera pardus</u> , Linn. s. s.
Pig or Wild boar	<u>suar</u>	<u>Sus scrofa cristatus</u> , wagnor.
Porcupine	<u>sehi</u>	<u>Hystrix indica</u> , Kerr.
Sambhar	<u>sambhar</u>	<u>Cervus unicolor</u> , Bachstein.
Sloth bear	<u>bhalu</u>	<u>Melursus ursinus</u> , Shaw.
Spotted deer	<u>cheetal</u>	<u>Axis axis</u> , Erxleben.
Tiger	<u>bagh, sher</u>	<u>Panthera tigris</u> , Linnaeus.
Wild dog	<u>kogi, jungli kutta</u>	<u>Cuon alpinus</u> , Pallas
Wolf	<u>bheriya</u>	<u>Canis lupus pallipes</u> , Sykes,
(b) <u>GAME BIRDS</u>		
Black partridge	<u>kala titar</u>	<u>Francolinus francolinus</u> , Linnaeus.
Bush quail	<u>lawa</u>	<u>Perdicula asiatica</u> , Latham.
Green pigeon	<u>hariyal</u>	<u>Treton phoenicoptera</u> , Latham.
Grey partridge	<u>safed titar</u>	<u>Francolinus pondicerianus</u> , Gmelin.
Grey quail	<u>bater</u>	<u>Coturnix coturnix</u> , Linnaeus.
Jungle fowl	<u>jangli murgi</u>	<u>Gallus gallus murgli</u> , Robinson & Kloss.
Painted partridge	<u>rangin titar</u> or <u>kala titar</u>	<u>Francolinus pictus</u> , Jardine and Selby.
Pea-fowl	<u>mor</u>	<u>Pavo cristatus</u> , Linnaeus.
Sand-grouse	<u>bhat-titar</u>	<u>Pterocles exustus</u> , Temminck.
Spur fowl	<u>chhoti jangli murgi</u>	<u>Galloperdix spadicea</u> , Gmelin.

GLOSSARY OF LOCAL TERMS

Local term	English equivalent
<u>Abrak</u>	Mica.
<u>Bader</u>	Ridge piece of wood 4.9 m. to 5.5 m. long and 38 cm. to 46 cm. in girth.
<u>Balli</u>	Round timber 3.0 m. to 4.6 m. long and 23 cm. to 53 cm. in girth under bark.
<u>Banrakha</u>	A forest guard.
<u>Barahi</u>	The middle piece of a bamboo culm, 3.7 m. to 4.3 m. long; usually exported in bundles of 12 pieces.
<u>Barhatna</u>	Ridge piece timber, 12 hands or about 5.5 m. long
<u>Bathan</u>	Cattle station.
<u>Bhatti</u>	Furnace.
<u>Biri</u>	A country cigarette made of <u>tendu</u> leaves.
<u>Chak</u>	Demarcated village land inside the forest.
<u>Chaudhar</u>	Axe-hewn timber, 3.7 m. to 4.3 m. long and 7.6 cm. x 12.7 to 17.8 cm. in cross-section.
<u>Chauki</u>	A hut or small building used as residence for a forest guard or other subordinate official.
<u>Chaukidar</u>	A petty official employed for looking after a building or a depot.
<u>Chhapar</u>	Thatched roof or a hut made of grass.
<u>Chironji</u>	Fruit of <u>Buchanania lanzan</u> .
<u>Dak</u>	System of carrying official mail by men employed for this purpose.
<u>Darogha</u>	A Forester.
<u>Dheran</u>	Axe-hewn timber, 3.7 m. to 4.3 m. long and 30 cm. x 23 cm. or over in cross-section.
<u>Dhuna</u>	A boundary pillar.
<u>Geu</u>	Red ochre.
<u>Ghatri</u>	A hillock.
<u>Gola</u>	Round timber 3.7 m. to 4.3 m. long and 46 cm. to 76 cm. in girth.
<u>Goji</u>	Round timber smaller in size than <u>Gola</u> .
<u>Jadar</u>	An official above the rank of forest guard employed for special works such as cultural operations, plantations or construction and repairs of roads.
<u>Kachcha</u>	Unmetalled as applied to roads or made of unbaked bricks or mud as applied to building.
<u>Kandi</u>	A round timber also called <u>balli</u> .
<u>Kankar</u>	A form of line-stone nodules, used for making lime.
<u>Kat</u>	Unclassed forest.
<u>Kattha, Kattha</u>	An extract of catechu and catechin obtained by boiling the heartwood of <u>khair</u> in water.
<u>Khairaha</u>	One who manufactures <u>kattha</u> .
<u>Khalasi</u>	A labourer employed for camp arrangements such as pitching of tents etc.
<u>Kham</u>	Direct management.
<u>Khari</u>	Crude chalk.
<u>Kharif</u>	Agricultural crop of the rainy season.
<u>Kokot</u>	Inferior miscellaneous tree species.
<u>Kothi</u>	A bamboo clump.
<u>Lah</u>	Lac. A secretion obtained from insect <u>Tacharida</u> <u>laca</u> from which shellac is obtained.
<u>Loo</u>	Hot westerly wind that blows during summer.
<u>Mali</u>	Gardener.

Local term

Kharif

Kandi

Kola

Kankatti

Kandi

Kala

Khar

Kharri, pahari

Kharao

Kharana

Khar

Local term	English equivalent.
<u>Wallah</u>	A raftsman.
<u>Maund</u>	A measure of weight used in the past, equal to 37.324 kgms.
<u>Mauza</u>	Village.
<u>Mudkatti</u>	Ridge piece timber 6.1 m. to 7.0 m. long and 46 cm. to 58 cm. in girth.
<u>Nadi</u>	A river.
<u>Nala</u>	A small stream.
<u>Nar</u>	Ravine.
<u>Pahri, pahari</u>	A hill.
<u>Pargao</u>	Camping ground.
<u>Pargana</u>	A revenue management unit.
<u>Rabi</u>	Winter crop
<u>Rakhat</u>	Protected forests.
<u>Ramraj</u>	Yellow ochre
<u>Sapurdar</u>	A summarily settled resident cultivator.
<u>Sorhatha</u>	Ridge piece timber, 16 hands or 7.3 m. and over long and 61 cm. to 76 cm. in girth.
<u>Sorahi</u>	The top piece of a bamboo culm, 2.7 m. and upwards in length, usually exported in bundles of 16 pieces.
<u>Tahsil</u>	Sub-division of a district.
<u>Tappa</u>	A revenue management unit.
<u>Terra</u>	The butt end piece of a bamboo culm, 2.7 m. to 3.4 m. long, usually exported in bundles of 10 pieces.
<u>Zamindar</u>	Land owner.
<u>Zamindari</u>	Land outside the forest boundary belonging to the local land owners.

