SCHEDULED TRIBES
AND
OTHER TRADITIONAL
FOREST DWELLERS

(Recognition of Forest Rights)

RULES, 2008

(Both Hindi and English Version)

Government of Himachal Pradesh
Tribal Development Department

vuq(fpr tutkfr vk§j vU; ijaijkxr ou fuoklh
¼ou vf/kdkjksa dh ekU;rk½ fu;e] 2008

1- laf{kIr uke] foLrkj vk§j izjEHk-&&¼1½ bu fu;eksa dk laf{kIr uke vuq(fpr tutkfr vk§j vU; ijaijkxr ou fuoklh ¼ou vf/kdkjksa dh ekU;rk½ fu;e] 2008 gSA

   ¼2½ budk foLrkj] tEew d'ehj jkT; dks NksM+dj] Hkkjr ij gksxk A

   ¼3½ ;s jkti= eaizdk'ku dh rkjh[k dks izoÙk gksaxsA

2- ifjHkk"kk,a&&¼1½ bu fu;eksa esa] tc rd fd lanHkZ ls vU;Fkk vis{kr u gks&

   ¼d½ ^vf/kfu;e** ls vuq(fpr tutkfr vk§j vU; ijaijkxr ou fuoklh ¼ou vf/kdkjksa dh ekU;rk½ vf/kfu;e] 2006 ¼2007 dk 2½ vfHkisr gS_

   ¼[k½ ^okLrfod thfodk vko';drkvks** ls t¶k fd vf/kfu;e dh /kkjk 3 dh mi&/kkjk ¼1½ ds [kaM ¼d½] [kaM ¼x½ vk§j [kaM ¼2d½ esa micf/kr gS_ ou Hkwfe ij Lo;a [krh djdsmRiknu ds ek/;e ls ;k mit ds foØ; ls Lo;a dh vk§j dqVqc dh eqyHkwr vko';drkvks dh ifrZ vfHkisr gS_

   ¼x½ ^nkonkj** ls ,slk 0;f"V] 0;f"V;ks dk lewg] dqVqc ;k leqnk; vfHkisr gS tks vf/kfu;e esa lsqphc) vf/kdkjksa dh ekU;rk vk§j mudsfufgr gksus ds fy, nkok djrk gS_

   ¼2d½ vf/kfu;e dh /kkjk 3 dh mi&/kkjk ¼1½ ds [kaM ¼x½ ds v/khu ^xkSk ou mit ds fuiVku* ds vrxZr mit dksbdVBk djuaokys ;k leqnk; }kjk thfodk ds fy,] ,slh mit ds mi;ksx ds fy,] LFkkuh; Lrj ij izaldj.k] eU; o/kZu] ou {ks= esafl j ij j[kdjj] lkbfdy }kjk ;k Bsykds }kjk ifjogu ;k foØ; Hkh gS_

   ¼3½ ^ou vf/kdkj lfefr** ls fu;e 3 ds v/khu xe laHkk }kjk xfBr lfefr vfHkisr gS_

   ¼p½ ^/kkjk** ls vf/kfu;e dh /kkjk vfHkisr gSA

½2½ mu 'kCnka vkSj inka dk] tks bu fu;eka esa iz,Dr gSa vkSj ifjHkkf'kr ugha gSa
fdUrq vf/kfu;e esa ifjHkkf'kr gSa] ogha vFkZ gkxsk tks vf/kfu;e esa gSA

3-   xke lHkk&&½1½ xke ipk;r }kjk xke lHkkvka dk lkstu fd;k tk,xk vkSj
     mldsigys vf/koŚku esg vius lnL;ka esa ls de nl fdUrq ipng
     ls vuf/kd 0;fDr;ka dks ou vf/kdkj lfefr ds lnL;ka ds :i esa fuokZfpr
     djxh ftlesa de ls de ,d&frgkbZ lnL; vudfpr tutkfr;ka ds gkxs%

ijrq ,d ls lnL;ka esa ls de ,d frgkbZ lnL; efgyk,a gkxh %

ijrq;g vkSj fd tgka dkbZ vuqfpr tutkfr;ka ugha gSa ogka ,d ls lnL;ka esa ls
de ls de ,d frgkbZ lnL; efgyk,a gkxh A

½2½ ou vf/kdkj lfefr v/;{k vkSj lfpo dk fofu'p; djxh vkSj mldh lapuk
mi[kM Lrj dh lfefr dksnxh A

½3½ tc ou vf/kdkj lfefr dk dkbZ lnL; 0;f"Vd ou vf/kdkj dk nkonkj Hkh
gSrc og mldh lapuk lfefr dksnxk vkSj tc mldsnkosij fopkj fd;k
tk,xk rc og lR;kiu dk;kZkfg;ka esHkkx ugha yxk A

4-   xke lHkk ds dR;&& ½1½ xke lHkk &&

½d½ ou vf/kdkjka dh idfr vkSj lhek dk vo/kkj.k djds dsfy, dk; Zbkgh
     vkjaHk djxh vkSj vkSj ml ls lacaf/kr nkoka dh lapokbZ djxh(

½[k½ ou vf/kdkjka ds nkonkjka dh laph r§kj djxh vkSj nkonkjka vkSj muds
     nkoka ds ,d ls C;kjka dk ,d jftLVj j[kxh tks dUnh; ljdkj vknśk
     }kjk vo/kkfjr dja(

½x½ ou vf/kdkjka ds lacaf/k esnkoka ij lndYi] fgrc) 0;fDr;ka vkSj lacaf/kr
     ikf/kdkfj;ka dks lapokbZ dk ;fDr;Dr volj nus ds i'pkr} ikfjr
     djxh vkSj mUga mi[kM Lrj dh lfefr dksHkst nxh(

2

¼?k½ vf/kfu;e dk /kkjk 4 dh mi&/kkjk ¼2½ ds [kM ¼³½ ds v/khu iµ0;¾LFkkiu i¡dtkaij fopkj djxh(vk§j

¼³½ vf/kfu;e dh /kkjk 5 ds mica¼kkadks dk;¾Uor djus dsfy, oU;tho] ou vk§j t¨ fofo/krk ds lj{k.k dsfy, viusInL;kaea¡lsIfefr;ka dk xBu djxh A

¼2½ xkeILkk ds vf/kos'ku ea¡x.kiñfrl ,¨lh xkeILkk ds Ikkh InL;kads nks frgkbZlsvU;¨u InL;ka}kjk gksxh(

ijUrq tgkafdlh xkko eaVuq¶ipr tutkfr;ka vk§j x§&vuq¶ipr tutkfr;ka dh fo"ke tulå[;k g¨ ogka vuq¶ipr tutkfr] vkfne tutkrh; leqgka vk§j df"k iµZ leqnk;ka dsInL;ka dk i;kZr : i lsifrfuf/kRo fd;k tk,xk A

¼³½ xkeILkk dks jkT; ds ikf/kdkfj;ka }kjk vko';d lgk;rk miyC/k djkbZ tk,xh A

5- mi[kM Lrj dh lfefr&&jkT; ljdkj fuEufyf[kr InL;kads IkFk mi[kM Lrj dh lfefr dk xBu djxh(vFkkÌr~%&&

