

**Scheduled Tribes and other traditional forest dwellers (Recognition  
of Forest Rights)**

# **Forest Rights Act, 2006**

**A training manual by All India Union of Forest Working People and Citizens for  
Justice and Peace to make the members aware of the law and the claims filing  
process**

# Legacies & Challenges of Land and Forest Rights Movement

- India is predominantly an agrarian society
- Issue of Land rights and Forest Rights is a basic democratic rights issue as almost 70% people are engaged in production processes on land, water, forests - all natural resources.
- It is these basic production activities that fulfill the needs of all Indians; other production processes depend on these basic production processes.
- These basic production activities are the foundation of the economic structure of the country.
- However, the basic productive forces - the marginal cultivator/farmer, landless peasant, forest dependent communities are the most marginalised economically and socially.

# The Forest Rights Act is the result of the People's Struggles

## Introduction

- British colonial power started conquering political power in India from mid 18th century and started controlling forest and other natural resources to establish their eminent domain.
- Adivasis and OTFDs resisted this process; but faced violent repression from the colonial power where thousands of people were killed and displaced. But people continued the struggle which ultimately led to the enactment of Forest Rights Act ( Scheduled Tribes and Other traditional forest dwellers ( recognition of forest rights) Act by the Indian Parliament.
- Our Parliament recognised centuries of “historical injustice” on the forest dwellers especially on the tribal community after 56 years of formation of the Constitution.
- This Law recognises individual as well as community rights of the scheduled tribes and other forest dwellers over land and forest resources.
- Not only this, it recognises the rights of the Village Council (Gram Sabha) as supreme over forest resources and forest land. In fact no changes in any section of the Act can be done by any Court, administration. government or any other office without permission of Village Council.
- Forest Rights Act recognizes individual right and ownership rights over forest land, it also recognizes collective rights to use the forest resources. It allows the rights to use, collect and sell the forest produce.

# What are Community Claims under FRA

- This law has given constitutional rights to Gram Sabha. Gram Sabha is considered as the supreme authority, that is why the first thing to do is to strength the GS(Village Council).
- Claim is the first step to your identity. Without claim no conversation will start with authorities.
- The meaning of making a community claim is that what belonged to our ancestors is ours under the Forest Rights Act and hence established our rights over it. Now we do not have to apply to any officer, government or any Court but to ensure to make our claim on forest land and resources.
- The Community claims can be only made by uniting, being together, so it is necessary to strengthen our organization, union and help to prepare the claims for the members of the community.
- Filing of claim is our “right”, it is our right to reclaim. we need to come together and be organised.
- Filling the claim is not like opening bank account, claim filing is the process of recording the history of our ancestors - our generations.
- Under this claim we also have to keep a record of our forest. How much area of our gram sabha or Tola is forest, How many trees and what kind of trees are there, what kind of herbs are there, how many different types of birds, animals; a record of the hills, mountains, lakes, rivers, water falls, temples, historical places in the customary territories of communities.
- Tribal Ministry will be the nodal agency to execute the law. The claim means that we will record our history – of atleast 500 years and challenge the provision of 75 years. On this basis, we will challenge the history of the Forest Department also.

## Individual claims : Act Sec 3(i)(a,b,c)

- (a) right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers
- (b) community rights such as nistar, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes
- (c) right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries;

## Community Rights : Act sec (3)(i)(d-h)

- (d) other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhuman) and traditional seasonal resource access of ***nomadic or pastoralist*** communities
- (e) rights including community tenures of habitat and habitation for ***primitive tribal groups*** and preagricultural communities
- (f) rights in or over ***disputed lands*** under any nomenclature in any State where claims are disputed
- (g) rights for ***conversion of Pattas or leases or grants*** issued by any local authority or any State Government on forest lands to titles
- (h) rights of settlement and ***conversion of all forest villages***, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages

# Amendment 2012 - Forest Rights Act : says

- Along with Form “A” (Individual rights), new Form ‘C’ of Collective Forest Resource Rights’ - was introduced along with the provision of filing collective rights of the entire village in the Form “B.”
  - Acc to order of Tribal ministry 7 aug 2013 estimated 100 million forest dwellers depend on the Minor Forest Product (MFP) for food, shelter, medicines, cash income etc.
  - “Disposal of MFP” will include right to sell as individual or collective processing, value addition, transportation within and outside forest area through locally means of transport for use of such produce or sale by gatherers or sale by their cooperatives or association or federations for livelihood.
- Rule 2(d)**
- Any MFP out of the list of twelve approved items, namely, (i) Tendu, (ii) Bamboo, (iii) Mahuwa Seed, (iv) Sal Leaf, (v) Sal Seed, (vi) Lac, (vii) Chironjee (Seed), (viii) Wild Honey, (ix) Myrobalan (Harita/Harad), (x) Tamarind, (xi) Gums (Gum Karaya) and (xii) Karanj will be qualified for coverage under the scheme provided it is not nationalized by the State Government. These forest produce monetary wealth is appropriated by the forest department, the associated middlemen and others. Claiming complete rights over these forest produce will enable the forest dwellers to ensure poverty eradication and also will ensure their overall development.
  - At least 2/3rd members need to be ST and where all claimants are OTFDs, 1/3rd members need to be women.

## **The Independent Rights of Women over Forest and Land rights**

- The FRA provides independent rights to women over Forest and Land rights under this Act.
- In the VFRAC the women will at least one-third of the members present shall be women
- In SDLC and DLC also atleast one of the member should be woman.

# Stage 1: Constituting Forest Rights Committee

- To form a Gram Sabha(GS) : GS will be of such villages which are dependent on forests for their livelihood and this GS will be made up of all the adult members of the village. GS can be formed in all such revenue villages, forest village, Tongia Village, Pada, Tola or in such areas where there is no GS. **Rules Sec 2 (p)**
- In the meeting of the GS, the quorum shall be one-third. **(Rules) Sec 4 (2)**
- Preparing the resolution of the GS in which the proposal for the formation of the Village Forest Rights Committee(VFRC) will be taken. (The draft of the resolution of the Gram Sabha is given in the next slide.) **(Rules) Sec3(1)**
- Electing at least 10 to maximum15 persons in the VFRC, in which the number of women should be **one third, two thirds** from the Scheduled Tribes and where there is no Scheduled tribe then at least one third of the members shall be women. **( Rules)Sec 3 (1)**
- The VFRC shall elect the **President** and the **Secretary** and shall inform the sub-divisional level committee(SDLC) by writing the names and signatures of all the members in application and the signatures of the Gram Sabha. **(Rules) Sec 3 (2)**
- The Forest Rights Committee is given the responsibility to guide Village council to file all claims, to make management plan and protect forests.

