

No.23011/28/2008-SG-II
Government of India
Ministry of Tribal Affairs

Shastri Bhawan, New Delhi

Date: 03.12.2008

To

All State secretaries in charge of Tribal Welfare

(All States/UTs, except J&K, Haryana, Nagaland and Lakshadweep)

Sub.: The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008 - clarification regarding

Sir

As you are aware, Rule 11(1) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008 provides that the Gram Sabha shall call for claims and authorize the Forest Right Committee to accept the claims in the form as provided in Annexure-I of these Rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, provided that the Gram Sabha may, if consider necessary, extend such period of 3 months after recording the reasons thereof in writing.

2. As the Rules provide for three months time for filing the claims, a question has been raised as to whether the Gram Sabha can consider the clear cases immediately or the Gram Sabha has to consider the cases only after the expiry of three months period. It is clarified that the period of three months for filling the claims is to be reckoned from the date of calling of claims after the constitution of Forest Rights Committee. Gram Sabhas can consider undisputed cases provided the procedure as laid down in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008 has been followed.

Yours faithfully,

(Sunil Garg)

Under Secy. to the Govt. of India