¼d½ mi[kM vf/kdkjh ;k leuÿ; vf/kdkjh   & v/;{k
¼[k½ mi[kM dk Hkkjlk/kd ou vf/kdkjh ;k leuÿ; vf/kdkjh & InL;
¼x½ C;kÈd ;k rglhy Lrj dh i¡pk;rkadsrhu InL; ftUgaftyk i¡pk;r }kjk ukefunZ'kr fd;k tk,xk ftuealsde lsde nksvuq¶ipr tutkfr;ka ds gk¨xs tks vf/kekur% ,¶lsInL; gk¨xs tks ou fuoklh g§ ;k tks vkfne tutkrh; leqgkadsg§vk§j tgka dkbZvuq¶ipr tutkfr;ka ughag§ogka,¶ls nks InL; tks vf/kekur% vU; ijajkxr ou fuoklh g§vk§j ,d efgyk InL; gksxh(;k lfo/kku dh NBh vuq¶ph ds vrxÌr vkusokys {ks=kaea¡rhu InL; Lo'kklh ftyk ifj"kn~;k inafn'kd ifj"kn~;k vU; lefÿpr tkuy Lrj dh ifj"kn~}kjk ukefunZ'kr fd, tk,xsftuealsde lsde ,d efgyk InL; gksxh(vk§j

¼2k½ tutkrh; dY;k.k foHkkx dk mi [kaM dk Hkkjlk/kd vf/kdkjh ;k tgka ,slk
vf/kdkjh miyC/k ughagS ogka tutkrh; dk;Z dk Hkkjlk/kd vf/kdkjh A

6- mi [kaM Lrj dh lfefr dsdR;& mi [kaM Lrj dh lfefr &

¼d½ iR;sd xke lHkk dksuktqd iaM+iks 'kks vkSj tho tUrq ds lnHkZ eka ftUga
lqjf{kr vkSj lqjf{kr j[ks tkus dh vko';drk gS oU;thoa ou vkSj
tSfof/krk ds lqj{k.k ds lqzz{k eka muds dR;ka vkSj ou vf/kdkjka ds/kkjd
ds dR;ka rFkk vU; ds dR;ka ds ckjsa tkudkjh miyC/k djk,xh(

¼[k½ xke lHkk vkSj ou vf/kdkj lfefr dksou vkSj jktLo ekufp= vkSj ernkrk
lwph miyC/k djk,xh(

¼x½ la) xke lHkkvka ds lHkh lnYikka dks,d lkFk feyk,xh(

¼?k½ xke lHkkvka }kjk miyC/k djk, x, ekufp=ka vkSj C;kSjka dks lefdr djsxh(

¼3½ nkok dh lPpkbZ dks lquf'pr djus ds fy, xke lHkkvka ds lnYika vkSj
ekufp=ka dh ijh{kk djsxh(

¼p½ fdUgha ou vf/kdkjka dh iqdfr vkSj lhek ds lqz{k eka xke lHkkvka ds chp
fookna dh lquokbZ djsxh vkSj mudk U;k;fu.kZu djsxh(

¼N½ xke lHkkvka ds lnYika ls 0;fFkr 0;fDr;ka ftuds vrxir jkT; vfHkdj.k
Hkh gS vftZ;ka dh lquokbZ djsxh(

¼t½ vr% mi [kaM nkoka ds fy, mi [kaM Lrj dh lfefr;ka ds lkFk leUo; djsxh(

¼>½ ljdkjh vfHkys[kka eka lkekatL; djus ds i'pkr~iLrkfor ou vf/kdkjka ds
Cykkid ;k rglhy okj ik:i vfHkys[k rS;kj djsxh(

¼´½ iLrkfor ou vf/kdkjka ds ik:i vfHkys[k ds lkFk nkoka dksmi [kaM vf/kdkjh
ds ek/;e ls ftyk Lrj dh lfefr dks vfra fofu'p; ds fy, vxf"kr
djsxh(

¼V½ ou fuokfl ;ka ea vf/kfu;e ds v/khu vkSj fu;eka ea vf/kdfFkr míś;ka vkSj
ifØ;kvka ds ckjsa tkx: drk i\nk djxh(

¼B½ nkosnkjka dks nkosa ds bu fu;eka ds mikcza/k&1 ¼ik: i d vkSj [k½ ea
;Fkkmicaf/kr ikS?kekb/ dh vklkuh ls vkSj fu%kkYd miyC/krk lqfuf'pr djxh(

¼M½ ;g lqfuf'pr djxh fd xke lHkk ds vf/koś ku vaif{kr x.kiwfrZ ds lkFk
e¼Dr] [kqyh vkSj fu"i{k jhfr ea fd, tkrsg&A

7- ftyk Lrj dh lfefr & jkT; ljdkj fuEufyf[kr lnL;ka ds lkFk ftyk
Lrj dh lfefr dk xBu djxh] vFkkZr~%&&

¼d½ ftyk dyDVj ;k mik;qDr   & v/;{k
¼[k½ lc) [kaM ou vf/kdkjh ;k lc) mi ou laj{kd & lnL;
¼x½ ftyk Lrj dh ipk;r dsrhu lnL; ftUgsa ftyk ipk;r }kjk ukefunZ'kr
fd;k tk,xk ftueas ls de ls de nks vuql¨fpr tutkfr;ka ds gksxksa tks
vf/kekur%,sls lnL; gksxks tksou fuoklh gSß;k tks vkfne tutkrh; leqnk;
ds gSß vkSj tgka dksbZ vuql¨fpr tutkfr;ka ughag gSßogka ,sls nks lnL; tks
vf/kekur% vU; ijaijkxr ou fuoklh gSß vkSj ,d efgyk lnL; gksxh(;k
lfo/kku dh NBh vuql¨ph ds varxZr vkusokys {ks=kea rhu lnL; Lo'kklh
ftyk ifj"kn~;k ipnf'kd ifj"kn~;k leqqr tkuy Lrj dh ifj"kn~}kjk
ukefunZ'kr fd, tk,axsftueas ls de ls de ,d efgyk lnL; gksxh(vkSj

¼?k½ tutkrh; dY;k.k foHkkx dk ftys dk Hkkjlk/kd vf/kdkjh ;k tgka,slk
vf/kdkjh miyC/k ughag gksxka tutkrh; dk;Z dk Hkkjlk/kd vf/kdkjh A

8- ftyk Lrj dh lfefr ds dR; & ftyk Lrj dh lfefr &

¼d½ ;g lqfuf'pr djxh fd fu;e 6 ds [kaM ¼[k½ ds v/khu vaif{kr tkudkjh
xke lHkk ;k ou vf/kdkjh lfefr dsmiyC/k djk nh xbZg S(

¼[k½ bl ckjsa ijh{kk djxh fd D;k lHkh nkoka fo'k'kdj vkfne tutkrh;
leqgka i'kqpkjdka vkSj ;k;koj tutkfr;ka ds lHkh nkoka dk vf/kfu;e ds
míś;ka dks/;ku eaj[krsgq leku/kku dj fn;k x;k g S

¼x½ mi[kM Lrj dh Ifefr }kjk r§kj fd, x, ou vf/kdkjksa ds nkoksa vk§
vfHkys[k ij fopkj djxh vk§ vfre :i lsmudk vuqeknu djxh(

¼?k½ mi[kM Lrj dh Ifefr ds vknskkals0;fFkr 0;fDr;ksa Isvftr;ksa dh Iquokbl
djxh(

¼3½ vr%ftyk nkoksa ds Ieæk esa vUl; ftyksa ds IkFkk IeUo; djxh(

¼p½ Id xr Ijdkjh vfHkys[kksa ftudsvrxir vf/kdkjksa dk vfHkys[k Hkh g§ esa ou
vf/kdkjksa ds Iekoskku dsfy, funsšk tkjh djxh(

¼N½ tSI sgh vf/kys[k dks vfre :i nsfn;k tk,] ou vf/kdkjksa ds vfHkys[k dk
ipdk'ku Iquf'pr djxh(vk§

¼t½ ;g Iquf'pr djxh fd vf/kfu;e ds v/khu vk§ bu fu;eksa ds mikcæk 2
vk§ 3 esa ;FkkfofufnZ"V ou vf/kdkjka vk§ gd ds vfHkys[k dh vf/kiæekf.kr
ifr IeΦ) nkoæuj vk§ Iecaf/kr xzke IHkk dksnsnh xZgksa A