## Format of the Resolution for constituting the Gram Sabha as well as the Village Forest Rights Committee VFRC

Under the Forest Rights Act, 2006, \_\_\_\_\_ the Forest Division, GS and the VFRC takes the Resolution:

- ▶ Today, on the date.....we, the residents of the village ..... Tehsil ..... District ..... State.....in the open meeting of the members of the village under section (3) of the act take the resolution to form VFRC.. In section (2) (6) of this Act, “Gram Sabha” means a village committee consisting of all adult members of the village and in the case of States in which there is no Gram Panchayat, ‘Pada Tola’ and other such other traditional village institutions and Elected Village Committee by whatever name they may be known.
- ▶ We have formed the Gram Sabha on the basis of law and also constituted the VFR Committee.
- ▶ This VFRC will verify all individual and community forest resources and submit the claims to the Subdivision Committee. VFRC will work to provide all the documents and proofs related to the claim. This committee will prepare a map of community forest resources and prepare a village level action plan for the management and protection of forests. For the protection of forests, wildlife and environment, the committee will work in the Gram Sabha, will take training and will also train the members of the Gram Sabha.

## **Format of the Resolution for constituting the GS as well as the VFRC (contd.)**

- Under this law, the traditional medical system will be developed in the village by collecting forest produce and herbs by the Village Level Committee, as well as to form cooperative societies to sell the forest produce and increase the monetary income, under the amended rules 2012 of the law,
- Anybody who works against this law, whether a member of the Gram Sabha, an officer of the committee, employees and officers of the Forest Department or any other person, strict action will be taken against such u/s 7 of the Act.
- **Section 7 of the Act reads** “Where any authority or committee or any officer or member of such authority or committee contravenes any of the provisions of this Act or of any rule made there under relating to the recognition of forest rights, he or and shall be liable to be proceeded against and punished with fine which may extend to one thousand rupees”.. And this village level forest rights committee will also work against Forest Department for any coercive action such as eviction from land, destruction of houses, burning of crops harassment like destruction, looting of goods, filing false cases, beating and killing the people, the VFRC will take legal action against such erring forest official.
- Names of the elected members of the Village Level Forest Rights Committee - Here the names of all the elected members and their signatures are to be given. The proposal can be sent to the subdivision level committee.

## **Stage 2 : Preparation of claims : Responsibilities of Gram Sabha and Village Forest Rights Committee**

- Initiate proceedings to determine the nature and extent of forest rights and conduct hearings related to claims filed. **Rules Sec 4(1)(a)**
- Prepare a list of claimants and maintain a register of claim and details of the claimants. **(Rules) Sec 4(1)(b)**
- Will prepare the list of community forest resources, prepare a map of community forest and land and will prepare a list of minor forest produce and send the complete file to the Sub-Divisional Level Committee. **[Rules Section 4 (1)c]**
- **Note:** "community forest resource" means customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access **[Act sec 2(a)]**
- Necessary assistance will be provided to the Village Forest Rights Committee by the state officials. **[Rules Section 4 (3)]**

### **Stage 3-Procedure for filing claims, determination and verification by Gram Sabha and Village Forest Rights Committee - *Rules Sec 11***

- The Gram Sabha shall call for the claims and authorize the Forest Rights Committee to accept the claim . ***Rules Sec 11(1)(a)***
- VFRC will initiate the process of determination of its community forest resource and intimate the date to the adjoining GS where there are substantial overlaps and the Sub-Divisional Level Committee. ***Rules 11(1)(b)***
- **The Forest Rights Committee shall assist the Gram Sabha in its functions to:**  
**Rules 11(2)**  
Receive, acknowledge and retain the claims in the specified form and evidence in support of such claims, prepare the record of claims and evidence including maps, prepare a list of claimants on forest rights, verify claims as provided in these rules, present their findings on the nature and extent of the claim before the Gram Sabha for its consideration.

## Stage 3 (Contd.)

### *Rules sec 11(2)*

- The Village Forest Rights Committee shall prepare claims on behalf of the Gram Sabha for community rights and community forest resource rights in Forms” B” and” C”
- The Gram Sabha shall on receipt of the findings will meet with prior notice, to consider the findings of the Forest Rights Committee, pass appropriate resolutions, and shall forward the same to the Sub-Divisional Level Committee.

## **Stage 4 - Procedure for verification of claims by Village Forest Rights Committee - Rules 12(1)(a)**

Process of verifying claims by Forest Rights Committee.-

The Forest Rights Committee shall, after due intimation to the concerned claimant and the Forest Department:-

- (a) visit the site and physically verify the nature and extent of the claim and evidence on the site;
- (b) receive any further evidence or record from the claimant and witnesses;
- (c) ensure that the claim from pastoralists and nomadic tribes for determination of their rights, which may either be through individual members, the community or traditional community institution, are verified at a time when such individuals, communities or their representatives are present;
- (d) ensure that the claim from member of a primitive tribal group or pre-agricultural community for determination of their rights to habitat, which may either be through their community or traditional community institution, are verified when such communities or their representatives are present; and
- (e) prepare a map delineating the area of each claim indicating recognizable landmarks.

## Stage 4 : Contd

- ▶ (f) delineate the customary boundaries of the community forest resource with other members of the Gram Sabha including elders who are well versed with such boundaries and customary Access
- ▶ (g) prepare a community forest resource map with recognizable land marks and through substantial evidence as enumerated in sub-rule (2) of rule 13 and thereafter, such community forest resource claim shall be approved by a resolution of the Gram Sabha passed by a simple majority.

***Explanation: The delineation of community forest resource may include existing legal boundaries such as reserve forest, protected forest, National Parks and Sanctuaries and such delineation shall formalize and recognize the powers of the community in access, conservation and sustainable use of such community forest resources.”***

# Process of recognition of rights

- On receipt of intimation from the Forest Rights Committee, the officials of the Forest and Revenue departments shall remain present during the verification of the claims and the verification of evidences on the site and shall sign the proceedings with their designation, date and comments ,if any. **Rule 12(a)(1)**
- The land rights for self-cultivation recognized under clause (a) of sub-section of Section 3 shall be, within the specified limit, including the forest lands used for allied activities ancillary to cultivation, such as, for keeping cattle, for winnowing and other post-harvest activities, rotational fallows, tree crops and storage of produce. **Rule 12(a)(8)**

## **Stage 5-Evidence for determination of forest rights (For individual and Community claims)**

The evidence for recognition and vesting of forest rights shall include -

- Public documents, Government records such as Gazetteers of British government, Census, survey and settlement reports, maps, satellite imagery, working plans, management plans, micro-plans, forest enquiry reports, other forest records, record of rights by whatever name called, pattas or leases, reports of committees and commissions constituted by the Government, Government orders, notifications, circulars, resolutions. **Rules (13)(1)(a)**
- Government authorised documents such as voter identity card, ration card, passport, house tax receipts, domicile certificates (Only for Individual claims there is no requirement of Caste Certificate) **Rules (13)(1)(b)**
- Quasi-judicial and judicial records including court orders and judgments. **Rules (13)(1)(d)**