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सोनभद्र वन प्रभाग सोनभद्र

विन्ध्य वृत्त, उत्तर प्रदेश
की
प्रबन्ध योजना

(2001-2002 से 2010-2011 तक)

राम प्रवेश तिवारी
भारतीय वन सेवा

वन संरक्षक, कार्य योजना वृत्त, उत्तर प्रदेश, लखनऊ के निर्देशन में

अजय कुमार
भारतीय वन सेवा

कार्य योजना अधिकारी द्वारा संकलित

परिशिष्ट



लखनऊ

कार्य योजना वृत्त, उत्तर प्रदेश

2003

मूल्य : 500/-

परिशिष्ट 1.6 (अ)

सोनमद्र वन प्रभाग के वन बन्दोबस्त सम्बन्धी क्षेत्र का सारांश

क्र.सं.	विवरण	कुल क्षेत्रफल (हे.)
1.	विज्ञप्ति सं. 617/14 बी दिनांक 11.10.1952 में निहित क्षेत्र	13,904.858
2.	पुनर्ग्रहण क्षेत्र	41937.677
3.	कुल निहित एवं पुनर्ग्रहीत क्षेत्र का योग	55842.535
4.	राजस्व विभाग द्वारा वन विभाग को हस्तान्तरित क्षेत्रफल	54562.202
5.	भारतीय वन अधिनियम की धारा 4 में विज्ञापित होने हेतु शेष क्षेत्र	1280.333
6.	भारतीय वन अधिनियम की धारा 4 के अन्तर्गत विज्ञापित क्षेत्र	54562.202
6.	भारतीय वन अधिनियम की धारा 20 के अन्तर्गत विज्ञापित क्षेत्र	29360.043
7.	भारतीय वन अधिनियम की धारा 20 हेतु शेष क्षेत्र	25202.159
8.	भारतीय वन अधिनियम की धारा 20 के अन्तर्गत विज्ञापित होने वाले क्षेत्र जिसके लिये विज्ञप्ति आलेख वन संरक्षक स्तर पर शासन को अग्रेसित करने हेतु लम्बित है।	—
9.	भारतीय वन अधिनियम की धारा 20 के अन्तर्गत विज्ञापित होने वाले क्षेत्र जिसके लिये विज्ञप्ति आलेख शासन स्तर पर लम्बित है	20,703.011
10.	भारतीय वन अधिनियम की धारा 20 के अन्तर्गत विज्ञप्ति आलेख प्रकाशन हेतु मुद्रणालय में लम्बित है	—
11.	भारतीय वन अधिनियम की धारा 20 के अन्तर्गत विज्ञप्ति आलेख उप वन संरक्षक स्तर पर लम्बित है	—
12.	वन बन्दोबस्त अधिकारी एवं न्यायालय स्तर पर लम्बित क्षेत्र	4,495.752
13.	वन बन्दोबस्त अधिकारी द्वारा अन्तिम सीमांकन के दौरान छोड़ा गया क्षेत्रफल	8.847

No. 17014/02/2007-PC&V(Vol.VII)
Government of India
Ministry of Tribal Affairs

Shastri Bhawan, New Delhi

Dated June 9, 2008

To

All State Secretaries In-charge of Tribal Welfare
[All States/UTs, except J&K]

Subject: Implications of the phrase "primarily reside in and who depend on the forests or forest lands for *bona fide* livelihood needs" appearing in sections 2(c) and 2(o) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Sir,

As you are aware, Section 2(c) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 defines the expression "forest dwelling Scheduled Tribes" to mean the members or community of Scheduled Tribes who primarily reside in and who depend on the forests or forest lands for *bona fide* livelihood needs and includes the Scheduled Tribe pastoralist communities. Similarly, Section 2(o) of the Act defines the expression "other traditional forest dweller" to mean any member or community who has for at least three generations prior to the 13th day of December, 2005 primarily resided in and who depend on the forest or the forests land for *bona fide* livelihood needs.

2. This Ministry has received references from certain States seeking clarification about the implications of the phrase "primarily reside in and who depend on the forests or forest lands for *bona fide* livelihood needs" appearing in sections 2(c) and 2(o) of the Act as to whether this would cover the Scheduled Tribes and other traditional forest dwellers who are not necessarily living inside the forests but are depending on the forests or forest lands for their *bona fide* livelihood needs. This issue was also raised in the meetings of the Secretaries of Tribal Welfare/Development Department of the States on the implementation of the Act held on 18th-19th February, 2008 and 16th May, 2008 in New Delhi.

3. The matter has been examined in consultation with the Ministry of Law & Justice and it is clarified that the implication of using the word 'primarily' is to include the Scheduled Tribes and other Traditional Forest Dwellers who have either habitation, or patches of land for self-cultivation for livelihood, and would, therefore, be primarily spending most of their time either in temporary make shift structures or working on patches of land in such areas irrespective of whether their dwelling houses are outside the forest or forest land. Therefore, such Scheduled Tribes and other Traditional Forest Dwellers who are not necessarily residing inside the forest but are depending on the forest for their *bona fide* livelihood needs would be covered under the definition of "forest dwelling Scheduled Tribes" and "other traditional forest dweller" as given in Sections 2(c) and 2(o) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

...2/-

File

4. This may be noted and communicated to all concerned with implementation of the Act.

Yours faithfully,



[Sunil Garg]

Under Secretary to the Govt. of India

Copy to:

1. **Ministry of Environment & Forests (Ms. Meena Gupta, Secretary), Paryavaran Bhawan, C.G.O. Complex, Lodhi Road, New Delhi-110 003 for information.**
2. **Prime Minister's Office (Ms. Kalpana Awasthi, Director) South Block, New Delhi for information.**



[Sunil Garg]

Under Secretary to the Govt. of India

न्यायालय सिविल जज जूनियर डीविजन / मजि० दुद्धी सोनभद्र

मु० नं० ३५४७ सन् २००७

राज्य बनाम श्याम लाल पासवान वर्गे

अ० धारा- ९/२९ J.F. Act के अन्तर्गत

थाना- कौन जिला सोनभद्र

थानाध्यक्ष,

उपरोक्त मुकदमा मे निम्न अभियुक्त आज दिनांक ३१/३/१३ को न्यायालय मे उपस्थित होकर अपना जुर्म स्वीकार कर जुर्माना अदा कर मुकदमे का निस्तारण करा लिया है।

अतः निम्न अभियुक्त के विरुद्ध जारी वारन्ट अदम लामिल इस न्यायालय को वापस कर दें।

नाम पता अभियुक्त

R. C. ml
31/3/13

आज्ञा से

न्या०सि०ज०जू०डी०/मजि०

दुद्धी सोनभद्र

श्याम लाल पासवान ९/० साधू

मेवाली- रामगढ़ थाना- कौन

जिला- सोनभद्र

दिनांक

३१/३/१३

केवल नकल की फीस के लिए

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न्यायालय जिला सीजस्ट्रेट - सोनभद्र

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रजम वनाम - अयाम लोरी

आगत द्वारा - 3(2)-30 प्रो गुडडा नियतवा अधिनियम

शान्ति कोष जलापद - सोनभद्र

वीट नकल आदेश दिनांक 16-6-16 को वापस

डी.डी. सं. 1

न्यायालय जिला मजिस्ट्रेट सोनभद्र ।

वा0सं0 -210 सन् 2007

क0वाद सं0-डी- D2008/66600/48

राज्य इन्जिनियर श्यामलाल

अंतर्गत धारा- 3(2) उ0प्र0 गुण्डा निरीक्षण अधिनियम थाना-कोस जनपद-सोनभद्र ।

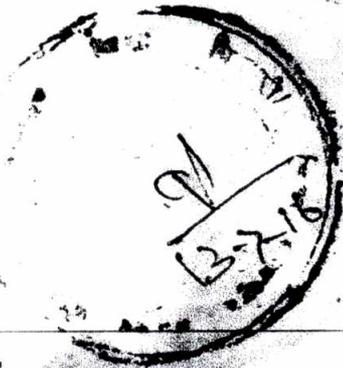
निर्णय

प्रश्नगत प्रकरण थानाध्यक्ष कोस की आख्या व पुलिस अधीक्षक सोनभद्र की संस्तुति दिनांक 01.11.2007 के आधार पर प्रारम्भ किया गया है। पुलिस आख्या के अनुसार विधायी श्यामलाल पुत्र साधु निवासी रामगढ़ थाना कोस जनपद सोनभद्र एक सरहदारीय अपराधी है जो अपने पितृ समाज के विभिन्न व्यक्तियों के ऊपर अत्याचार करता है। वर्तमान समय में 10/17 एवं 18/17 एवं 22 के अधीन दण्डनीय अपराधों को करीब 10 अपराधों के अन्तर्गत कर रहा है। श्यामलाल उपरोक्त के नय से जाति का कोई भी व्यक्ति उसके विरुद्ध प्रथम सूचना रिपोर्ट दर्ज कराने में मय खाता है। इसकी आम सौहरत एक गुण्डा होने की हो गयी है। अपने कथन के समर्थन में थानाध्यक्ष ने विपक्षी द्वारा कारित निम्न अपराधों का उल्लेख किया है:-