9- jkT; Lrj dh fuxjkuh Ifefr&jkT; Ijdkj fuEufyf[kr InL;ksa ds IkFkk
jkT; Lrj dh fuxjkuh Ifefr dk xBu djxh] vFkkir~%&

¼d½ eq[; Ifpo   & v/;{k(

¼[k½ Ifpo] jktLo foHkkx   & InL;(

¼x½ Ifpo] tutkrh; ;k lekt dY;k.k foHkkx   & InL;(

¼?k½ Ifpo] ou foHkkx   & InL;(

¼3½ Ifpo] ipk;rh jkt   & InL;(

¼p½ iz/kku eq[; ou Ijf{kd   & InL;(

¼N½ tutkrh; Iykgdkj ifj"kn~ ds rhu vuqfpr tutkrh; InL; ftUgsa
tutkrh; Iykgdkj ifj"kn~ ds v/;{k }kjk ukefufn'kr fd;k tk,xk vk§
tgka dksbZ tutkrh; Iykgdkj ifj"kn~ ughal gS ogka jkT; Ijdkj }kjk
ukefufn'kr fd, tkusokysrhu vuqfpr tutkrh; InL;(

¼t½ vk;qDr] tutkrh; dY;k.k ;k lerqY;; tksInL;&Ifpo gksxkA

6

10- jkT; Lrj dh fuxjkuh lfefr ds dR;&&jkT; Lrj dh fuxjkuh lfefr&

¼d½ ou vf/kdkjka dh ekU;rk vkSj mudsfufgr gksus dh ifØ;k dh fuxjkuh ds
    fy, ekunM vkSj laird r; djxh(

¼[k½ jkT; ea ou vf/kdkjka dh ekU;rk] IR;kiu vkSj mudsfufgr gksus dh ifØ;k
    dh fuxjkuh djxh(

¼x½ ou vf/kdkjka dh ekU;rk] IR;kiu vkSj mudsfufgr gksus dh ifØ;k ds lca/k
    ea Ng ekfld fjiksV/Z iLrqr djxh vkSj ukWMy vfHkdj.k dks ,slh foojf.k;ka
    vkSj fjiksV/±iLrqr djxh ftudh ukWMy vfHkdj.k }kjk ekax dh tk,(

¼?k½ vf/kfu;e dh /kkjk 8 ea ;Fkkof.kZr lipuk dh iakflr ij vf/kfu;e ds v/khu
    lc) iakf/kdkfj;ka dsfo:) lefpr dkjbkbZ djxh(

¼3½ vf/kfu;e dh /kkjk 4 dh mi&/kkjk ¼2½ ds v/khu iqLFkkiu dh fuxjkuh
    djxhA

11- xke lHkk }kjk nkos Qkby djus] mudk vo/kkj.k vkSj IR;kiu djus dh
ifØ;k&¼1½ xke lHkk]&

¼d½ nkoka dsfy, ekax djxh vkSj bu fu;eka dsmikca/k 1 ea ;Fkkmicaf/kr izi
    ea nkos Lohdkj djus dfy, ukfkfdkj lfefr dksikfdkr dj ldxh vkSj
    ,sls nkos} nkoka dh ,slh ekax dh rkjhk[k ls rhu ekl dh vof/k ds Hkhrj]
    fu;e 13 ea mifYyf[kr de ls de nks lk{;ka ds lkFk fd, tk,xs%

    ijraq xke lHkk] ;fn vko';d le>s} rhu ekl dh ml vof/k dks ml dsfy,
    dkj.k ys[kc) djus ds i'pkr-foLrkfjr dj ldxh A

¼[k½ vius lkeu¡kfy;d ou lak/ku ds vo/kkj.k dh ifØ;k vkjaHk djus dsfy,
    dkbZ rkjh[k fu;r djxh vkSj tgka lkjoku vfr0;kifr gks} ogkamllsyxh
    gbZ lehoiLFk xke lHkkvka dks vkSj mi&[kaM Lrj lfefr dks lipr djxhA

¼2½ oukf/kdkj lfefr] xke lHkk dks ml ds fuEufyf[kr dR;ka dks djus ea
    lgk;rk nxh]&&

¼i½	fofufnZV izi eankos vkSj ,sls nkokads ls eFkLu esa Ik{; iklr djuk]
	mudh vfHkLohdfr nsuk vkSj mUgsa j[kuk(

¼ii½	nkok vkSj Ik{; dk] ekufp= lfgr] vfHkkys[k r§kj djuk(

¼iii½	oukf/kdkjkads ls czdk eankonkjkadh lwph r§kj djuk(

¼iv½	bu fu;ekeamicf/kr fd, x, vuqdj nkokadk lR;kiu djuk(

¼v½	nkos ds Lo:i vkSj foLrkj ds lczdk eavuusfu"dk=dksxke lHkk ds
	le{k mldsfopkj dsfy, iLrqr djxh A

¼3½	iklr fd, x, iR;sd nkos dh oukf/kdkj lfefr }kjk fyf[kr ealE;d~:i
	lsvfHkLohdfr dh tk,xh A

¼4½	oukf/kdkj lfefr] bu fu;ekeds mikcczdk 1 ea;Fkkmicf/kr izi [k ea
	lkeqnkf;d oukf/kdkjkadsfy, xke lHkk dh vkSj lsnkoeaHkh r§kj djxh A

¼5½	xke lHkk] mi&fu;e ¼2½ ds [kaM ¼v½ ds v/khu fu"dk=dh iklr ij]
	oukf/kdkj lfefr dsfu"dk=ij fopkj djusdsfy,] inZlwpuk ij cBd djxh] lefpr
	ladYi iklr djxh vkSj mlsmi&[kaM Lrj lfefr dksHkstxh A

¼6½	xke ipk;r dk lfpo] vius dR;kadsfuogau eaxke lHkkvkads lfpo ds
	:i eaHkh dk;Z djxkA

12- oukf/kdkj lfefr }kjk nkok dk lR;kiu djus dh ifØ;k&¼1½ oukf/kdkj
lfefr] lczf/kr nkonkj vkSj ou foHkkx dkslE;d~lwpuk nusdsi'pkr}&

¼d½	LFky dk nkSjk djxh vkSj LFky ij nkos ds Lo:i vkSj foLrkj rFkk lk{;
	dk 0;fDrxr :i lslR;kiu djxh(

¼[k½	nkonkj vkSj lkf{k;kals dkbZvfrfjDr lk{; ;k vfHkkys[k iklr djxh(

¼x½	;g lqfuf'pr djxh fd pkjkxkgh vkSj ;k;kojh tutkfr;kadsmu nkokadk}
	tks 0;f"Vd lnL;ka} lemnk; ;k ijijkxr lkeqnkf;d lkLFkk dsek/;e ls
	iklr gq gka} mudsvf/kdkjkads vo/kkj.k dsfy,] ,slsle; ij lR;kfir
	fd;k tkrk gS}tc ,sls 0;f"V ;k lemnk; ;k mudsifrfuf/k mifLFkr gka}

¼2k½ ;g lfuf'pr djxh fd ikphu tutkfr leg ;k imzZ df"k lempk; ds
lnL; ds nkos dkj tks mnds lempk; ;k ijajkxr lkempkf;d lkLFkk ds
ek/;e ls iklr gq gkj vkokl ds mnds vf/kdkjkad ds vo/kkj.k ds fy, ml
le; lR;kfir fd;k tkrk gS tc ,d s lempk; ;k mnds ifrfuf/k mifLFkr
gkk vkSj

¼3½ ekU;rk fn, tkus ;kX; lhekfpUgka dks miuf'kr djrs gq iR;sd nkos ds{k=
dks vfidr djusokyk ekufp= rSdj djxh A