## Stage 5 (Contd.)

- Any record including maps, record of rights, privileges, concessions, favours, from erstwhile princely States or provinces or other such intermediaries. **Rules (13)(1)(f)**
- List of traditional structures establishing antiquity such as wells, burial grounds, sacred places, old ruins. **Rules (13)(1)(g)**
- Genealogy tracing ancestry to individuals mentioned in earlier land records or recognized as having been legitimate resident of the village at an earlier period of time. **Rules (13)(1)(h)**
- Statement of elders in writing. **Rules (13)(1)(i)**

# Stage 6

## Other evidence for “Community Forest Resource - Rules Sec 13 (2)

- Community rights such as customary rights by whatever name they are known. **Rules (13)(2)(a)**
- traditional grazing grounds; areas for collection of roots and tubers, fodder, wild edible fruits and other minor forest produce; fishing grounds; irrigation systems; sources of water for human or livestock use, medicinal plant collection territories of herbal practitioners. **Rules (13)(2)(b)**
- Remains of structures built by local communities, sacred trees, caves, ponds, river areas, cemeteries or crematoriums. **Rules (13)(2)(c)**
- The Gram Sabha, the Sub-Divisional Level Committee and the District Level Committee shall consider more than one of the above evidences to determine the forest rights. **Rules (13)(3)**

# Stage 7

## Functions of Subdivision Level Committee - Rules Sec 6

- ensure easy and free availability of proforma of claims to the claimants as provided in the Act (Forms A, B and C) of these rules. **Rules sec (6)(l)**
- It shall ensure that the meetings of the Gram Sabha are conducted in a free, open and fair manner with quorum. **Rules sec (6)(m)**
- Provide information to each Gram Sabha about their duties and duties of holder of forest rights and others towards protection of wildlife, forest and biodiversity with reference to critical flora and fauna which need to be conserved and protected. **Rules sec (6)(a)**
- Provide forest and revenue maps and electoral rolls to the Gram Sabha or the Forest Rights Committee. **Rules sec (6)(b)**
- Collate all the resolutions of the concerned Gram Sabhas. **Rules sec (6)(c)**

## Stage 7 (contd.)

- Consolidate maps and details provided by Gram Sabhas. **Rules sec (6)(d)**
- Examine the proposals and maps of Gram Sabhas to ensure the veracity of the claims. **Rules sec (6)(e)**
- The persons aggrieved by the resolutions of the Gram Sabhas, against whom cases have also been filed by the state, will also hear the applications. **Rules sec (6)(g)**
- After reconciling the government records, block and tehsil wise draft records of the proposed forest rights will be prepared. **Rules sec (6)(i)**
- Along with the draft record of the proposed forest rights, the claims will be sent through the sub-divisional officer to the district level committee for final decision. **Rules sec (6)(j)**
- raise awareness among forest dwellers about the objectives and procedures laid down under the Act and in the rules **Rules sec (6)(k)**

## Functions of District Level Committee (Rules Sec 8)

- Ensure that the requisite information has been provided to Gram Sabha or Forest Rights Committee.  
**Rules sec (8)(a)**
- Examine whether all claims, especially those of primitive tribal groups, pastoralists and nomadic tribes, have been addressed keeping in mind the objectives of the Act. **Rules sec (8)(b)**
- After considering the forest rights claims and records prepared by the sub-division committee, DLC will finalize it and give an authenticated copy of the forest rights and title records to the concerned claimant and the Gram Sabha and ensure the publication of the record in the revenue records.
- Hear petitions from persons aggrieved by the orders of the Sub-Divisional Level Committee or application of the Gram Sabha
- ensure that a certified copy of the record of forest rights and title under the Act is provided to the concerned claimant and the Gram Sabha respectively

## **State Level Monitoring Committee (Rules Sec 10)**

- The State Monitoring Committee will be headed by the Chief Secretary of the State.
- Monitor the process of recognition, verification and vesting of forest rights in the State
- meet at least once in three months to monitor the process of recognition, verification and vesting of forest rights, consider and address the field level problems, and furnish a quarterly report in the format appended as Annexure V to these rules, to the Central Government on their assessment regarding the status of claims, the compliance with the steps required under the Act, details of claims approved, reasons for rejection, if any and the status of pending claims
- on receipt of a notice as mentioned in Section 8 of the Act, take appropriate actions against the concerned authorities under the Act;

# Claim Form for Community Rights

FORM – B

## CLAIM FORM FOR COMMUNITY RIGHTS

[See Rule 11(1)(a) and (4)]

1. Name of the claimant(s):
  - (a) FDST community: Yes/No
  - (b) OTFD community: Yes/No
2. Village:
3. Gram Panchayat:
4. Tehsil/Taluka:
5. District:

### **Nature of community rights enjoyed:**

1. Community rights such as *nistar*, if any:  
(See Section 3(1)(b) of the Act)
2. Rights over minor forest produce, if any:  
(See Section 3(1)(c) of the Act)
3. Community rights
  - (a) Uses or entitlements (fish, water bodies), if any:
  - (b) Grazing, if any
  - (c) Traditional resource access for nomadic and pastoralist, if any:  
(See Section 3(1)(g) of the Act)
4. Community tenures of habitat and habitation for PTGs and pre-agricultural communities, if any:  
(See Section 3(1)(e) of the Act)
5. Right to access biodiversity, intellectual property and traditional knowledge, if any:  
(See Section 3(1)(k) of the Act)
6. Other traditional right, if any:  
(See Section 3(1)(l) of the Act)
7. Evidence in support:  
(See Rule 13)
8. Any other information

Signature/Thumb Impression of the Claimant(s):

# Claim Form for Rights to Community Resources

FORM – C<sup>24</sup>

## CLAIM FORM FOR RIGHTS TO COMMUNITY FOREST RESOURCE

[See Section 3(1)(i) of the Act and Rule 11(1) and 4(a)]

1. Village/Gram Sabha:
2. Gram Panchayat:
3. Tehsil/Taluka:
4. District:
5. Name(s) of members of the gram sabha [Attach as separate sheet, with status of Scheduled Tribes/ Other Traditional Forest Dwellers indicated next to each member].

Presence of few Scheduled Tribes/Other Traditional forest Dwellers is sufficient to make the claim.

We, the undersigned residents of this Gram Sabha hereby resolve that the area detailed below and in the attached map comprises our Community Forest Resource over which we are claiming recognition of our forest rights under Section 3(1)(i).

(Attach a map of the community forest resource, showing location, landmarks within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities to which the community had traditional access and which they have been traditionally protecting, regenerating, conserving and managing for sustainable use. Please note that this need not correspond to existing legal boundaries.)

6. Khasra/Compartment No.(s), if any and if known:
7. Bordering Villages:
  - (i)
  - (ii)
  - (iii)

(This may also include information regarding sharing of resources and responsibilities with any other villages.)
8. List of Evidence in Support (Please see Rule 13)

Signature/Thumb impression of the Claimant(s):

# Title to Community Forest Resources

## TITLE TO COMMUNITY FOREST RESOURCES

[See Rule 8(i)]

1. Village/Gram Sabha:
2. Gram Panchayat:
3. Tehsil/Taluka:
4. District:
5. Scheduled Tribe/Other Traditional Forest Dweller: Scheduled Tribes community/Other Traditional Forest Dwellers community/Both
6. Description of boundaries including customary boundary, by prominent landmarks, and by khasra/compartment No:

Within the said area, this community has the right to protect, regenerate or conserve or manage, and this (to be named) community forest resources which they have been traditionally protecting and conserving for sustainable used as per Section 3(1)(i) of the Act. No conditions are being imposed on this right other than those in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act and the Rules framed thereunder.