1. दिनांक 07.02.2007 को श्यामलाल उपरोक्त द्वारा हर्रा वन ब्लाक कक्ष नं03 में जबर्दस्ती अवैध रूप से झोपड़ी का निर्माण कर बन भूमि पर अतिक्रमण व कब्जा कर लिया गया जिसके सम्बन्ध में वन विभाग द्वारा उसके विरुद्ध रेंज केश संख्या-12/कोन 2006-07 धारा-5/26 बन अधिनियम का मुकदमा पंजीकृत किया गया ।
2. दिनांक 09.02.2007 को श्यामलाल उपरोक्त द्वारा हर्रा वन ब्लाक कक्ष नं03 में जबर्दस्ती अवैध रूप से झोपड़ी का निर्माण कर बन भूमि पर अतिक्रमण व कब्जा कर लिया गया जिसके सम्बन्ध में वन विभाग द्वारा उसके विरुद्ध रेंज केश संख्या-13/कोन 2006-07 धारा-5/26 बन अधिनियम का मुकदमा पंजीकृत किया गया ।
3. दिनांक 24.04.2007 को श्यामलाल उपरोक्त द्वारा हर्रा वन ब्लाक कक्ष नं08 में अवैध रूप से वृक्षों का काट कर बन भूमि पर अवैध कब्जा कर लिया गया जिसके सम्बन्ध में वन विभाग द्वारा उसके विरुद्ध रेंज केश संख्या-04/कोन 2006-07 धारा-5/26 बन अधिनियम का मुकदमा पंजीकृत किया गया ।
4. दिनांक 26.04.2007 को श्यामलाल उपरोक्त द्वारा हर्रा वन ब्लाक कक्ष नं08 में अवैध रूप से हरे वृक्षों का काट कर बन भूमि पर अवैध रूप से अतिक्रमण एवं कब्जा कर लिया गया जिसके सम्बन्ध में वन विभाग द्वारा उसके विरुद्ध रेंज केश संख्या-05/कोन 2006-07 धारा-5/26 बन अधिनियम का मुकदमा पंजीकृत किया गया ।

दिनांक 17.07.2007 को श्यामलाल उपरोक्त द्वारा हर्रा वन ब्लाक कक्ष नं03 में अवैध रूप से बन भूमि पर अवैध रूप से अतिक्रमण एवं कब्जा कर लिया गया

कमरा:पेज-2पर



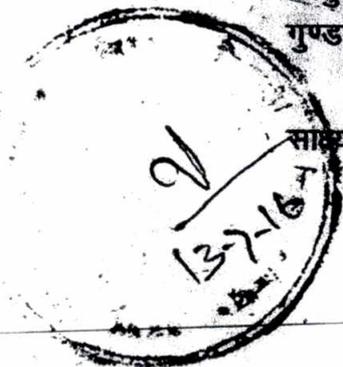
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जिसके सम्बन्ध में वन विभाग द्वारा उसके बिरुद्ध रंज केश संख्या-13/कोन 2006-07 धारा-5/26 बन अधिनियम का मुकदमा पंजीकृत किया गया ।

6. दिनांक 24.07.2007 को श्यामलाल उपरोक्त द्वारा हर्ष वन ब्लॉक कक्ष नं03 में अवैध रूप से बन भूमि पर अवैध रूप से अतिक्रमण एवं कब्जा कर लिया गया जिसके सम्बन्ध में वन विभाग द्वारा उसके बिरुद्ध रंज केश संख्या-15/कोन 2006-07 धारा-5/26 बन अधिनियम का मुकदमा पंजीकृत किया गया ।
7. दिनांक 04.08.2007 को श्री विजयशंकर यादव बन दरोगा कोन रेंज द्वारा थाना स्थानीय पर लिखित सूचना दी गयी कि श्यामलाल उपरोक्त अपने साथियों के साथ दिनांक 01.08.2007 को पड़रछ बन क्षेत्र में बन विभाग द्वारा शासन के निर्देशानुसार पीधरोपड़ महाभियान के तहत लगभग 1 करोड़ पौधे लगाये गये थे जिसे ये सब मिलकर उखाड़ कर फेंक दिये और नुकसान कर दिये। वन कर्मियों द्वारा मना करने पर उन्हें मारने के लिए दौड़ा लिये । इस सम्बन्ध में इसके बिरुद्ध थाना स्थानीय पर मु0अ0सं0- 137/07 धारा- 147,148, 149, 427, 353, 504,506, व 120बी/34 सा0द0वि0 व धारा-5/26 वन अधिनियम व बन संरक्षण अधिनियम -7सी0एल0ए0एक्ट पंजीकृत किया गया ।
8. दिनांक 15.09.2007 को श्यामलाल उपरोक्त द्वारा हर्ष वन ब्लॉक कक्ष-3 में अवैध रूप से हरे वृक्षों को काट कर नुकसान किया और वन भूमि पर अतिक्रमण व कब्जा कर लिया जिसके सम्बन्ध में वन विभाग द्वारा उसके बिरुद्ध केश संख्या-19/कोन 2006-07 धारा-5/26 वन अधिनियम का मुकदमा पंजीकृत किया गया ।

पुलिस की उपरोक्त आख्या के क्रम में विपक्षी को नोटिस जारी की गयी एवं अपेक्षा की गयी कि वह उपरोक्त के सम्बन्ध में अपना स्पष्टीकरण एवं अपने कथन के समर्थन में गवाह प्रस्तुत करे, जिसके क्रम में विपक्षी अपने जबाब दिनांक 25.09.2008 में कहा है कि स्थानीय थाना एवं वन विभाग द्वारा रंजिशान एवं क्षेत्रीय राजनीति के साजिस के तहत सभी वाद दर्ज किया गया है, जो विधि के विपरीत एवं कपोल कल्पित तथ्यों पर आधारित है। विपक्षी द्वारा गुण्डा अधिनियम की उक्त धारा के वावत् कभी भी ऐसा कार्य नहीं किया गया है, जिससे समाज की सार्वजनिक सम्पत्ति को क्षति हुई हो, किसी भी व्यक्ति की प्रतिष्ठा में हानि हुआ हो, किसी महिला/लड़की की अनैतिक व्यापार दमन अधिनियम के तहत दोषी पाया गया हो, या एक्साइज अधिनियम व आयुध अधिनियम के तहत ही दोषी पाया गया हो। विपक्षी के बिरुद्ध मात्र एक वाद को छोड़कर शेष सभी वाद वन विभाग द्वारा बतौर परिवाद प्रस्तुत किया गया है जो बिल्कुल फर्जी तथ्यों पर आधारित है। अन्त में कहा है कि गुण्डा एक्ट की नोटिस वापस लिये जाने योग्य है।

अभियोजन अधिकारी की बहस का अनुश्रवण एवं पत्रावली पर उपलब्ध साक्ष्यों का अवलोकन किया गया। विपक्षी के बिरुद्ध वर्ष 2006-07 में कुल आठ बार
कमश:पेज-3पर



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(3)