¼2½ rRi'pkr~oukf/kdkj lfefr nkos ds lecZk ea vius fu"d"kks dks vfHkfyf[kr
djxh vkSj mUga xke lHkk dksml ds fopkj ds fy, iLrqr djxh A

¼3½ ;fn fdlh mlljs xke dh ijajkxr ;k :f<xr lhekvka ds lecZk ea fojks/kh
nkos gSa;k ;fn fdlh ou {ks= dk ,d lsmpk;kx vf/kd xke lHkkvka }kjkr fd;k tkrk gS
rks lecZdr xke lHkkvka dh oukf/kdkj lfefr;ka,ls nkoka ds miHkkx ds Lo: i dk fopkj
djus dsfy, la)r :i lscBd djxh vkSj lecZdr xke lHkkvka dks lyf[kr ea fu"d"kZ
iLrqr djxh %

ijUrq ;fn xke lHkk,a fojks/kh nkoka dk lek/kku djus ea leFkZugagSa rks ls xke
lHkk }kjk mi&[k.M Lrj lfefr dks ml dk lek/kku djus dsfy, fufnZV fd;k tk,xkA

¼4½ lpuak] vfHkys[kka ;k nLrkostka ds fy, xke lHkk ;k oukf/kdkj lfefr ds
vugkss'k ij lecZdr ikf/kdkjh] ;FkkfLFkfr] xke lHkk ;k oukf/kdkj lfefr dks ml dh
vf/kiakf.kr ifr miyC/k djk,xs vkSj ;fn viš{kr gkS fdlh ikf/kdr vf/kdkjh ds ek/;e
ls viuk Li"Vhdj.k lcdj djk,xs A

**13- oukf/kdkjka ds vo/kkj.k ds fy, lk{;&&oukf/kdkjka dks ekU;rk nsus vkSj
fufgr djus dsfy, lk{; ea vU;; ckrka ds lkFkk] fuEufyf[kr lEefyr gksxk %&**

¼d½ xtfV;j] tux.kuk] lof{k.k vkSj cnkbcLr fjikVs ekufp=] mixgh;
fp=] dk;l ;kstuk,a iszkk ;kstuka] y?kq ;kstuk,a ou tko fjikVs,a vU;
ou vfHkys[k vf/kdkjka ds vfHkys[k iV~Vk ;k yht] pkgs dkbZ Hkh uke
gkS ljdkj }kjk xfBr lfefr;ka vkSj vk;ksxka dh fjikVksa ljdkjh
vkns'k vf/klpuk,a ifjp=] lkdYi tSls ykd nLrkost] ljdkjh
vfHkys[k(

¼[k½ ernkrk igpku&i=] jk'kudkM] ikI ikV] x`gdj jlhnì eÚy fuokI
    iÆk.ki= tê s l jdkjh ikf/kdr nLrkost(

¼x½ x`g] >ksiMÌ vkê Hkfe eÚfd, x, LFkk;h I/Økjkì tê s okLrfod dk;ì
    ftl ds vÚrxÙr l ery djukì cÚk] påcdkñk cukuk vkê blh iÐdj ds
    dk; l gÚ&

¼?k½ v)U;kf;d vkê U;kf;d vfHkkys[k ftl ds vÚrxÙr U;k;ky; vkns k vkê
    fu.kì Hkh gÚ&

¼3½ mu : f<+kæ vkê ijÀjkvkæ dk vuÐ/Økku v/;;u] nLrkosthdj.kì tks
    fdUgha oukf/kdkjkæ ds miHkkx dks Li"V djrs gÚ vkê ftueÚ Hkkjrh;
    ekuo foKku loÆk.k tê h [;kfriÐIr IÑLFkkvkæ }kjk : f<+tU; fof/k dk
    cy gÚ&

¼p½ rRdkyhu jtokMÌæ ;k iÆ rkæ ;k ,ls vU; e/;ofrÍkæ ls ifÐr dkb²
    vfHkkys[k ftuds vÚrxÙr ekufp=] vf/kdkjkæ dk vfHkkys[k fo'k"kkf/kdkj]
    fj;k;rÐæ l eFkkU Hkh gÚ&

¼N½ dqÀæ dfcLRkkuu] ifo= LFkky tê h ijkÀjk dks LFkkfir djus okyh
    ijÀjkxr lÐpuk,Æ(

¼t½ iÐoÜ Hkfe vfHkkys[kkæ eÚmfYyf[kr ;k iÐkus le; eÚ xkÐæ ds o"kÜ fuoklh
    ds : i eÚ ekU;rkikÐr 0;f"V;kæ ds ijÀkæ dk irk yxkus okyh oÚkkoyh(

¼>½ ys[kc) fd, x,] nkonkj lsfHkkÙu cqtqxkÜ±dk dFku A

½2½ lkeqnkf;d oukf/kdkjkæ ds lk{; eì vU; ckrkæ ds lkFkì fuEufyf[kr lfEefyr
   gkÐæ s%&

¼d½ fuLrkj tê s lkeqnkf;d vf/kdkj] pkgsfdlh Hkh uke ls tkus tkrsgkÚ

¼[k½ ijÀkxr pkjkxkg] tMÌ vkê dn] pkjkì oU; [kk| Qy vkê vU; y?kq
    ou mRikn tek djus ds {k=(eNyh idMÌus ds LFkku] flÐpkb²

izkkfy;k¡ ekuo ;k i'kq/ku ds mi;ksx ds fy, ty ds L=kr] vk¡Skf/k; iks"kkadk laxg] tMh¡&cV/h vk¡Sk/kh 0;oLkf; ;ka ds {k=(

¼x½ LFkkuh; lemnk;ksa }kjk cukbZ xbZ lipukvka ds vo'k"k] ifo= o{k] xQ,a vk¡j rkykc ;k unh {k=] dfcLrku ;k 'ke'kkuxg A

¼3½ xe lHkk mi&[kaM Lrj lfefr vk¡j ftyk lfefr] oukf/kdkjka dk vo/kkj.k djusa ¡ij mfYyf[kr ,d lsvf/kd lk{;ka ij fopkj djxh A

14- mi&[kaM Lrj lfefr dks ;kfpdk,&&¼1½ xe lHkk ds ldYi ls 0;fFkr dkbZ0;fDr] ldYi dh rkjh[k ls lkB fnu dh vof/k dsHkhrkj] mi&[kaM Lrj lfefr dks ;kfpdk Qkby dj ldxk A

¼2½ mi&[kaM Lrj lfefr] loukbZ dh rkjh[k fu;r djxh vk¡j ;kph vk¡j lac¡f/kr xe lHkk dksml dh fyf[kr ea lpuk nus ds lkFk gh] loukbZ dsfy, fu;r rkjh[k ls de ls de ipng fnu iwoZ ;kph ds xe eafdlh lfo/kktud lkoZtfud LFkku ij] lpuk yxkdj Hkh lfpr djxh A

¼3½ mi&[kaM Lrj lfefr ;k rks ;kfpdk dkseatwj ;k ukeatwj djxh ;k mls lac¡f/kr xe lHkk dksmls fopkj dsfy, fufnZV djxh A

¼4½ ,sl fufnZk dh ikfIr ds i'pkr} xe lHkk rhl fnu dh vof/k dsHkhrkj cBd djxh] ;kph dks lquxh] ml fufnZk ij dkbZ ldYi ikfjr djxh vk¡j mls mi&[kaM Lrj lfefr dksHkstxh A

¼5½ mi&[kaM Lrj lfefr xe lHkk ds ldYi ij fopkj djxh vk¡j ;kfpdk dks ;k rksLohdkj ;k vLohdkj djds lefpr vkn'k ikfjr djxh A