We, the undersigned, hereby, for and on behalf of the Government affix our signatures to confirm the community forest resource (to be named and specified in extent, quantum, area, whichever is applicable) as mentioned in the Title to the above mentioned gram sabha/community(ies).

(Divisional Forest Officer/  
Deputy Conservator of Forests)

(District Tribal Welfare Officer)

(District Collector/Deputy Commissioner)

## Punishment provisions in law for violation of rights

- If an officer or member of any authority or committee violates the Forest Rights Act 2006 and Forest Rights Rules 2008, then he will be considered guilty of an offense under the Forest Rights Act, he can be investigated and a fine of up to one thousand can be imposed against him. **Act[Sec 7]**
- The Gram Sabha may pass a resolution against such authority, committee or officer who contravenes this law and send it to the State Monitoring Committee. If the State Monitoring Committee does not take any action or investigation against the guilty within 60 days, then any court can take cognizance of these offenses under the Forest Rights Act 2006 and register criminal cases. **Act [Sec 8]**
- After receiving the notice under Section 8 of the Forest Rights Act, 2006, it is the responsibility of the State Monitoring Committee to take action against the guilty officers under the Forest Rights Act. **[Rule 10 ( 2 )]**

# Declaration by village old people

## Sample

I Son/ daughter of -----, age -----(proof to be given) R/o village-----  
District -----, State -----, has been residing in this village since -----yrs.  
I hereby declare that I am providing the proof of my age with proper documents  
and declaration of the my village members. I state that my ancestors belonged to  
this village and have been residing in this village since time immemorial. All  
forest resources belong to my ancestors and we are the legitimate dependents  
and owners of these vast forest land and resources.

-----Sign with FRc stamp

# List of Community Rights Sonbhadra, UP - Sample

प्रयोग किसे गैर-सांभुदाधिक आधिकारों का स्वरूप :-

| संलग्नक  |          | उपयोग |         |
|--|----------|-------|---------|
| (क) - घर बनाने में                               |          |       |         |
| (1)  | खैर      | (9)   | हस्त    |
| (2)  | विजय सोन | (10)  | साख     |
| (3)  | सैस      | (11)  | आसन     |
| (4)  | दीरा     | (12)  | मालेह   |
| (5)  | बनसो     | (13)  | माथेर   |
| (6)  | गोवा     | (14)  | खालन    |
| (7)  | पडेर     | (15)  | अरसी    |
| (8)  | भरन      | (16)  | अमलताल  |
|  |          | (17)  | बेन्ड   |
| (ख) - लकड़ी व खेती में उपयोगी औजार हेतु प्रयुक्त |          |       |         |
| जैसे - डब, जुआ आदि                               |          |       |         |
| (1)  | गडार     | (12)  | परगद    |
| (2)  | करी      | (13)  | परडुन   |
| (3)  | पियार    | (14)  | दीरा    |
| (4)  | धनबड     | (15)  | बेन्ड   |
| (5)  | सिंगान   | (16)  | खालन    |
| (6)  | अडकुड    | (17)  | खैर     |
| (7)  | केकर     | (18)  | खाल     |
| (8)  | बैर      | (19)  | बेकलन   |
| (9)  | कठपान    | (20)  | सोसन    |
| (10)   | शेवर     | (21)  | बेहरा   |
| (11)   | सकल      | (22)  | जिगना   |
|  |          | (23)  | चिवाखिल |

कुलमान्नी

ग्राम वन अधिकार      ग्राम वन अधिकार

Nature of community rights (reservoirs, rivers, ponds, pastures, open fields and paths, forest resources, etc., used for domestic use like building houses and cooking, etc.

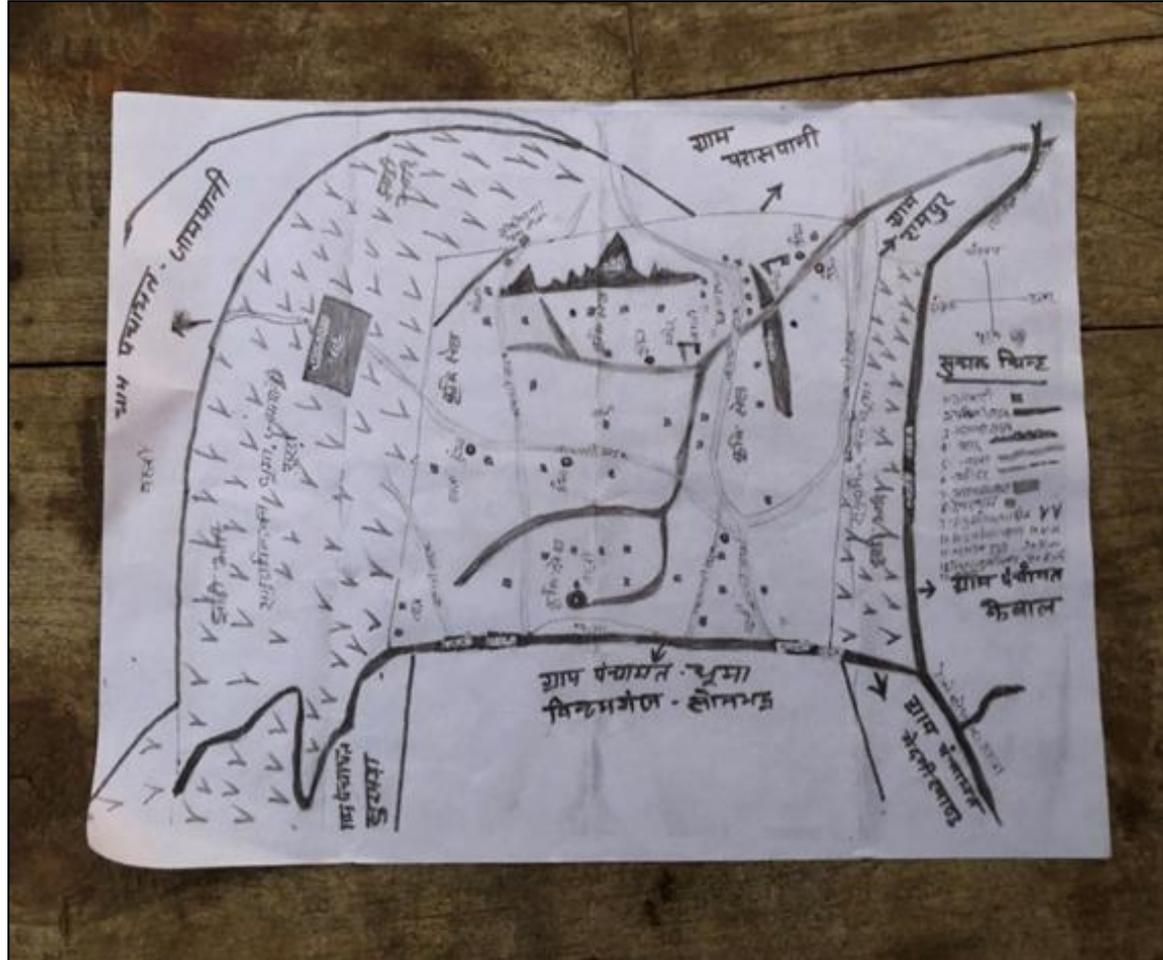
# List of Community Rights Sonbhadra, UP- Sample

