



Shri V. Kishore Chandra Deo
Minister for Tribal Affairs
New Delhi

Sub: Amendments to Forest Rights Act 2006

Dear Sir

We welcome the news¹ about your ministry considering NAC recommendations for amendments to Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of rights) Act. While you are considering amendments to the Act and Rules we would like to request you to take into account the issues and recommendations shared with you in the March 2012 National consultation on Community Forest Rights. For your reference we are sending the following reports and documents shared by us earlier:

- The citizen report on CFRs (based on the March 2012 Consultation on CFRs).
- The table of compiled CFR recommendations (compiled from NAC report, Joint Mota-Moef committee report and CFR 2011 workshop report)

Specifically we hope that during amendments, considerations are made to the following recommendations made by the Joint MoEF-MoTA Committee in its December 2010 report:

1. Converting the July 30, 2009 circular on FRA compliance for forest diversion for non forestry purposes into a rule under FRA through an amendment of the rules,
2. Extending the right to OTFDs (in addition to forest dwelling Scheduled tribes) for giving notice to State Level Monitoring Committee under Section 8 of FRA through an amendment,
3. Clarifying in the rules that the 75 years condition for OTFD is for residence, and not for occupation of land or dependence on forest resources.

We also hope that the recommendation made during the March 2012 CFR Consultation regarding issuing of a Government Order with clarifications on key issues of implementation of Forest Rights Act is taken into consideration. Such amendments, along with clarifications, will be a welcome step towards addressing some of the ambiguities present within the Act at present.

Thank you

With regards

Shiba Desor

(On behalf of Kalpavriksh and Vasundhara)

¹ reported in The Economic times dated 18 April, 2012, in a news article by Nidhi Sharma titled 'Centre ready to amend Forest Rights Act'. http://articles.economictimes.indiatimes.com/2012-04-18/news/31361384_1_forest-rights-act-amendment-bill-nac