¼6½ yfcr ;kf;dkvka ij ifrdqy iHkko Mkysfcuk] mi&[kaM Lrj lfefr] vU; nkoankjka dsoukf/kdkjka ds vfHkys[kka dh ijh{kk djxh vk¡j mUga ,df=r djxh rFkk lac¡f/kr mi&[kaM vf/kdkjh dsek/;e ls mUga ftyk Lrj lfefr dksiLrqr djxh A

¼7½ nks ;k vf/kd xe lHkkvka ds chp fookn dh n'kk ea vk¡j fdlh xe lHkk }kjk fd, x, fdlh vkonu ij ;k mi[kaM Lrj lfefr }kjk Lo%ia.kk.kk ls fookn dk lek/kku djus dh nf"V ls lac¡f/kr xe lHkkvka dh la¡Qr cBd&cqyk,xh vk¡j ;fn rhl

fnu dh vof/k ds Hkhrj fdlh ijLij : i ls lger fd;k x;k dkbZ lek/kku ugha gks
ldrk gSrks mi[kM Lrj lfefr lcf/kr xke lHkkvka dh lpokokbZ djus ds i'pkr~fookn
dk fofu'p; djxh vkSj lefpr vkns'k ikfjr djxh A

**15- ftyk Lrj lfefr dks;fipdk,&&¼1½ mi&[kM Lrj lfefr ds fofu'p; ls
0;fFkr dkbZ0;fDr] mi[kM Lrj lfefr ds fofu'p; dh rkjh[k ls lkB fnu dh vof/k ds
Hkhrj] ftyk Lrj lfefr dks;fipdk Qkby dj ldxk A**

¼2½ ftyk Lrj lfefr] lpokokbZ dh rkjh[k fu;r djxh vkSj ;kph rFkk lcf/kr
mi[kM Lrj lfefr dks mldh lyf[kr es lpuk nus ds lkFk gh lpokokbZ dsly, fu;r
rkjh[k ls de ls de iang fnu iwoZ;kph] ds xke esfdlh lfo/kktud lkoZtfud LFkku
ij] lpuk yxkdj Hkh lfpr djxh A

¼3½ ftyk Lrj lfefr ;k rks;fipdk dksea tytj ;k ukea tytj djxh ;k ml ls lcf/kr
mi[kM Lrj lfefr dks ml ds fopkj dsly, fufnZV djxh A

¼4½ ,sls funsZ'k dh ikflr ds i'pkr~mi[kM Lrj lfefr rhl fnu dh vof/k ds
Hkhrj cgd djxh] ;kph vkSj xke lHkk dks lpxh] ml funsZ'k dk fofu'p; djxh vkSj
ml dh lpuk ftyk Lrj lfefr dksnxh A

¼5½ rRi'pkr~ftyk Lrj lfefr ;fipdk ij fopkj djxh vkSj ;fipdk dks;k rks
Lohdkj ;k vLohdkj djds lefpr vkns'k ikfjr djxh A

¼6½ ftyk Lrj lfefr nksmkj ;k nksmkjka ds oukf/kdkjka ds vfHkys[kka dks]
ljdkj ds vfHkys[kka esa vko';d lakks/ku djus dsly, ftyk dyDVj ;k ftyk vk;qDr
dks Hkstxh A

¼7½ nks;k vf/kd mi[kM Lrj lfefr;ka ds vkns'kka ds chp fdlh QdZ dh n'kk
esa ftyk Lrj lfefr Lo%iaj.kk ls} erHknka dk lek/kku djus dh nf"V ls lcf/kr mi[kM
Lrj lfefr;ka dh laQr cBd cqyk,xh vkSj ;fn fdlh ijLij : i ls lger fd;k x;k
dkbZ lek/kku ugha gks ldrk gSrks ftyk Lrj lfefr lcf/kr mi[kM Lrj lfefr;ka dh
lpokokbZ djus ds i'pkr~fookn dksvf/kfu.khZr djxh vkSj lefpr vkns'k ikfjr djxh A

miikcdk 1

[fu;e 6 ¼>½ ns[ka

Hkkjr ljdkj

tutkrh; dk;Zea=ky;

iz i&d

ou Hkkfe ds vf/kdkjka ds fy, nkok iz: i

[vuqlfpr tutkfr vkSj vU; ijaijkxr ou fuoklh ¼ou vf/kdkjka dh ekU;rk½
fu;e] 2008 dk fu;e 11 ¼1½ ¼d½ ns[ka]

1-   nkonkj¼jkW½ dk@ds uke %

2-   ifr@iRuh dk uke %

3-   firk@ekrk dk uke %

4-   irk %

5-   xke %

6-   xke iapk;r %

7-   rglhy@rkyqdk %

8-   ftyk %

9-   ¼d½ vuqlfpr tutkfr %gka@ugha
       ¼iek.ki = dh vf/kiekf.kr ifr layXu dja½
       ¼[k½ vU; ijaijkxr ou fuoklh %gka@ugha
       ¼;fn ifr@iRuh vuqlfpr tutkfr ls gS iek.ki = dh vf/kiekf.kr ifr layXu
       dja½

10-   dVVp ds vU; lnL;ka dk uke vkSj vk;q
       ¼ckyd o o;Ld vkfJrka lfgr½

       Hkkfe ij nkos dk Lo: i %

1-   vf/kHkksx dh xbZ Hkkfe dk foLrkj
       ¼d½ fuokl ds fy, %
       ¼[k½ Lo;a [krh ds fy,] ;fn dkbZ gks %

2-   fookfnr Hkfe] ;fn dkbZ gks%
        [vf/kfu;e dh /kkjk 3 ¼1½ ¼d½ ns[ka

3-   iVV/s@iVV/s@vupku] ;fn dkbZ gks%
        [vf/kfu;e dh /kkjk 3 ¼1½ ¼N½ ns[ka

4-   ;Fkkor~iquokZl dsfy, Hkfe ;k vkupdfYid
        Hkfe ;fn dkbZ gks%
        [vf/kfu;e dh /kkjk 3¼1½ ¼3½ ns[ka

5-   Hkfe] tgka ls Hkfe ifrdj fn, fcuk
        foLFkkfir fd, x, gS%
        [vf/kfu;e dh /kkjk 4¼8½ ns[ka

6-   ou xkeken Hkfe dk foLrkj] ;fn dkbZ gks%
        [vf/kfu;e dh /kkjk 3¼1½ ¼t½ ns[ka

7-   vU; dkbZ ikjafjd vf/kdkj] ;fn dkbZ gks%
        [vf/kfu;e dh /kkjk 3¼1½ ¼>½ ns[ka

8-   IeFkuelk{; %
        ¼fu;e 13 ns[k½

9-   vU; dkbZ Ipuk%

nkonkj¼jkik ds
gLrk{kj@vaxBs dk fu'kku

Hkkjr ljdkj

tutkrh; dk;Zlea=ky;

iz i&[k

Lkekpkf;d vf/kdkjka dsfy, nkok ik:i

[vuqfPpr tutkfr vkSj vU; ijaijkxr ou fuoklh ¼ou vf/kdkjka dh ekU;rk½
fu;e] 2008 dk fu;e 11 ¼1½ ¼d½ vkSj 11 ¼4½ ns[ka

1-   nkonkj ¼jkdk dk@ds uke %

      d-   ,QMh,lVh lekpk; %gka@ugha

      [k-   vkSVh,QMh lekpk; %gka@ugha

2-   xk¡e %

3-   xk¡e iapk;r %

4-   rglhy@rkyqdk %

5-   ftyk %

      izdkx fd,x, lekpkf;d vf/kdkjka dk Lo:i %&

1-   lekpkf;d vf/kdkj t¨sfuLrkj] ;fn dkbZ gks%
      [vf/kfu;e dh /kkjk 3¼1½ ¼[k½ ns[ka