- (म) - जलोनी लकड़ा, खुसी गैरी पड़ी हुई लकड़ा व  
बैरू इस्तेमाल के बिना।
- गौण वन उत्पादों पर अधिकार
- (क) - शमीलों द्वारा बनाई गयी संलग्न सूची
- (ख) - सन् 1973 का वर्किंग प्लान संलग्न
- (ग) - तेन्दू पन्ना बास बगई बास कल्हा गोंद  
आदि अधिकार
- सामुदायिक अधिकार जैसे (जलासय, नदी व तालाब)
- (क) - मछली मारने का अधिकार
- (1) पशुओं को पानी पीलाने का अधिकार
- (2) सिंचाई पणाली
- (ख) - परने हेतु अधिकार
- (1) बंस बाघ
- (2) बंस
- (3) भेड़
- (4) बकरी
- (5) बौड़ा
- (6) गधा
- (7) सुअर
- (ग) - पारम्परिक संसाधनों पर पहुँच
- (1) स्थानीय समुदाय द्वारा बनायी गयी संरचना  
के अवशिष्ट
- (2) पवित्र वृक्ष
- (3) गुफायें
- (4) काष्ठरतान, शमसान
- (5) वैद्यशाला

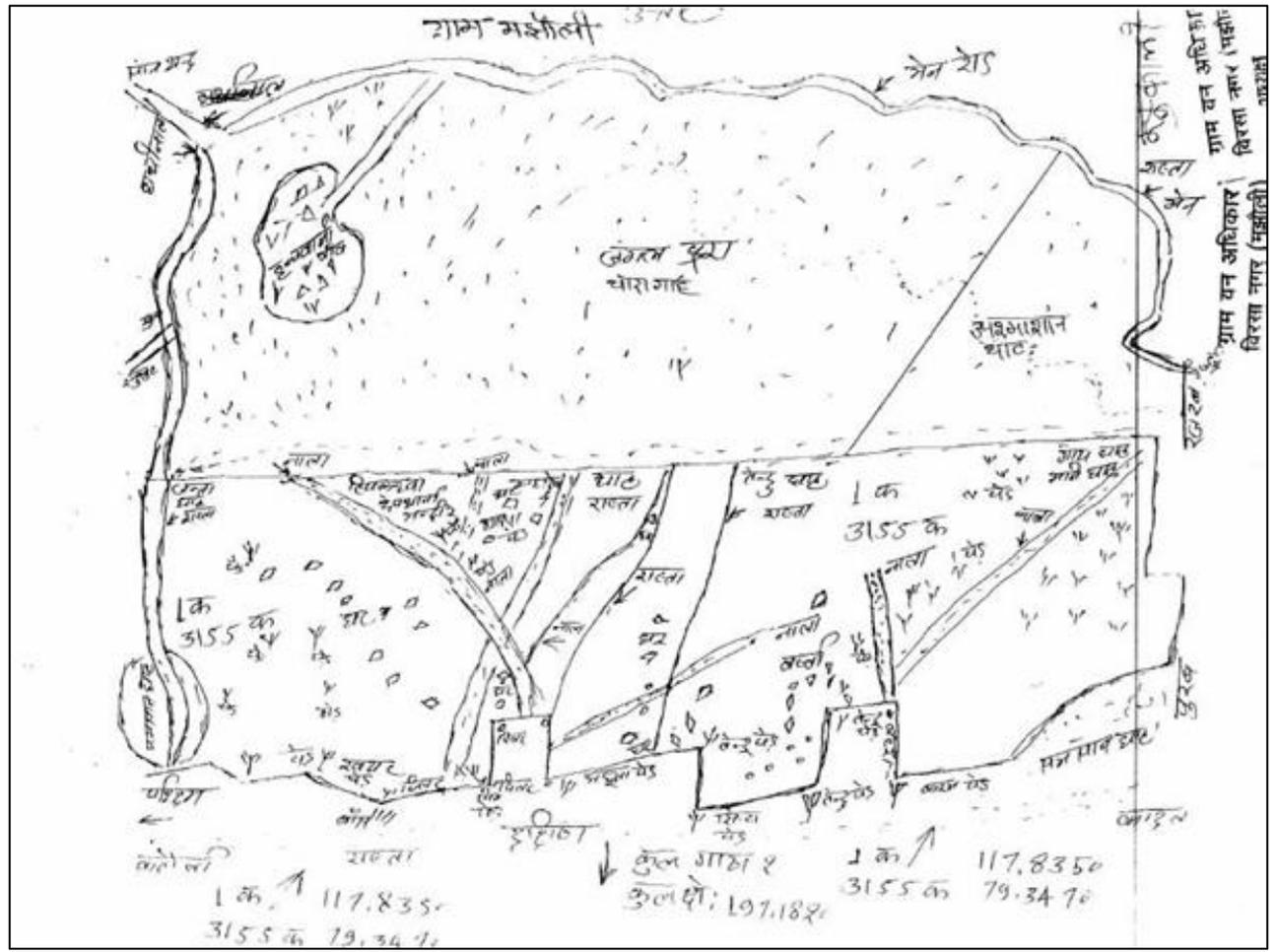
## List of Community Rights- Sonbhadra, UP-Sample

- (4)-जैव विविधता तक बौद्धिक सम्पदा और पारम्परिक तक पहुँच।
- (क)-जंगल के व्यवस्थापन व सुरक्षा का अधिकार
  - (ख)-पारम्परिक वृक्षों व जड़ी-बूटियों 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, पहाड़ व चट्टान
  - (3)-वायु, गिट्टी, बाल्डर
  - (4)-पारम्परिक चिकित्सा प्रथाओं को बढ़ावा व इलाज करने का अधिकार
  - (5)-बनोपज की बेचने का अधिकार
    - (क) तेन्दू पत्ता
    - (ख) बांस
    - (ग) बगइँचास
    - (घ) गौद
    - (ङ) मक्खी
    - (च) शहद
    - (छ) हरी, गहिरा आंव
    - (ज) पन्दीवर
    - (झ) सतावर
    - (ञ) कुचिला आदि
  - (6)-बनोपज की बेचने के लिए सरकारी सामग्री बनाने का अधिकार
- (6)-बन जीवों एवं पक्षियों के संरक्षण का अधिकार