वन अनियमित के अन्तर्गत मुकदमा पंजीकृत किया गया है। विपक्षी स्वयं वन भूमि पर वन विभाग द्वारा लगाये गये पेड़ों को काटता है और दूसरों को भी ऐसा करने के लिए प्रेरित करता है। विपक्षी पेड़ों को काटकर भूमि कब्जा करने का प्रयास करता है। इस प्रकार वह वन अधिनियम एवं वन संरक्षण अधिनियम में विहित प्राविधानों का जान-बूझकर बार-बार उल्लंघन करता है। विपक्षी को मेरे पूर्वाधिकारी के आदेश दिनांक 05.06.2008 द्वारा जिला बदर किया गया था, जिसके विरुद्ध विपक्षी ने न्यायालय आयुक्त विन्ध्याचल मण्डल मीरजापुर के यहा अपील संख्या-146 वर्ष 2008 धारा 6(2)उपप्रोगुनि0 अधिनियम श्याम लाल बनाम उत्तर प्रदेश राज्य मौजा रामगढ़ थाना कोन जनपद सोनभद्र योजित किया गया, जिसमें मा0आयुक्त महोदय के आदेश दिनांक 04.07.2008 द्वारा विपक्षी को साक्ष्य व सुनवाई का अवसर प्रदान किया गया है। तत्कम में विपक्षी न्यायालय उपस्थित हुआ लेकिन कोई ऐसा साक्ष्य नहीं दिया गया जिससे यह सिद्ध हो कि उपरोक्त मुकदमें में दोष मुक्त हो गया हो। विपक्षी को सुना गया एवं थाना स्थानीय से आख्या प्राप्त की गयी। थानाध्यक्ष कोन की आख्या दिनांक 23.06.2015 के अनुसार विपक्षी वन समिति बनाकर वन भूमि पर कब्जा करने के लिए अग्रसर रहता है इस लिए गतिविधियां सरकारी व्यवस्था के विपरीत है। अस्तु जिला बदर किया जाना आवश्यक है। विपक्षी द्वारा कोई ऐसा साक्ष्य नहीं दिया गया है सिद्ध हो कि वह गुण्डा नहीं है। अस्तु मा0द0वि0 के अध्याय 16, 17 व 22 के अन्तर्गत दण्डनीय अपराध करित करने का अभ्यस्त अपराधी व गुण्डा किस्म का व्यक्ति है। अस्तु उसके विरुद्ध उपप्रोगुण्डा नियंत्रण अधिनियम 1970 की धारा 3(3) के अधीन आदेश पारित करते हुए, लोकहित में विपक्षी श्यामलाल पुत्र साधू निवासी रामगढ़ थाना कोन जनपद सोनभद्र को जिला बदर किया जाना समीचीन एवं न्याय संगत है।

आदेश

उपर्युक्त तथ्यों के आधार पर आदेश दिया जाता है कि श्यामलाल पुत्र साधू निवासी रामगढ़ थाना कोन जनपद सोनभद्र के विरुद्ध निर्गत नोटिस confirm की जाती है एवं आदेश दिया जाता है, वह आदेश की प्राप्ति के एक सप्ताह के अन्दर इस जनपद की सीमा से छः माह के लिए बाहर चला जाय। इस अवधि में अपने निवास स्थान की सूचना सम्बन्धित थानाध्यक्ष जहाँ वह निवास करेगा, को देते हुए थानाध्यक्ष कोन एवं इस न्यायालय को भी देगा। यहां यह भी स्पष्ट किया जाता है कि यदि विपक्षी को निर्वासन की अवधि में जनपद के किसी न्यायालय द्वारा तलब किया जाता है तो विशिष्ट न्यायिक आदेश के अनुपालन में उपस्थित होने हेतु उसे इस अधिनियम की धारा 4 के अनुसार अनुज्ञा प्राप्त किये जाने से छूट प्रदान की जाती है। इस

कमश:पेज-4पर

91
13-7-15

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(4)

आदेश की प्रति विपक्षी श्यामलाल पुत्र साधू निवासी समगढ़ थाना कोन जनपद सोनभद्र को व्यक्तिगत रूप से तामील करायी जाए एवं तामीला रिपोर्ट इस न्यायालय को तत्काल प्रेषित की जाय। आदेश के अनुपालन हेतु आदेश की प्रति पुलिस अधीक्षक सोनभद्र को प्रेषित की जाय। पत्रावली बाद आवश्यक कार्यवाही समर्पित अभिलेखागार हो।

kp
(चन्द्र भूषण सिंह)
जिला मजिस्ट्रेट,
सोनभद्र।

उपर्युक्त आदेश आज दिनांक 18-6-16
होकर खुले न्यायालय में उद्घोषित किया गया।

को टंकित एवं हस्ताक्षरित

kp
(चन्द्र भूषण सिंह)
जिला मजिस्ट्रेट,
सोनभद्र।

कचन प्रता...
कचन प्रता...
13-7-16

13-7-16
13-7-16

सं. 3761/07

राज्य बनाम लालती का

अलॉटघाटा
S/26, 41/42
मा. व. आदि

बनाम इं. को. का

मुकदमा उपरोक्त में अभिमुक्त निम्न लिखित में आज दायर अदालत होकर उक्त मामले का निस्तारण करा लिया है।

अतएव आपका आदेशित किया जाता है कि मुकदमा उपरोक्त में अभिमुक्त निम्न लिखित को गिरफ्तार न करे।

अभिमुक्तों का नाम व पता

① लालती पत्नी श्यामलाल
ग्राम- लखगढ़
ग्रामा- को. लखगढ़

② श्यामलाल पुत्र लखू
ग्राम- लखगढ़
ग्रामा- को.
जिला- लखगढ़

दि 24/2/07

30
[Signature]

महाराष्ट्र शासन विद्यार्थी शिवालय/अभिमुख

क्रमांक 2549/09

राज्य वनाय विभाग वनाय

व्हास-447, 352, 353, 524, 506 -

स.प.स. व 5/26 F Act

P.S. — कोन

S.O. कोन,

आपको आदेशित किया जाता

है कि निम्नलिखित नाम पता का अभिमुख

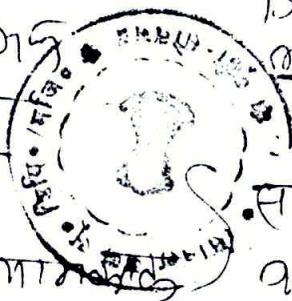
हाथिल अदाकर आंकर गुणवत्ता उपरोक्त के

अपना-अपना पत्राचार कर लिया है।

अतएव अदाकर प्राप्त करते प्रारंभ

अपना नामिका नामांकन से वापस कर देवे।

नाम पता अभिमुख



B.O.
कोन
23/9/11

अभिमुख

① श्यामलाल पुत्र साधू

समस्त साठ नामांकन

② लाली देवी पत्नी श्यामलाल

आम - कोन - संगमर

दिनांक - 23-09-11

महाराष्ट्र शासन विद्यार्थी शिवालय
उद्देशी - कोन

न्यायालय श्रीमत् मुख्य न्यायिक एडवोकेटरी

मुंनं. 3761/07

लौगाड

राज्य लनाम लालती का

अलगाव
5/26, 4/1/42
मा. व. आदि

लनाम SC
कोन

मुकदमा उपरोक्त में अभियुक्त निम्न लिखित में
आज खात्रि अदालत होकर उक्त मामले का
निलमरण करा लिया है।

अतएव आपका आदेशित किया जाता है कि
मुकदमा उपरोक्त में अभियुक्त निम्न लिखित को
गिरफ्तार न करें।

अभियुक्तों का नाम व पता

① लालती पत्नी श्यामलाल
गाम- लौगाड
धाना कोन लौगाड

② श्यामलाल पुत्र लक्ष्म
गाम- लौगाड
धाना कोन
जिला- लौगाड

दि 24/2/07

BC

श्यामलाल
लौगाड

उधवा-लौगाड

न्यायालय की मान्य सिविल प्रक्रिया विधी/अपिल दुहाई

क्रमांक 2549/09

राज्य वनाज विभाग का कर्मचारी

आस-447, 352, 353, 524, 506 -

उ.प.क. व 5/26 F. Act

P.S. — कोन

S.O. कोन,

आपको आदेशित किया जाता है कि निम्नलिखित नाम पर का अभियुक्त

दाखिल अदाकर आकर मुहदमा उपरोक्त में

अपना-अपना पमानत कर लिखा है।

अतएव अदाकर प्राप्त करते प्राप्ति

अपना नमिका नमानक को वापस कर देवे।

नाम पर अभियुक्त



B.O.

