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Proceedings of the State Level Monitoring Committee meeting regarding Scheduled Tribes and Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006 held on 10-10-2013 at 3-00 p.m.

List of Members/Officers present in the meeting is placed at Annexure "A".

After detailed discussion on the agenda items, the following decisions were taken:-

1. Regarding diversion of forest land for non-forest purposes in favour of GMR Holi Bajoli Project in Development Block Bharmour, District Chamba.

The committee examined the notice given by the Gram Sabha Naya Gran, Development Block, Bharmour, District Chamba, reply furnished by Sh. Sunil Kumar Chaudhary, the then Dy. Commissioner and report furnished by Dy. Commissioner, Chamba. The Deputy Commissioner, Chamba apprised that the process given in FRA was followed to settle the claims of the concerned panchayat. During the process, one claim was received which was accepted by the Gram Sabha, SDLC & DLC. In the jurisdiction of that company, no claim was filed. On the basis of this process, FRA certificate was issued.

In view of reply filed in the review petition and the position explained by D.C., Chamba, the committee decided that no action against Sh. Sunil Kumar Chaudhary, former D.C., Chamba is called for.

2. Action taken over the decisions taken in the previous meeting on 22.05.2013.

i) Constitution of District Level Committee, Sub division Level Committee and Forest Rights Committee at village level.

Pr. Secretary (T.D.) apprised that SLMC, District Level and Sub Division Level Committees under the Act have been constituted. The Forest Rights Act mandates formation of Forest Rights Committee at village level. The Ministry of Tribal Affairs, GOI has objected to formation of FRCs at panchayat level in Himachal Pradesh. Immediate formation of FRCs at village level is necessary because for want of formation of FRCs at village level the clearances of various development projects have been held up. If the FRCs are not formulated at an early date, the claims under FRA will not be settled and all development works which require FCA clearance will come to a standstill. Pr. Secretary(Panchayati Raj) apprised that as per the provision of Himachal Pradesh Panchayati Raj Act, Gram Sabha meetings cannot be held at village level. She further pointed out that most of the villages in Himachal Pradesh are small having less and sparse population. It will be practically not possible to constitute FRCs at village level and suggested that the Ministry of Tribal Affairs, GOI be apprised of the position prevailing in Himachal Pradesh and clarification be obtained in this regard. After detailed discussion it was decided that Panchayati Raj Department will make a reference highlighting the problems of forming FRCs at village level to the Tribal Development

Department on which Tribal Development Department will seek clarification from GOI. It was also decided that wherever panchayats consist of one revenue village only, the Gram Sabha meetings for forming FRCs may be convened without delay.

ii) Filing an affidavit by the Forest Department before the Hon'ble Court for obtaining further orders regarding eviction proceedings in the light of provisions of grant of Forest Rights to Scheduled Tribes and Other Traditional forest Dwellers under the FRA.

The Pr. CCF apprised that the Hon'ble Court has desired to know the time limit within which the procedure laid down under FRA would be completed. It was decided that action on decision at serial No. 2(i) be expedited for facilitating further action in the matter.

iii) To request Ministry of Tribal Affairs, GOI to send Resource Persons for organizing training/awareness camps throughout the State.

It was decided that the Ministry of Tribal Affairs, GOI be again requested to send resource person for organizing training and awareness camp. It was also decided that training to the officials of Panchayati Raj Department will be got arranged through HIPA. Training Module and funds to Panchayati Raj Department will be provided by the Tribal Development for this purpose.

iv) Inputs from members to the Tribal Development Department after examining the Rules and instructions issued by different departments from time to time.

It was decided to remind the members to send the requisite inputs.

v) The Tribal Development Department has presence in Kinnaur, Lahaul-Spiti Districts and Pangi and Bharmour Sub Divisions of Chamba District only. It was decided that the matter to transfer the implementation of the Act to Revenue Department, which has presence in all the district and is directly connected with the land revenue matters be examined.

Since none was present from the Revenue Department, hence the item was not discussed.

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Member Secretary, SLMC(FRA)-cum-
Commissioner (Tribal Dev.) H. P. Shimla-171002,

Copy for information and necessary action to:

1. Sh. Ravi Thakur, Hon'ble MLA, Lahaul-Spiti Distt. Lahaul-Spiti, H.P
2. Sh. Ram Singh, Advocate, VPO Ropa, Tehsil Pooh, Distt. Kinnaur, H.P
3. Sh. Bhajan Singh Thakur, VPO Bharmour, Tehsil Bharmour Distt. Chamba,
4. The Principal Secretary (Panchayati Raj) to the Govt. of H.P. Shimla-2
5. The Principal Secretary -cum- FC (Revenue) to the Govt. of H.P. Shimla-2
6. The Principal Secretary (Forests) to the Govt. of H.P. Shimla-2
7. The Principal Chief Conservator of Forest, H.P. Shimla-1
8. The PS to Chief Secretary to the Govt. of HP, Shimla-2
9. The Deputy Commissioner, Chamba
10. The Under Secretary(TD) to the Govt. of HP, Shimla-2

Sh. Ravi Thakur
Deputy Director(Tribal Dev.)

Himachal Pradesh, Shimla-171002

Annexure "A"

List of the Members/Officers present in the meeting:-

1.	Sh. Ravi Thakur	MLA, Lahaul & Spiti
2.	Smt. Upma Chawdhry	Pr. Secretary (Panchayati Raj)
3.	Sh. Sh. V.C. Pharka	Pr. Secretary (TD)
4.	Sh. R. K. Gupta	Pr. CCF
5.	Sh. J.C. Chauhan	Director (Panchayati Raj)
6.	Sh. Sandeep Kadam	D.C. Chamba
7.	Capt. J.M. Pathania	D.C. Kinnaur
8.	Sh. Ajay Kumar	Addl. Pr. CCF (FCA)
9.	Sh. Prakasha Nand	Under Secretary (Forests)
10.	Sh. Kewal Sharma	Dy. Director (Panchayati Raj)
11.	Sh. Desh Raj	DRO, Chamba