2-   xkSk ou mRiknka ij vf/kdkj] ;fn dkbZ gks%
      [vf/kfu;e dh /kkjk 3¼1½ ¼x½ ns[ka

3-   lekpkf;d vf/kdkj

      d-   mi;kx ;k ik=rk ¼eNyh] tyk'k;½ ;fn dkbZ gks%
      [k-   pjusgrq ;fn dkbZ gks%
      x-   ikjafjd lalk/kukard ;k;kojka vkSj i'kqikydka dh igqp] ;fn dkbZ gks
            [vf/kfu;e dh /kkjk 3¼1½ ¼N½ ns[ka

15

4-	ihVhthh o df"k inoZ lenqk;kads fy, ikdfrd okl vkSj inobkl
	dh lkenqkf;d vof/k;kg] ;fn dkbZ gks%
	[vf/kfu;e dh /kkjk 3¼11½ ¼3½ ns[kg

5-	t©s fofo/krk ,d ckf)d lank vkSj ikjafjd Kku rd igqp dk vf/kdkj] ;fn
	dkbZ gks%
	[vf/kfu;e dh /kkjk 3¼11½ ¼AV½ ns[kg

6-	vU; ikjafjd vf/kdkj ;fn dkbZ gks%
	[vf/kfu;e dh /kkjk 3¼11½ ¼B½ ns[kg

7-	l eFklu ealk k{; %
	¼fu;e 13 ns[kkb

8-	vU; dkbZ lipuk %

nkonkj ¼jkku ds
gLrk{kj@vaxiBsdk fu'kku

mikcæk 2

Hkkjr ljdkj

tutkrh; dk;Zeªï=ky;

vf/kHkkkx dsv/khu ou Hkfie dsfy, gd

[vuqPfpr tutkfr vkSj vU; ijajkxr ou fuoklh ¼ou vf/kdkjka dh ekU;rk½ fu;e] 2008 dk fu;e 8 ¼t½ ns[kaµ

1-   ou vf/kdkjka ds /kkjd ¼dksa dk@ds uke ¼ifr ;k iRuh lfgr½ %

2-   firk@ekrk dk uke %

3-   vkfJrka dk uke %

4-   irk %

5-   xk¡o %

6-   xk¡o iapk;r %

7-   rglhy@rkyqdk %

8-   ftyk %

9-   vuqPfpr tutkfr@vU; ijajkxr ou fuoklh %

10-   {ks=Qy %

11-   [klljk@dkikVÅ la lfgr iaatk lhekfpºu }kjk lhekvka dk fooj.k %
         ;g gd nk; ;kX; gS fdarq vf/kfu;e dh /kkjk 4 dh mi/kkjk ¼4½ ds v/khu
         vU; laØkE; ;k varj.kh; ughagS%&

         ge] v/kkgLrk{kjh] --------------------------------------¼jkT; dk uke½ ljdkj ds fy, vkSj
         ml dh vkj lsmijksDr ou vf/kdkjka dh iqf"V djusdsfy, gLrk{kj djrs gSaA

         eaMyh; ou vf/kdkjh@mi ou laj{kd   ftyk tutkrh; dY;k.k vf/kdkjh

                            ftyk dyDVj@mi vk;qDr

17

mikcmdk 3

Hkkjr ljdkj

tutkrh; dk;Zez-ky;

lkeznkf;d ou vf/kdkjka ds fy, gd

[vuqfPpr tutkfr vkSj vU; ijajkxr ou fuoklh ¼ou vf/kdkjka dh ekU;rk½ fu;e] 2008 dk fu;e 8 ¼t½ ns[kga

1-   lkeznkf;d ou vf/kdkjka ds /kkjd ¼dki dk@ds uke %
      ¼mikcmdk ds vuqlkj½

2-   xkao@xkao l Hkkk %

3-   xkao ipk;r %

4-   rglhy@rkyqdk %

5-   ftyk %

6-   vuqfPpr tutkfr@vU; ijajkxr ou fuoklh %

7-   lkeznkf;d vf/kdkjka dk Lo:i

8-   'krsZ ;fn dkbZ gksa %

9-   fuEufyf[kr ds lkFk lhekvka ds fooj.k
      : f<cU; lhek vkSj@;k [kljk@dikVewV ls
      lfgr ieq[k lhek fpUg

18

lkeqkf;d ou vf/kdkj dk@ds /kkjd ¼dk½ dk@ds uke %

     1- ---

     2- ---

     3- ---

ge] v/kkgLrk{kjh]--¼jkT; dk uke½ ljdkj ds fy, vkS
mlh vkj lS lkeqkf;d ou vf/kdkjka ds mijkDr mfYyf[kr /kjdka ds gd ea ;Fkk mfYyf[kr ou vf/kdkj dh if"V djus ds fy, gLrk{kj djrs gSA

eMyh; ou vf/kdkjh@mi ou lja{kd   ftyk tutkrh; dY;k.k vf/kdkjh

     ftyk dydVj@mi vk;Dr

Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rule, 2008

    1.   Short title, extent and commencement.—(1) These rules may be called the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008.

    (2)   They shall extend to the whole of India except the State of Jammu and Kashmir.

    (3)   They shall come into force on the date of their publication in the Official Gazette.

    2.   Definitions.—(1) In these rules, unless the context otherwise requires,—

    (*a*)   "Act" means the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) ;

    (*b*)   "bonafide livelihood needs" means fulfilment of sustenance needs of self and family through production or sale of produce resulting from self-cultivation of forest land as provided under clauses (a), (c) and (d) of sub-section (1) of section 3 of the Act ;

    (*c*)   "claimant" means an individual, group of individuals, family or community making a claim for recognition and vesting of rights listed in the Act ;

    (*d*)   "disposal of minor forest produce" under clause (c) of sub-section (1) of section 3 of the Act shall include local level processing, value addition, transportation in forest area through head-loads, bicycle and handcarts for use of such produce or sale by the gatherer or the community for livelihood ;

    (*e*)   "Forest Rights Committee" means a committee constituted by the Gram Sabha under rule 3 ;

    (*f*)   "section" means the section of the Act ;

    (2)   The words and expressions used and not defined in these rules but defined in the Act, shall have the meanings respectively assigned to them in the Act;

    3.   Gram Sabha.—(1) The Gram Sabhas shall be convened by the Gram Panchayat and in its first meeting it shall elect from amongst its members, a committee of

not less than ten but not exceeding fifteen persons as members of the Forest Rights Committees, wherein at least one-third members shall be the Scheduled Tribes :

Provided that not less than one-third of such members shall be women :

Provided further that where there are no Scheduled Tribes, at least one-third of such members shall be women.

(2)   The Forest Rights Committee shall decide on a chairperson and a secretary and intimate it to the Sub-divisional Level Committee.

(3)   When a member of the Forest Rights Committee is also a claimant of individual forest right, he shall inform the Committee and shall not participate in the verification proceedings when his claim is considered.

4.   Functions of the Gram Sabha.—(1) The Gram Sabha shall—

(*a*)   initiate the process of determining the nature and extent of forest rights, receive and hear the claims relating thereto;

(*b*)   prepare a list of claimants of forests rights and maintain a register containing such details of claimants and their claims as the Central Government may by order determine;

(*c*)   pass a resolution on claims on forest rights after giving reasonable opportunity to interested persons and authorities concerned and forward the same to the Sub-Divisional level Committee;

(*d*)   consider resettlement packages under clause(e) of sub-section (2) of section 4 of the Act and pass appropriate resolution; and

(*e*)   constitute Committees for the protection of wildlife, forest and biodiversity, from amongst its members, in order to carry out the provisions of section 5 of the Act.