23/9/11

कोन

① श्यामलाल पुत्र साधु

② जाली देवी पत्नी श्यामलाल

सामर साठ (सामर)

आल - कोन - सामर

दिनांक - 23-09-11

न्यायालय सिविल प्रक्रिया विधी/अपिल
दुहाई - कोन

न्यायालय सिविल जज जूनियर डीविजन / मजि० दुद्धी सोनभद्र

मु० नं० ३५४७ सन् २००९

राज्य बनाम श्याम लाल पासवान वर्ग

अ० धारा- ९/२४ I.F.A. Act का अन्य

थाना- कोन जिला सोनभद्र

थानाध्यक्ष,

उपरोक्त मुकदमा मे निम्न अभियुक्त आज दिनांक ३१/३/१३ को न्यायालय मे उपस्थित होकर अपना जुर्म स्वीकार कर जुर्माना अदा कर मुकदमे का निस्तारण करा लिया है।

अतः निम्न अभियुक्त के विरुद्ध जारी वारन्ट अदम तामिल इस न्यायालय को वापस कर दें।

नाम पता अभियुक्त

श्याम लाल पासवान ९/० लाघू

मिवाली- रामगढ़ थाना- कोन

जिला- सोन ७५

P. S. mul
31/3/13

आज्ञा से

न्या०सि०ज०जु०डी०/मजि०

दुद्धी सोनभद्र

दिनांक

३१/३/०१३.

(१) श्यामलाल ९/० भाद्रप

(२) सिमिली ९/० हुलास

(३) असोदा ९/० देवराज - निच गोडीहा



दिनांक १०-२-१४

ग्रामपालिका क्षेत्रमा आफू मुक्त हुनुका लागि दण्डाधिकारी सोनभद्र

सु. ७०-१९८३/११

राज्य वंगम दीनानाथ काँठ

वंगम

प्रशासनिक कार्यालय

सु. ७०, १९८३

भाग - कोन

ग्रामपद - सोनभद्र

ग्रामपालिका क्षेत्र

मुक्तता उक्तले दे आधिकारिक निम्नलिखित से आज जारी
कोदालत होका अपनी उक्त मुक्तको का मिलान
करा लिखा है।

आतः आफूको आदेशित विद्या प्राप्त है
ले उक्त मामले से आधिकारिक निम्नलिखित से जारी
जायी प्रोसेस आदन नागिला वापस कर देवे तथा
आधिकारिक निम्नलिखित के गिरफ्तार न करे।

नाम फरा आधिकारिक

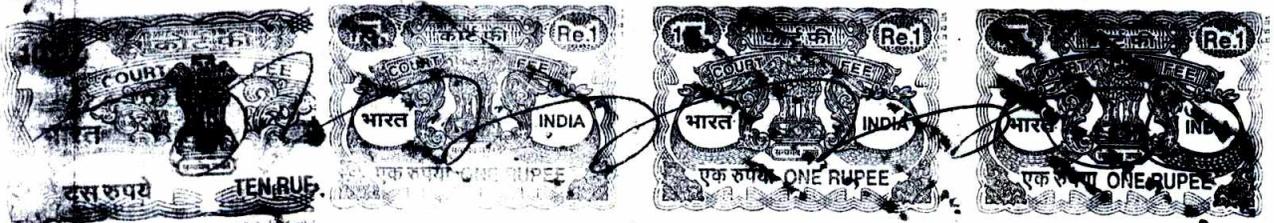
- | | | | | |
|----|-------------|-----|------------------------|----------------|
| १ | रामजीत | १/० | सु. ७० | वि. ७० |
| २ | हरिचरन | १/० | सु. ७० | वि. ७० |
| ३ | पानकुमार | १/० | फेकन | वि. ७०, वि. ७० |
| ४ | फेकन | १/० | हलखोरी | वि. ७० |
| ५ | लालती | १/० | श्यामलाल - कि. रामभद्र | वि. ७० |
| ६ | उदय | १/० | पेशाराम | वि. ७० |
| ७ | विद्यावती | १/० | राजकुमार | वि. ७० |
| ८ | हरिदास | १/० | दिलिप | नोडीहा |
| ९ | धनेसा | १/० | रामशाल | वि. ७० |
| १० | लोमरी | १/० | उदय | वि. ७० |
| ११ | गुलाबपुत्री | १/० | व. च. | वि. ७० |
| १२ | रमकलीपुत्री | १/० | हरिदास | वि. ७० |
| १३ | रत्नी | १/० | नरन वनदीप | वि. ७० |
| १४ | गोसायनी | १/० | भाजल | वि. ७० |
| १५ | सिमिली | १/० | हुलान | वि. ७० |
| १६ | जसोदा | १/० | देवराज - नि. नोडीहा | वि. ७० |



सामान्य कार्य को
१३० - सोनभद्र

Handwritten signature and initials.

दिनांक १०-२-८३



केवल नकल का फास क लिए

4/13-00

आवश्यक स्टाम्प, प्रार्थना पत्र देने की तारीख Date on which application is made for copy accompanied by the requisite stamps	नोटिस बोर्ड पर नकल तैयार होने की सूचना की तारीख Date of posting notice on notice board	नकल वापिस दिए जाने की तारीख Date of Delivery of	नकल वापिस देने वाले अधिकारी का हस्ताक्षर Signature of official
20 15/9/17	15/9/17	15/9/17	

न्यायालय (अपर जिलाधिकारी) (न्यायिक) सोनभद्र

मु. नं. 2017/6660748 सं. 2017

राज्य के नाम श्याम लाल
अन्तर्गत द्वारा 30 अप्रैल गुण्डा निम्न ठा. 30
भाना कोन जिला सोनभद्र

नकल - (अपर जिलाधिकारी) (न्यायिक)

द्वारा नोटिस दि. 10/08/17 पं. सं. 208 जारी है। जो दाया प्रवि
संलग्न है।



P.T.O.

पलक 108 दि० 18/11/17

न्यायालय अपर जिला मजिस्ट्रेट (न्या०) सोनभद्र।

बाद सं०- डी201716660748

राज्य बनाम श्यामलाल

थाना कोन, जिला सोनभद्र।

स०१० गुण्डा नियंत्रण अधिनियम 1970 की धारा-3(2) अन्तर्गत नोटिस

श्यामलाल पुत्र साधूराम

थाना कोन, जिला सोनभद्र।

(108-2518/17)

न्यायालय, सोनभद्र द्वारा प्रेषित रिपोर्ट दिनांक- 17.5.2017 के आधार पर सूझे यह प्रतीत

है कि श्यामलाल पुत्र साधूराम निवासी सोनभद्र थाना कोन का निवासी है, जो गुण्डा है अर्थात् स्वयं
गुण्डा नियंत्रण अधिनियम 1970 के अध्याय 16, 17 व 22 के अधीन दण्डनीय अपराध करता है। उसकी सामान्य
व्यक्तिगत और समाज के लिये खतरनाक व्यक्ति होने की है और
उसके विरुद्ध पुत्र साधूराम निवासी सोनभद्र थाना कोन उपरोक्त की गतिविधियां धन जन के लिये
विनाशकारी और मानहानि करने वाली हैं। ऐसा विश्वास करने का उचित कारण है कि वह
गुण्डा नियंत्रण अधिनियम 1970 के अध्याय 16, 17 एवं 22 के अधीन दण्डनीय किसी भी
अपराध को करने में लगता है और सामान्य अपने जान तथा सम्पत्ति के सम्बन्ध में अशुभ
विचारों के कारण जो अपराध के विरुद्ध साक्ष्य देने को तैयार नहीं हैं और उपरोक्त खण्ड क, ख एवं
ग के अधीन गुण्डा नियंत्रण अधिनियम 1970 के अध्याय 16, 17 एवं 22 के अधीन दण्डनीय
अपराधों का विवरण निम्नवत् है-