# An example of the map prepared by village Dhuma, Sonbhadra



# An example of the Map of the Sonnagar Village, Sonbhadra



# A list of the Forest produce found at the Dudhwa National Park, Lakhimpur Khiri, UP

ग्राम.....के वनक्षेत्र से प्राप्त होने वाले गौण वनोत्पादों की सूची  
दुधवा नेशनल पार्क वनक्षेत्र पलिया कला-खीरी उ०प्र०

| क्र.सं. | गौण वनोत्पाद का नाम | उत्पाद के प्राप्त होने की अवधि | क्र.सं. | गौण वनोत्पाद का नाम    | उत्पाद के प्राप्त होने की अवधि |
|---------|---------------------|--------------------------------|---------|------------------------|--------------------------------|
| 1       | बिंदारे             | जून से फरवरी                   | 57      | जलीजी लकड़ी            | बारह मास                       |
| 2       | डर्रा               | जुलाई से अक्टूबर               | 58      | घास-पूत                | दिसम्बर से फरवरी               |
| 3       | बहेड़ा              | जुलाई से मार्च                 | 59      | सेला खागर              | दिसम्बर से फरवरी               |
| 4       | रतावर               | बारह मास                       | 60      | बांस बेंत              | जुलाई से फरवरी                 |
| 5       | आंवला               | जुलाई से फरवरी                 | 61      | धरती के फूल            | जुलाई से दिसम्बर               |
| 6       | शिकाकाई             | फरवरी से मार्च                 | 62      | कटरुआ                  | जून से जुलाई                   |
| 7       | यममुली              | बारह मास                       | 63      | कोरो                   | बारह मास                       |
| 8       | वनप्याज             | बारह मास                       | 64      | बल्ली                  | जनवरी से मार्च                 |
| 9       | वनहल्दी             | बारह मास                       | 65      | धम्मर                  | फरवरी से अप्रैल                |
| 10      | गलकंदरा             | बारह मास                       | 66      | भुज                    | दिसम्बर से नवम्बर              |
| 11      | साल बरुआ            | बारह मास                       | 67      | शोक                    | जुलाई से अक्टूबर               |
| 12      | राफेद बरुआ          | बारह मास                       | 68      | रंगोव(रंगिया की बेल)   | बारह मास                       |
| 13      | कमला बरुआ           | बारह मास                       | 69      | बाम्बी की मिट्टी       | बारह मास                       |
| 14      | निउरासन             | बारह मास                       | 70      | शिकनी मिट्टी           | बारह मास                       |
| 15      | लगुनी लगना          | बारह मास                       | 71      | तालाब की मिट्टी        | बारह मास                       |
| 16      | हाथी गज             | बारह मास                       | 72      | नदी की रेत             | बारह मास                       |
| 17      | साहन्सर भेद         | बारह मास                       | 73      | महुआ                   | जनवरी से अप्रैल                |
| 18      | मेदा                | बारह मास                       | 74      | वन रजवा                | बारह मास                       |
| 19      | गिजाय शाल           | बारह मास                       | 75      | कामराज                 | बारह मास                       |
| 20      | दुधवुरी             | बारह मास                       | 76      | मछली                   | बारह मास                       |
| 21      | डून्दाज             | बारह मास                       | 77      | धुआ-धम्मर              | बारह मास                       |
| 22      | राम बसुदी           | बारह मास                       | 78      | दुधवा नेशनल पार्क के   |                                |
| 23      | अरुईया              | बारह मास                       |         | वेस्टिंग प्लान 1983-84 |                                |
| 24      | बेंदू               | जुलाई से फरवरी                 |         | से 1982-83 में         |                                |
| 25      | दूधीजडा             | बारह मास                       |         | उल्लिखित सभी पुराने    |                                |
| 26      | अजाईन               | बारह मास                       |         | अधिकार व सुविधाएँ      |                                |
| 27      | पधरी                | बारह मास                       |         |                        |                                |
| 28      | मासु, चिन्डा        | बारह मास                       |         |                        |                                |
| 29      | बसो                 | बारह मास                       |         |                        |                                |
| 30      | भदीरी जल            | बारह मास                       |         |                        |                                |
| 31      | लट जीरा             | बारह मास                       |         |                        |                                |
| 32      | शिवलिंगी            | बारह मास                       |         |                        |                                |
| 33      | कोयल                | बारह मास                       |         |                        |                                |
| 34      | मोटी घाती           | बारह मास                       |         |                        |                                |
| 35      | कोरम                | जून से अक्टूबर                 |         |                        |                                |
| 36      | जामुन               | जुलाई से अगस्त                 |         |                        |                                |
| 37      | करौदा               | जुलाई से अगस्त                 |         |                        |                                |
| 38      | गुलरी               | फरवरी से मई                    |         |                        |                                |
| 39      | भुरहुर              | जून से दिसम्बर                 |         |                        |                                |
| 40      | रीठा                | जून से दिसम्बर                 |         |                        |                                |
| 41      | बेल                 | फरवरी से अप्रैल                |         |                        |                                |
| 42      | तेन्दु पत्ता        | फरवरी से अप्रैल                |         |                        |                                |
| 43      | खजूरी               | बारह मास                       |         |                        |                                |
| 44      | न्यूरी              | बारह मास                       |         |                        |                                |
| 45      | कनर                 | बारह मास                       |         |                        |                                |
| 46      | रुहारी              | बारह मास                       |         |                        |                                |
| 47      | मदार                | जून से मार्च                   |         |                        |                                |
| 48      | सहोरे               | बारह मास                       |         |                        |                                |
| 49      | डेपर                | जुलाई से अक्टूबर               |         |                        |                                |
| 50      | रोहणी रंग           | जनवरी से अप्रैल                |         |                        |                                |
| 51      | पीन सजीवन           | बारह मास                       |         |                        |                                |
| 52      | बालम खीरा           | बारह मास                       |         |                        |                                |
| 53      | अमलतास              | बारह मास                       |         |                        |                                |
| 54      | दूब                 | बारह मास                       |         |                        |                                |
| 55      | भवा                 | बारह मास                       |         |                        |                                |
| 56      | शहद                 | अप्रैल से जून, अक्टू, से दिस०  |         |                        |                                |