(2)   The quorum of the Gram Sabha meeting shall be not less than two-thirds of all members of such Gram Sabha:

Provided that where there is a heterogeneous population of Scheduled Tribes and non Scheduled Tribes in any village, the members of the Scheduled Tribe, Primitive Tribal Groups (PTGs) and pre-agricultural communities shall be adequately represented.

(3)   The Gram Sabha shall be provided with the necessary assistance by the authorities in the State.

5.   Sub-Divisional Level Committees.—The State Government shall constitute Sub-Divisional Level Committee with the following members, namely :—

(*a*)   Sub-Divisional Officer or equivalent officer   — Chairperson;

(*b*)   Forest Officer in charge of a Sub-division or equivalent officer — Member;

(*c*)   three members of the Block or Tehsil level Panchayats to be nominated by the District Panchayat of whom at least two shall be the Scheduled Tribes preferably those who are forest dwellers, or who belong to the primitive tribal groups and where there are no Scheduled Tribes, two members who are preferably other traditional forest dwellers, and one shall be a woman member; or in areas covered under the Sixth Schedule to the Constitution, three members nominated by the Autonomous District Council or Regional Council or other appropriate zonal level, of whom at least one shall be a woman member; and

(*d*)   an officer of the Tribal Welfare Department in-charge of the Sub-division or where such officer is not available the officer in-charge of the tribal affairs.

6.   Functions of the Sub-Divisional Level Committee.—The Sub-Divisional Level Committee (SDLC) shall—

(*a*)   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;

(*b*)   Provide forest and revenue maps and electoral rolls to the Gram Sabha or the Forest Rights Committee;

(*c*)   collate all the resolutions of the concerned Gram Sabhas;

(*d*)   consolidate maps and details provided by the Gram Sabhas;

(*e*)   examine the resolutions and the maps of the Gram Sabhas to ascertain the veracity of the claims;

(*f*)   hear and adjudicate disputes between Gram Sabhas on the nature and extent of any forest rights;

(*g*)   hear petitions from persons, including State agencies, aggrieved by the resolutions of the Gram Sabhas;

(*h*)   co-ordinate with other Sub-Divisional Level Committees for inter sub divisional claims;

(*i*)   prepare block or tehsil-wise draft record of proposed forest rights after reconciliation of government records;

(*j*)   forward the claims with the draft record of proposed forest rights through the Sub-Divisional Officer to the District Level Committee for final decision;

(*k*)   raise awareness among forest dwellers about the objective and procedures laid down under the Act and in the rules;

(*l*)   ensure easy and free availability of proforma of claims to the claimants as provided in Annexure-I (Forms A and B) of these rules;

(*m*)   ensure that the Gram Sabha meetings are conducted in free, open and fair manner with requisite quorum.

7.   **District Level Committee.**—The State Government shall constitute District Level Committee (DLC) with the following members, namely :—

(*a*)   District Collector or Deputy Commissioner-Chairperson;

(*b*)   concerned Divisional Forest Officer or concerned Deputy Conservator of Forest-member;

(*c*)   three members of the district panchayat to be nominated by the district panchayat of whom at least two shall be the Scheduled Tribes preferably those who are forest dwellers, or who belong to members of the primitive tribal groups, and where there are no Scheduled Tribes, two members who are preferably other traditional forest dwellers, and one shall be a woman member; or in areas covered under the Sixth Schedule to the Constitution, three members nominated by the Autonomous District Council or Regional Council of whom at least one shall be a woman member; and

(*d*)   an officer of the Tribal Welfare Department in-charge of the district or where such officer is not available, the officer in-charge of the tribal affairs.

8.   **Functions of District Level Committee.**—The District Level Committee shall—

(*a*)   ensure that the requisite information under clause (b) of rule 6 has been provided to Gram Sabha or Forest Rights Committee;

(*b*)   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;

(*c*)   consider and finally approve the claims and record of forest rights prepared by the Sub-Divisional Level Committee;

(*d*)   hear petitions from persons aggrieved by the orders of the Sub-Divisional Level Committee;

(*e*)   co-ordinate with other districts regarding inter-district claims;

(*f*)   issue directions for incorporation of the forest rights in the relevant government records including record of rights;

(*g*)   ensure publication of the record of forest rights as may be finalized; and

(*h*)   ensure that a certified copy of the record of forest rights and title under the Act, as specified in Annexures II & III to these rules, is provided to the concerned claimant and the Gram Sabha respectively;

9. State Level Monitoring Committee.—The State Government shall constitute a State Level Monitoring committee with the following members, namely :

(*a*)   Chief Secretary — Chairperson;

(*b*)   Secretary, Revenue Department — member;

(*c*)   Secretary, Tribal or Social Welfare Department — member;

(*d*)   Secretary, Forest Department — member;

(*e*)   Secreatry, Panchayati Raj — member;

(*f*)   Principal Chief Conservator of Forests — member;

(*g*)   three Scheduled Tribes member of the Tribes Advisory Council, to be nominated by the Chairperson of the Tribes Advisory Council and where there is no Tribes Advisory Council, three Scheduled Tribes members to be nominated by the State Government;

(*h*)   Commissioner, Tribal Welfare or equivalent who shall be the Member Secretary.

10. Functions of the State Level Monitoring Committee.—The State Level Monitoring Committee shall—

(*a*)   devise criteria and indicators for monitoring the process of recognition and vesting of forest rights;

(*b*)   monitor the process of recognition, verification and vesting of forest rights in the State;

(*c*)   furnish a six monthly report on the process of recognition, verification and vesting of forest rights and submit to the nodal agency such returns and reports as may be called for by the nodal agency;

(*d*)   on receipt of a notice as mentioned in section 8 of the Act, take appropriate actions against the concerned authorities under the Act;

(*e*)   monitor resettlement under sub-section (2) of section 4 of the Act.

11.   Procedure for filing, determination and verification of claims by the Gram Sabha.—(1) The Gram Sabhas shall—

(*a*)   call for claims and authorize the Forest Rights 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, shall be made within a period of three months:

Provided that the Gram Sabha may, if consider necessary, extend such period of three months after recording the reasons thereof in writing.

(b)   fix a date for initiating the process of determination of its community forest resource and intimate the same to the adjoining Gram Sabhas where there are substantial overlaps, and the Sub-Divisional Level Committee.

(2)   The Forest Rights Committee shall assist the Gram Sabha in its functions to—

(*i*)   receive, acknowledge and retain the claims in the specified form and evidence in support of such claims;

(*ii*)   prepare the record of claims and evidence including maps;

(*iii*)   prepare a list of claimants on forest rights;

(*iv*)   verify claims as provided in these rules;

(*v*)   present their findings on the nature and extent of the claims before the Gram Sabha for its consideration.

(3)   Every claim received shall be duly acknowledged in writing by the Forest Rights Committee.

(4)   The Forest Rights Committee shall also prepare the claims on behalf of Gram Sabha for community forest rights in Form B as provided in Annexure I of these Rules.

(5)   The Gram Sabha shall on receipt of the findings under clause (v) of sub-rule (2), 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.

(6)   The Secretary of Gram Panchayat will also act as Secretary to the Gram Sabhas in discharge of its functions.

12.   Process of verifying claims by Forest Rights Committee.—(1) 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.

(2)   The Forest Rights Committee shall then record its findings on the claim and present the same to the Gram Sabha for its consideration.

(3)   If there are conflicting claims in respect of the traditional or customary boundaries of another village or if a forest area is used by more than one Gram Sabha, the Forest Rights Committees of the respective Gram Sabhas shall meet jointly to consider the nature of enjoyment of such claims and submit the findings to the respective Gram Sabhas in writing:

Provided that if the Gram Sabhas are not able to resolve the conflicting claims, it shall be referred by the Gram Sabha to the Sub-Divisional Level Committee for its resolution.