1. स०१०/०१ धारा 147, 148, 149, 427, 353, 504, 506, 120बी, 34 भादवि व 5/26 वन
अधिनियम 1970 के अधीन दण्डनीय अपराधों का विवरण अधि० सं 7 सीएलएक्ट

2. स०१०/०२ धारा 353, 504, 506 भादवि व 5/26 वन अधिनियम

3. स०१०/०३ धारा- 447 भादवि व 5/26 वन अधिनियम

4. स०१०/०४ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

5. स०१०/०५ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

6. स०१०/०६ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

7. स०१०/०७ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

8. स०१०/०८ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

9. स०१०/०९ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

10. स०१०/१० धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

11. स०१०/११ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

12. स०१०/१२ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

13. स०१०/१३ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

14. स०१०/१४ धारा 447, 353, 352, 506 भादवि व 5/26 वन अधिनियम

अपर जिला मजिस्ट्रेट (न्यायिक)
सोनभद्र।

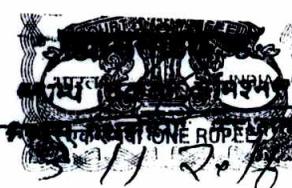
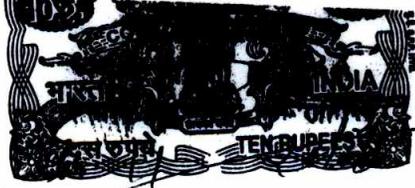


सत्य प्रतिलिपि

प्रस्तुतकार
अपर जिलाधिकारी (न्यायिक)
सोनभद्र

नकल कर्ता.....
तुलना कर्ता.....
अनु० शब्द.....





3-0 फा 13-00/क
 9453763947
 प्रदीप कुमार दूबे स्टम्पेड 4/11/2016

केवल नकल की फीस के लिए

आवश्यक स्टाम्प सहित प्रार्थना पत्र देने की तारीख Date of Which Application in made for copy accompanied by the requisite stamps.	नोटिस बोर्ड पर नकल तैयार होने की सूचना की तारीख Date of porting notice on notice board.	नकल वापिस दिये जाने की तारीख Date of delivery of copy	नकल वापिस देने वाले अधिकारी का हस्ताक्षर Signature of officer delivering copy
1077 4-11-2016	4-11-2016 4 नवम्बर		

न्यायालय आयुक्त विन्ध्यवाचल मण्डल श्रीजापुर

अपील सं. C 2016/600484 वर्ष 2016 अंत-धारा - 630 प्र. गुठ्टा
 निमंत्रण अधि.

श्यामलाल बनाम जिला मजिस्ट्रेट सोनभद्र

मौजा - रामगढ़

धाना - कोन

लेनपद - सोनभद्र ।

आदेश दि. 24-10-2016

नकल आदेश दिनांक 24-10-2016 की दायजगी स्टम्पेड है

न्यायालय आयुक्त, विन्ध्याचल मण्डल, मीरजापुर

अपील संख्या: सी 20161600 484

श्यामलाल

वर्ष 2016

बनाम

जिला मजिस्ट्रेट, सोनभद्र

अन्तर्गत धारा-6, उ0प्र0गुण्डा नि0अधि0

ग्राम रामगढ़, थाना कोन,

जनपद सोनभद्र।

आदेश

यह अपील श्यामलाल पुत्र साधू निवासी/ग्राम रामगढ़, थाना कोन, जनपद सोनभद्र ने जिला मजिस्ट्रेट, सोनभद्र द्वारा मु0नं0-डी 2008166600148 राज्य बनाम श्यामलाल, अन्तर्गत धारा 3(2), उ0प्र0 गुण्डा नियंत्रण अधिनियम में पारित आदेश दिनांक 18.6.2016 के विरुद्ध प्रस्तुत की गई है, जिसके द्वारा उन्होंने 06 माह के लिए जनपद की सीमा से निष्कासित किया है। अपील की ग्राह्यता पर मैंने अपीलकर्ता के अधिवक्ता तथा सहायक जिला शासकीय अधिवक्ता (फौजदारी) को सुना।

अपीलकर्ता के अधिवक्ता का मुख्य कथन है कि अवर न्यायालय के आदेश में क0सं0 1 ता 6 एवं 8 में जिन मुकदमों का उल्लेख किया गया है उनमें 07 मुकदमें रेंज केस संख्या- 12/2006-07, 13/2006-07, 04/2006-07, 05/2006-07, 13/2006-07, 15/2006-07 तथा 19/2006-07 वन विभाग द्वारा अन्तर्गत धारा-5/26 वन अधिनियम के तहत दर्ज कराये गये हैं, जो भा0द0वि0 के अध्याय 16, 17 व 22 के अधीन नहीं है और न ही गुण्डा अधिनियम की धारा-2 की परिभाषा के तहत आता है। आदेश के क्रम संख्या-7 में जिस मु0अ0सं0-137/2007 का विवरण दिया गया है वही भी वन विभाग के वन दरोगा द्वारा दिनांक 4.8.2007 को गलत एवं झूठे तथ्यों पर दर्ज कराया गया है। वर्ष 2007 के पूर्व या उसके पश्चात अपीलकर्ता के विरुद्ध कोई मुकदमा दर्ज नहीं हुआ है। अपीलकर्ता एक गरीब व शान्तिप्रिय आदिवासी इलाके का निवासी है। नये कानून के तहत अपीलकर्ता व अन्य लोगों द्वारा धारित भूमि को अपीलकर्ता व अन्य कब्जाधारियों के साथ सेटलड हो गई है, जिसके व अपीलकर्ता मालिक हो गये हैं। अतः अपीलकर्ता के विरुद्ध कोई अभियोग नहीं बनाया है। अपीलकर्ता की ख्याति अच्छी है और अपीलकर्ता से लोकक्षेम को खतरा या संत्रास नहीं है। अवर न्यायालय ने विधि एवं साक्ष्यों के निम्नीत प्रश्नगत आदेश पारित किया है। अतः अपील स्वीकार कर अवर न्यायालय का आदेश निरस्त किया जावे।

सहायक जिला शासकीय अधिवक्ता (फौजदारी) का तर्क है कि अपीलकर्ता एक सरहंग व मनबढ़ अपराधी है, जो आये दिन समाज के निर्बल व्यक्तियों के ऊपर अत्याचार करता है। अपीलकर्ता भा0द0वि0 के अध्याय 16, 17 व 22 के अधीन दण्डनीय अपराध करता है। अपीलकर्ता के भय से आम जनता का कोई भी व्यक्ति अपराध पंजीकृत कराने तथा साक्ष्य देने का साहस नहीं करता है। अपीलकर्ता की सोहरत एक गुण्डा होने की हो गई है। अपीलकर्ता के विरुद्ध धारा-5/26 वन अधिनियम के तहत मु0अ0सं0-12/2006-07, 13/2006-07, 04/2006-07, 05/2006-07, 13/2006-07, 15/2006-07 तथा 19/2006-07 तथा मु0अ0सं0-137/07 धारा 147, 148, 149, 427, 353, 504, 506 व 120बी/34 भा0द0वि0 व 5/26 वन अधिनियम व संरक्षण अधिनियम-7 सी0एल0ए0एक्ट दर्ज कराया गया है। अवर न्यायालय ने अपीलकर्ता को सुनने के उपरान्त विधि एवं साक्ष्यों के आधार प्रश्नगत आदेश पारित किया है, जिसमें कोई विधिक त्रुटि नहीं है। अपील बलहीन होने के कारण निरस्त किये जाने योग्य है।