# An example of the Forest Produce at District Sonbhadra

के मूर क्षेत्र में पाई जाने वाली गीछ उत्पाद की सूची

| क्र.सं. | जड़ियों का नाम | कौन महिने | से कब तक                          |   |
|---------|----------------|-----------|-----------------------------------|---|
| 1.      | सर्केट घुमची   | बरहमासा   |                                   | शरीर में बढ़ होने पर सरसो तेल में मालीस   |
| 2.      | अकशा बर        | बरहमासा   |                                   | परसूत के लिए उबालकर भार दिया जाता है।     |
| 3.      | पतली गुम्मी    | जुलाई से  | अक्टुबर तक                        | मियादी बुखार के लिए साग खिलाया जाता है।   |
| 4.      | काल            | बरहमासा   |                                   | टीकरी बनाने के काम आते हैं।               |
| 5.      | बल             | जून से    | अप्रैल तक                         | खाची बनाई जाती है।                        |
| 6.      | दरस            | बरहमासा   |                                   | रेशम बनाई जाती है।                        |
| 7.      | कोपी           | बरहमासा   |                                   | रेशम बनाई जाती है।                        |
| 8.      | हरजीक          | बरहमासा   |                                   | हड्डी टूटने पर लेप किया जाता है।          |
| 9.      | सम्भे फल में   | फरवरी से  | फरवरी तक                          | रुई निकलती है।                            |
| 10.     | करवने की सीर   | बरहमासा   |                                   | बुखार के लिए पिजाई जाती है।               |
| 11.     | फाल            | फरवरी से  | अप्रैल तक                         | फल मिलता है।                              |
| 12.     | महुआ           | फरवरी से  | अप्रैल से जून तक<br>फुल मिलता है। | डीरी मिलती है।                            |
| 13.     | गुरसकरी        | जून से    | दिसम्बर तक                        | घाव पर रखने से घाव घमकए फीड़ देता है।     |
| 14.     | पतरकी बर       | जून से    | दिसम्बर तक                        | बुखार के लिए गरिष्ठ के साथ पिना होगा।     |
| 15.     | शमवाल          | बरहमासा   |                                   | हड्डी में बढ़ होने पर मालिस किया जाता है। |
| 16.     | बहुव           | बरहमासा   |                                   | पुजा के काम आते हैं।                      |
| 17.     | विन्हार        | बरहमासा   |                                   | जोड़ी के बढ़े पर मालिस किया जाता है।      |
| 18.     | ममरी           | बरहमासा   |                                   | बुखार के लिए                              |
| 19.     | जोरया की छाल   | बरहमासा   |                                   | खीर बनाया जाता है।                        |

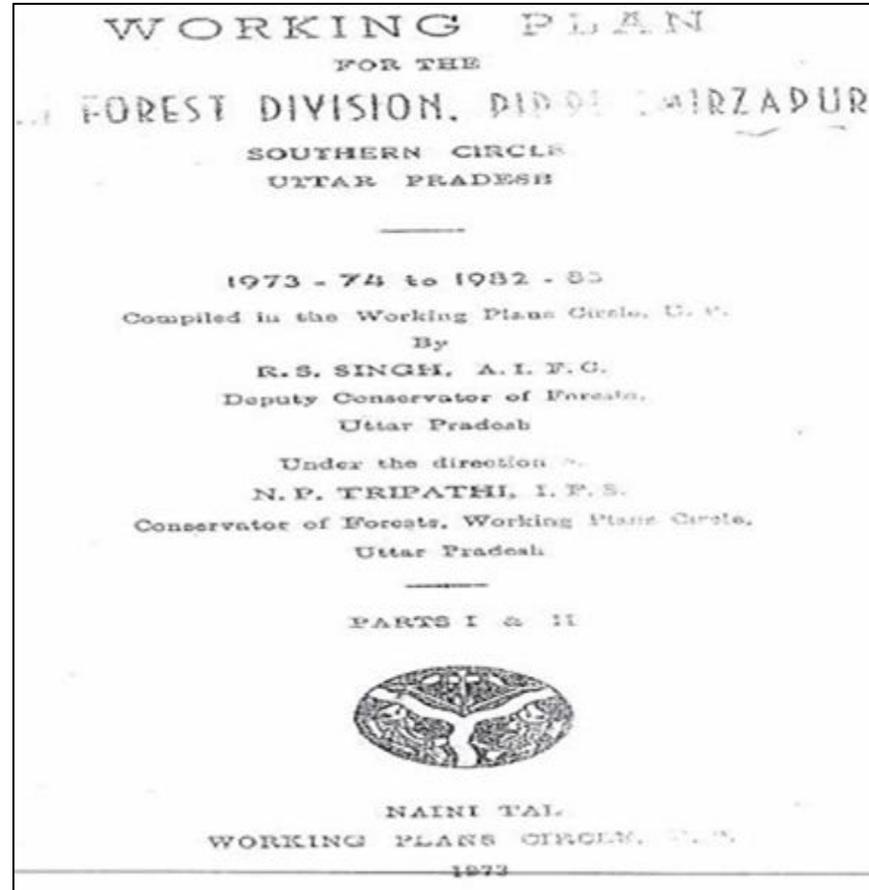
# Prepare a list of Claimants in the register with their Thumb Signatures

| 2 |      | 3                  |  |
|---|------|--------------------|--|
| 1 | 5757 | सुखदेवी<br>सुखदेवी | सुखदेवी<br>सुखदेवी<br>सुखदेवी<br>सुखदेवी |
| 2 | 5758 | सुखदेवी<br>सुखदेवी | सुखदेवी<br>सुखदेवी                       |
| 3 | 5759 | सुखदेवी<br>सुखदेवी | सुखदेवी<br>सुखदेवी                       |
| 4 | 5760 | सुखदेवी<br>सुखदेवी | सुखदेवी<br>सुखदेवी                       |
| 5 | 5761 | सुखदेवी<br>सुखदेवी | सुखदेवी<br>सुखदेवी                       |
| 6 | 5762 | सुखदेवी<br>सुखदेवी | सुखदेवी<br>सुखदेवी                       |

**After the file of claim is ready, the list of what documents have been attached can be put in this way**

1. Final Gram Sabha Resolution ( where Claims filed by FRC on behalf of GS are accepted)
2. Form B
3. Form C
4. List of Claimants with signature and some govt. id proof
5. Statement of Elders
6. Map of the Territory Claimed ( Hand Drawn and or GPS enabled)
7. List of Seasonal Forest Produce ( non timber) available in the claimed area
8. Working Plans of the relevant Forest Division
9. Gazetteer of the District ( may be different from current)
10. List of flora, fauna as per Working Plans, Historical Documents, Community resolutions during Claim preparation
11. Case details of court cases between communities and Forest Department
12. MoTA circulars/orders/notifications as relevant - like 9 June 2008 order regarding 3 generation proof for OTFDs

**In the working plans of the Forest Department for 1973-74 and 1982-83, separate lists of salable products along with forest produce have been prepared.**



# Gazetteer of Mirzapur, UP - Sample

## GAZETTEER OF MIRZAPUR.

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## PREFACE.