(4) On a written request of the Gram Sabha or the Forest Rights Committee for information, records or documents, the concerned authorities shall provide an authenticated copy of the same to the Gram Sabha or Forest Rights Committee, as the case may be, and facilitate its clarification, if required, through an authorised officer.

13. Evidence for determination of forest rights.—The evidence for recognition and vesting of forest rights shall, inter alia, include.

(*a*) public documents, Government records such as Gazetteers, 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;

(*b*) Government authorised documents such as voter identity card, ration card, passport, house tax receipts, domicile certificates;

(*c*) physical attributes such as house, huts and permanent improvements made to land including levelling, bunds, check dams and the like;

(*d*) quasi-judicial and judicial records including court orders and judgments;

(*e*) research studies, documentation of customs and traditions that illustrate the enjoyment of any forest rights and having the force of customary law, by reputed institutions, such as Anthropological Survey of India;

(*f*) any record including maps, record of rights, privileges, concessions, favours, from erstwhile princely States or provinces or other such intermediaries;

(*g*) traditional structures establishing antiquity such as wells, burial grounds, sacred places;

(*h*) 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;

(*i*) statement of elders other than claimants, reduced in writing.

(2) An evidence for Community Forest Rights shall, *inter alia,* include—

(*a*) community rights such as *nistar* by whatever name called;

(*b*) 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;

(*c*) remnants of structures built by the local community, sacred trees, groves and ponds or riverine areas, burial or cremation grounds;

(3) The Gram Sabha, the Sub-Divisional Level Committee and the District Level Committee shall consider more than one of the above-mentioned evidences in determining the forest rights.

14. Petitions to Sub-Divisional Level Committee.—(1) Any person aggrieved by the resolution of the Gram Sabha may within a period of sixty days from the date of the resolution file a petition to the Sub-Divisional Level Committee.

(2) The Sub-Divisional Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Gram Sabha in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing.

(3) The Sub-Divisional Level Committee may either allow or reject or refer the petition to concerned Gram Sabha for its reconsideration.

(4) After receipt of such reference, the Gram Sabha shall meet within a period of thirty days, hear the petitioner, pass as resolution on that reference and forward the same to the Sub-Divisional Level Committee.

(5) The Sub-Divisional Level Committee shall consider the resolution of the Gram Sabha and pass appropriate orders, either accepting or rejecting the petition.

(6) Without prejudice to the pending petitions, Sub-Divisional Level Committee shall examine and collate the records of forest rights of the other claimants and submit the same through the concerned Sub-Divisional Officer to the District Level Committee.

(7) In case of a dispute between two or more Gram Sabhas and on an application of any of the Gram Sabhas or the Sub-Divisional Level Committee on its own, shall call for a joint meeting of the concerned Gram Sabhas with a view to resolving the dispute and if no mutually agreed solution can be reached within a period of thirty days, the Sub-Divisional

Level Committee shall decide the dispute after hearing the concerned Gram Sabhas and pass appropriate orders.

15.   Petitions to District Level Committee.—(1) Any person aggrieved by the decision of the Sub-Divisional Level Committee may within a period of sixty days from the date of the decision of the Sub-Divisional Level Committee file a petition to the District Level Committee.

(2)   The District Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Sub-Divisional Level Committee in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing.

(3)   The District Level Committee may either allow or reject or refer the petition to concerned Sub-Divisional Level Committee for its reconsideration.

(4)   After receipt of such reference, the Sub-Divisional Level Committee shall hear the petitioner and the Gram Sabha and take a decision on that reference and intimate the same to the District Level Committee.

(5)   The District Level Committee shall then consider the petition and pass appropriate orders; either accepting or rejecting the petition.

(6)   The District Level Committee shall send the record of forest rights of the claimant or claimants to the District Collector or District Commissioner for necessary correction in the records of the Government.

(7)   In case there is a discrepancy between orders of two or more Sub-Divisional Level Committees, the District Level Committee on its own, shall call for a joint meeting of the concerned Sub-Divisional Level Committees with a view to reconcile the difference and if no mutually agreed solution can be reached, the District Level Committee shall adjudicate the dispute after hearing the concerned Sub-Divisional Level Committees and pass appropriate orders.

[See Rule 6(1)]

**Government of India
Ministry of Tribal Affairs**

FORM-A

CLAIM FORM FOR RIGHTS TO FOREST LAND

[See rule 11 (1) (a)] of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008]

1. Name of the claimant(s) :

2. Name of the spouse :

3. Name of father/mother :

4. Address :

5. Village :

6. Gram Panchayat :

7. Tehsil/Taluka :

8. District :

9. (a)   Scheduled Tribe : Yes/No
   (Attach authenticated copy of Certificate)
   (b)   Other Traditional Forest Dweller : Yes/No
   If a spouse is a Scheduled Tribe (attach authenticated copy of certificate)

10. Name of other members in the family with age :
    (including children and adult dependents)

Nature of claim on land :
1. Extent of forest land occupied
   (a)   for habitation
   (b)   for self-cultivation, if any :
   [See Section 3 (1) (a) of the Act]

2. Disputed lands if any :
   [See Section 3 (1) (f) of the Act]

3. Pattas/leases/grants, if any :
   [See Section 3 (1) (g) of the Act]

4.   Land for *in situ* rehabilitation or alternative land, if any :
                 [See section 3 (1) (m) of the Act]

5.   Land from where displaced without land compensation :
                 [See section 4 (8) of the Act]

6.   Extent of land in forest villages, if any :
                 [See section 3 (1) (h) of the Act]

7.   Any other traditional right, if any :

                 [See section 3 (1) (1) of the Act]

8.   Evidence in support :
                 (See Rule 13)

9.   Any other information :

Signature/Thumb Impression
of the Claimant(s) :

CLAIM FORM FOR COMMUNITY RIGHTS

[See rule 11 (1) (a) and 11 (4) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008]

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) (1) of the Act]

7. Evidence in support :
   (See Rule 13)

8. Any other information :

Signature/Thumb Impression
of the Claimant(s) :

Government of India

Ministry of Tribal Affairs

TITLE FOR FOREST LAND UNDER OCCUPATION

[See rule 8 (h) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008]

1. Name(s) of holder(s) of forest rights (including spouse) :

2. Name of the father/mother :

3. Name of dependents :

4. Address :

5. Village/Gram Sabha :

6. Gram Panchayat :

7. Tehsil/Taluka :

8. District :

9. Whether Scheduled Tribe or Other Traditional Forest Dweller

10. Area :

11. Description of boundaries by prominent
landmarks including khasra/compartment No. :

This title is heritable, but not alienable or transferable under Sub-section (4) of Section 4 of the Act.

We, the undersigned, hereby, for and on behalf of the Government of (Name of the State)................affix our signatures to confirm the above forest right.

Divisional Forest Officer/Deputy   **District Tribal Welfare Officer**
Conservator of Forests

District Collector/Deputy Commissioner

**Government of India
Ministry of Tribal Affairs**

TITLE TO COMMUNITY FOREST RIGHTS

[See rule 8 (h) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008]

1.   Name(s) of the holder(s) of community forest right :
2.   Village/Gram Sabha :
3.   Gram Panchayat :
4.   Tehsil/Taluka :

5.   District :

6.   Scheduled Tribe/Other Traditional Forest Dweller :

7.   Nature of community rights :

8.   Conditions if any :

9.   Description of boundaries including
        customary boundary and/or by prominent
        landmarks including khasra/compartment No. :

Name(s) of the holder(s) of community forest right :

1.   ....

2.   ....

3.   ....

        We, the undersigned, hereby, for and on behalf of the Government of (Name of the State)...................affix our signatures to confirm the forest right as mentioned in the Title to the above mentioned holders of community forest rights.

**Divisional Forest Officer/Deputy   District Tribal Welfare Officer
Conservator of Forests**
                        District Collector/Deputy Commissioner

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