मैंने अपीलकर्ता के अधिवक्ता तथा सहायक जिला शासकीय अधिवक्ता (फौजदारी) के तर्कों को सुना तथा अपील पत्रावली व अवर न्यायालय द्वारा पारित आदेश दिनांक 18.6.2016 का अवलोकन किया। प्रश्नगत आदेश के अनुसार पुलिस अधीक्षक, सोनभद्र की संस्तुति दिनांक 01.11.2007 के आधार पर गुण्डा नियंत्रण अधिनियम में अपीलकर्ता को इस आशय की नोटिस जारी की गई कि अपीलकर्ता एक सरहंग व मनबढ़ अपराधी है, जो आये दिन समाज के निर्बल व्यक्तियों के ऊपर अत्याचार करता है। अपीलकर्ता भा0द0वि0 के अध्याय 16, 17 व 22 के अधीन दण्डनीय अपराध करता है। अपीलकर्ता के भय से आम जनता का कोई भी व्यक्ति अपराध पंजीकृत कराने तथा साक्ष्य देने का साहस नहीं करता है। अपीलकर्ता की सोहरत एक गुण्डा होने की हो गई है। नोटिस में अपीलकर्ता के विरुद्ध धारा-5/26 वन अधिनियम के तहत मु0अ0सं0-12/2006-07, 13/2006-07, 04/2006-07, 05/2006-07, 13/2006-07, 15/2006-07 तथा 19/2006-07 तथा मु0अ0सं0-137/07 धारा 147, 148, 149, 427, 353, 504, 506 व 120बी/34 भा0द0वि0 व 5/26 वन अधिनियम व संरक्षण अधिनियम-7 सी0एल0ए0एक्ट दर्ज होने का उल्लेख किया। उक्त आरोपों के आधार पर अवर न्यायालय ने



अपीलकर्ता को सुनने के उपरान्त प्रश्नगत आदेश पारित किया है। अपीलकर्ता के अधिवक्ता का कथन है कि अपीलकर्ता के विरुद्ध वर्ष 2007 के पूर्व या बाद में कोई मुकदमा अपराध दर्ज नहीं हैं। यह तर्क दिया गया है कि अपीलकर्ता एक गरीब व शान्तिप्रिय आदिवासी इलाके का निवासी है। नये कानून के तहत अपीलकर्ता व अन्य लोगों द्वारा धारित भूमि को अपीलकर्ता व अन्य कब्जाधारियों के साथ सेटलड हो गई है, जिसके वे अपीलकर्ता मालिक हो गये हैं। अतः अपीलकर्ता के विरुद्ध कोई अभियोग नहीं बनता है। प्रश्नगत आदेश के अवलोकन से विदित है कि अपीलकर्ता के विरुद्ध मात्र मु0अ0सं0-137/07 छोड़कर सभी मुकदमा 5/26 वन अधिनियम के तहत दर्ज किये गये हैं। ऐसी स्थिति में अपीलकर्ता के विरुद्ध गुण्डा नियंत्रण अधिनियम में कार्यवाही किये जाने का औचित्य प्रतीत नहीं होता है। तदनुसार अपीलकर्ता के अधिवक्ता के तर्कों में बल है। अतः अपील प्रारम्भिक स्तर पर स्वीकार किये जाने योग्य है।

उपरोक्तानुसार अपील प्रारम्भिक स्तर पर स्वीकार की जाती है। अवर न्यायालय की आदेश दिनांक 18.6.2016 निरस्त किया जाता है। आदेश की प्रति अवर न्यायालय को भेजी जाए तथा इस न्यायालय की पत्रावली दाखिल दफ्तर हो।
दिनांक 24.10.2016



नकलकर्ता द्वारा
तुलनाकर्ता
शब्द 500 लगाए
4/11/2016

व्यक्तिगत
(पत्रकार)
आयुक्त
विन्ध्याचल मण्डल मीरजापुर
4/11/2016

(रंजन कुमार)
आयुक्त,
विन्ध्याचल मण्डल, मीरजापुर



केवल नकल की फीस के लिए

<p>आवश्यक स्टाम्प, प्रार्थना पत्र देने की तारीख</p> <p>Date on which application is made for copy accompanied by the requisite stamps</p>	<p>नोटिस बोर्ड पर नकल तैयार होने की सूचना की तारीख</p> <p>Date of posting notice on notice board</p>	<p>नकल वापिस दिए जाने की तारीख</p> <p>Date of Delivery or</p>	<p>नकल वापिस देने वाले अधिकारी का हस्ताक्षर</p> <p>Signature of official Delivering Copy</p>
<p>15/7/17 21/7/17</p>	<p>8-8-17</p>	<p>19/8/17</p>	

न्यायालय सी. जे. एन. क्षेत्रात्

क्रमांक 4778/07

उपराध क्र 137/07

राज्य वनाग शोभा काँठ

चारा - 147, 148, 149, 353, 504, 506, 120B, 34 IPC व

S/26 भाठ वर अधि 2/4 वर सवस्ता अधि 19807 CL

थाना - जोग

जनपद - क्षेत्रात्

: नकल - 5 थाना सूचना रिपोर्ट की धारणा लागू है

सु. क्र. 137/07 चा. 147/148/149/427/353/54/56/120B/341PC

पुलिस प्रपत्र संख्या 341

5/26 आ. व. अ. वि. 2/4 व. सं. र. अ. वि. 1380/7 CL Act

न्यायालय/वादी/कार्यालय के लिए

बुक संख्या

प्रथम सूचना की रिपोर्ट

पृष्ठ संख्या

जन्म तिथि: मगह का शी. 154 के अन्तर्गत पुलिस द्वारा हस्तक्षेप किये जाने योग्य अपराध की प्रथम सूचना

की नियुक्ति: 21/08/07
 नाम: सोनभद्र
 तारीख: 26/07

81810
 200780
 घटना का दिनांक व समय: 1-8-07

अध्यक्ष

घटना का व. समय, जबकि रिपोर्ट की गई	घटनास्थल, दिशा और पुलिस स्टेशन से दूरी	पुलिस स्टेशन से भेजे जाने का दिन
4-8-07 14:10	वर्नाकल बचपान पछर न फासला करीब 2+K.L.परियम	डाक से

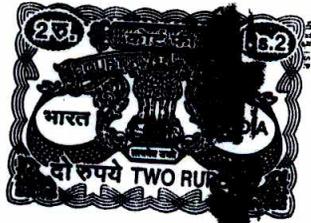
सूचना देने वाले के हस्ताक्षर या अंगूठे का चिन्ह लेना चाहिए और इसकी मुष्टि गवाही लिखने बाल पदाधिकारी के हस्ताक्षर के द्वारा होनी चाहिए।

1	2	3	4	5
सूचना देने वाले या नाम व निवास स्थान	अभियुक्त का नाम व निवास स्थान	धारा सहित अपराध ब. ले जायी गयी सम्पत्ति (यदि कोई हो) का संक्षिप्त विवरण	तहकीकात के सम्बन्ध में जो कार्यवाही की गयी तथा सूचना में दर्ज करने में देरी होने का कारण	मुकदमों का परिणाम
वैदी - निजपक्षीकर दाप व न केवगा कोन केव धर्मराज-वेडा मोस्टा नती सलकु दुगापिमी सुभरुग राज 2- छावती स्त्री 2 पम लाल 3- 2 पम लाल दुव साधु 4- राम नरेशी अगमि 20 अमरु कि सि र गार्ड प्रभेन सिंग व 1 अरु अरु 200 मीला 3 अरु 200	चा. 147/148/149/427/353/54/56/120B/341PC व 5/26 आ. व. अ. वि. 2/4 व. सं. र. अ. वि. 1380 व 7 CL Act	व न सिगाडा सीजार्क पर कामी गी पति में हुकाव करुकर अरु वरु सि अरु करुकर अरु करुकर अरु करुकर अरु करुकर आरु करुकर का व गान के आरु करुकर अरु करुकर का अरु करुकर मागन व अरु अरु अरु अरु	हव दावली तहरीर के आरु पर हुकाव तपु अरु कापन सिंग गप सिंगन दास वादी है।	विशेषक डी श्री रजिन्द्र कुमार सिंह