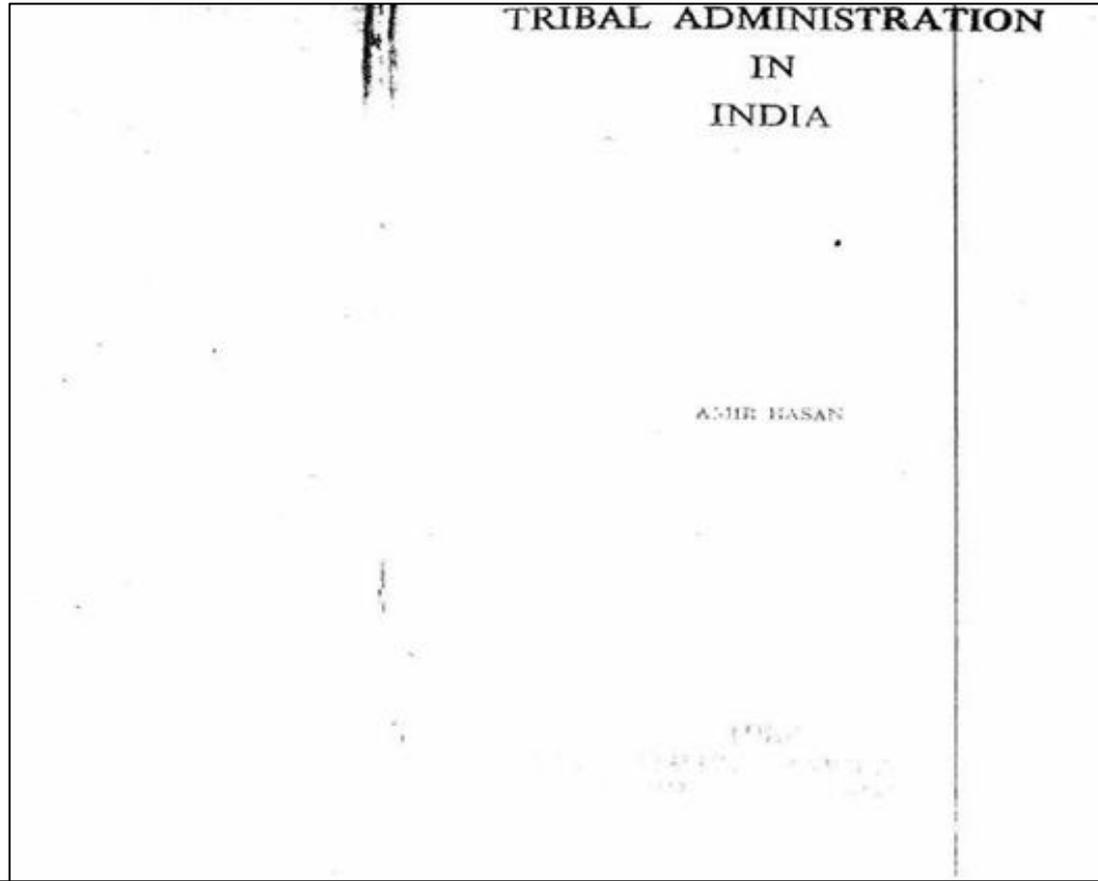
The old Gazetteer of Mirzapur was compiled by Mr. W. Grierson Jackson and edited by Mr. F. H. Fisher in 1883. There appears to have been but little available material in writing and Mr. Jackson was compelled to rely largely on his own personal enquiries for his facts. Even then accurate information, 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.

**Amir Hassan's book 'Tribal Administration in India' throws light on the development of colonial adivasi (tribal) community, constitutional rule system, land revenue management, forest administration and tribal management etc.**



# Functions of Forest Rights Committee

- Gram Sabha and the Forest Rights Committee should conduct meeting twice or atleast once in a month and should accept various applications. A register should be maintained for this, in which everyone's signatures should be taken after accepting the application.
- There should a office of Forest Rights Committee in the village where all the important documents should be stored. If not in the village then the committee should also try and open their office at Forest Office or Range Office. All the property of the forest department is gram sabha's property and they should use it.
- The members of the Village Forest Rights Committee should be provided training every month or atleast once in three months, (the presidents and secretaries of all the forest rights committees associated with the Union should be provided training.)
- In every months meeting, there should be assessment of the status of the claims that have been made and a resolution should be passed and it should be sent to the District Magistrate and the Subdivision Level Committee regularly every month.
- Officers coming to the village whether from the forest department or revenue department their details like name, address and phone number and reason for visiting the office should be maintained in a register.
- If the forest department team comes to demolish house, destroy crops or plant saplings, then Forest Rights Committee should demand notice issued for this work. Photograph and video should be made while village property is being destroyed. Such illegal action should also be immediately informed in writing on the letter head of the Forest Rights Committee and sent to the District Magistrate, Subdivision Level Committee, State Monitoring Committee.

## Village Forest Rights Committee Letter Head- Sample

Letter no.....

# Village Forest Rights Committee

Village.....Tehsil.....District.....state.....

## **Necessary action for conservation and protection of forests and forest land by Gram Sabha**

- Where claims have been made, all the minor forest produce under that Gram Sabha should not be allowed to be collected by Forest Department, Forest Corporation, contractors and middlemen and the work of collecting the minor forest produce should be done by the members of the Gram Sabha.
- Every year the Gram Sabha should prepare a list of the number of trees in the forest and the marking of the Gram Sabha on the tree, how many herbs and how many wild animals and birds are there and separate registers should be made for these three.
- Every three years, the Gram Sabha should prepare a conservation plan for the forests and all the natural resources associated with the village and a plan should be made to save and protect all the resources of the forests. For this, training programs and the help of well-known experts can be taken.
- Due to the nexus of the forest department and forest mafia, groups of women and youth should be formed to guard and stop smuggling of wood, herbs and wild animals and thus save and protect their own forests.

## **Form of the organization – the creation of federation of Village Councils for ownership of forest resources**

- We need to form Village council and make a federation of all the village council in our Block or Tehsil to take a full control of the ownership of the forest, mines, rivers, ponds in forest area.
- Collect all the products and take a selling permit through the federation from District authority.
- Elect the representative of the federation
- Open a bank account in the name of federation, Pan Card for transaction.
- Take entire control of the forest produce, oust the middlemen, forest dept for illegally taking the control of forest produce.

# Conclusion

- Friends, to implement this law, it is most important to understand that this law is our law and our movement has made it and the parliament has passed it, but we have to own the act and take the leadership in implementing it. In sort, we have to become the vanguard.
- Therefore, it is very important for all of us to be aware of this law. There is no need to become a lawyer to understand the law, we have to understand the law in our own language so that this law can be implemented through public awareness. This law is contrary to the existing government political economic policies and there is no transaction of money to implement it, so the government, administration and other officials lack the political will to implement this law. Therefore, whatever help we need to implement this law, we are not getting that help from the authorities. Even the claim form we have to arrange by ourselves. Despite all the difficulties we have to implement this law like a movement by uniting ourselves and building trust among ourselves. Only then we will get freedom from the slavery of the forest department by believing that forest and all natural resources is ours - it is our heritage and is our constitutional right.
- Despite knowing how difficult it is for forest dependent communities to get all these authentic documents, these documents of colonial times are being expected to be collected by forest dependent communities. But where there is union nothing is difficult; we will collect these documents because it is also the process of identification of our history. For the implementation of this law, in whichever area training is needed or any other document, working plan, gazetteer or any other document of the forest department is needed in the area, our Union will extend all possible help to the communities.

**Thank you**