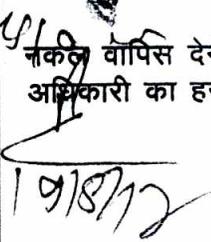
यदि सूचना पृष्ठ भाग में लिखी जायेगी।

हस्ताक्षर पता: 14/8/07

सूचना देने वाले का हस्ताक्षर या निशानी अंगूठे रिपोर्ट के अन्त में लगवाना चाहिए।
 (बा. 21) पुलिस-6 2 97 50,000 रजि. (कम्प्यूटर/आफसेट)।



केवल नकल का फास के लिए

आवश्यक स्टाम्प, प्रार्थना पत्र देने की तारीख Date on which application is made for copy accompanied by the requisite stamps	नोटिस बोर्ड पर नकल तैयार होने की सूचना की तारीख Date of posting notice on notice board	नकल वापिस दिए जाने की तारीख Date of Delivery of	नकल वापिस देने वाले अधिकारी का हस्ताक्षर Signature of official Delivering Dopy
15 29-7-17	18-8-17	19/8/17	 19/8/17

ज्यायालय श्री. जे. एन. लोकाद

अपराध सं 137/07

क्र. सं 4778/07

राज्य वक्ता रोना कोंठ

धारा- 147, 148, 149, 353, 504, 506, 120B, 341 PC

S/श. का वक. अधि-6 2/4 वक. सुरक्षा अधि-0 1980 TCLA 147

घाता - जेन

जतपद - लोकाद

गमल - आरोपित की धारणा सुरक्षा अधि-0

क्र. सं. 137107 चाश 147, 148, 149, 157, 353, 504, 506, 1208/3478C

5/26 आ वन अधि 2/4 वन अधि व 7 ELAR व

आ वन अधि व 7 ELAR व

(मु. नं. 4778/07)

अपराध का प्रसंग
लिखा गया, दिनांक 20/11/07

आरोप-पत्र (मूल)

प्रथम सूचना संख्या 26/07 दिनांक 11/11/07

आरोप-पत्र संख्या 32/07 दिनांक 19/11/07 464661

अपराध संख्या 137107 दिनांक 11/11/07

तन् 19

तन् 19

पुलिस प्रथम संख्या 839

नाम सुनील
पता कोन

1 पुलिस थाना का नाम, जहाँ बाते का पता लगा और पता	2 नाम और पता अभियुक्त, जो जाहल नहीं किये गए हैं, बाते पकड़े गये हैं का व पकड़े गए हैं		3 आम धरम का नाम व पते, जिनका धारण किया गया हो						4 जल (इविदार तन्त्रित) को पाये गये हैं इस विवरण के साथ कि जहाँ और कब पकड़ा गया और कबने पकड़ा और बहु मजिस्ट्रेट पाल भेजा गया या नहीं भेजा गया	5 आरोप का सूचना, अपराधों का नाम और जहाँ इन्वॉल्वट परिस्थिति का संक्षिप्त विवरण और विवाद को बहु धाराओं अपराधों के तदनुषंग में सुनाई गई हो	6 सूचना का परिणाम	7 पवाहों के नाम और पते	8 विवरण अपराधों	9 पूर्व सजाएं				
	उद्दिश्य अभियुक्त		करार अभियुक्त		विरफ्तार		अज्ञात व जाते सूचना के पर							सफर		दिनांक	स्थान	तथा
	नाम	उम्र	नाम	उम्र	नाम व पता	उम्र	नाम व पता	उम्र						नाम व पता	उम्र			
1 श्री श्री सिखाप देवराज भाएल श्री. 200 राजपवारी आदि परिणाम अर्थात् 1/11/07 श्री. 200 राजपवारी आदि	2 श्री. 200 राजपवारी आदि	3 श्री. 200 राजपवारी आदि	4 श्री. 200 राजपवारी आदि	5 श्री. 200 राजपवारी आदि	6 श्री. 200 राजपवारी आदि	7 श्री. 200 राजपवारी आदि	8 श्री. 200 राजपवारी आदि	9 श्री. 200 राजपवारी आदि	10 श्री. 200 राजपवारी आदि	11 श्री. 200 राजपवारी आदि	12 श्री. 200 राजपवारी आदि	13 श्री. 200 राजपवारी आदि	14 श्री. 200 राजपवारी आदि	15 श्री. 200 राजपवारी आदि				

श्री. 200 राजपवारी आदि
परिणाम अर्थात् 1/11/07
श्री. 200 राजपवारी आदि

बजे दिन/रात का दिनांक तन् 19 दि. को भेजा गया।

पो 8 एच 0 यू 0-05/1 पुलिस-29-2-87-21000 पुस्तकें (आव)।

श्री. 200 राजपवारी आदि
परिणाम अर्थात् 1/11/07
श्री. 200 राजपवारी आदि

बांच कले वाले अधिकारी के हाथों 10/11/07

जयपाल गणेशन

- 1 श्री विनय शंकर माधव ठा. स्वराज्यवली माधव शंकर गणेशन (मोरेल वंश) का पिता का पत्र (प्राचीन)
- 2 श्री रामसुखी से का शेरवण ठा. श्री सत्यप्रसाद से का शंकर से का नाम के पत्र (मोरेल वंश) का पिता का पत्र (प्राचीन)
- 3 श्री केशरी चंद्र सिंह ठा. श्री साधो सिंह चंद्रदान नि. का पत्र का पत्र का पत्र का पत्र का पत्र (प्राचीन)
- 4 श्री स्वामी प्रसाद ठा. काशी नि. का पत्र (मोरेल वंश) का पत्र का पत्र का पत्र (प्राचीन)
- 5 श्री निधन चंद्र माधव ठा. स्वराज्यवली माधव शंकर गणेशन का पत्र का पत्र का पत्र (प्राचीन)
- 6 का शेरवण कुमार का नाम के पत्र का पत्र का पत्र (प्राचीन)

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10/11/17

केवल नकल की फीस के लिए

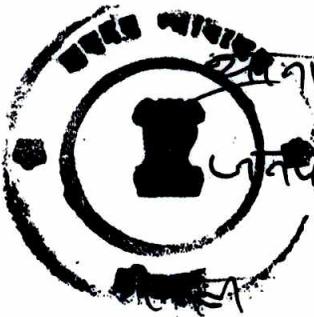
आवश्यक स्टाम्प, प्रार्थना पत्र देने की तारीख Date on which application is made for copy accom- panied by the requisite stamps	नोटिस बोर्ड पर नकल तैयार होने की सूचना की तारीख Date of posting notice on notice board	नकल वापिस दिए जाने की तारीख Date of Delivery of	नकल वापिस देने वाले अधिकारी का हस्ताक्षर Signature of Official Delivering Copy
42 31/10/17	8-11-17	10/11/17	

राज्यपाल श्री जे. एन. लोन्ग

मुख्य पत्र 4778/07

राज्यपाल रोना कौट

धारा - 147, 148, 149, 353 IPC



राज्यपाल केसेन लोन्ग

आदेश दिनांक 30-10-17 की कार्यवाही

सम्बन्धित है

