

## **Salient features of “Joint Communication”**

The FRA is an Act to recognize and vest the forest rights and occupation in forest land in FDSTs and OTFDs who have been residing in such forests for generations but whose rights could not be recorded; to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land. The Act came into operation with the notification of Rules on 01.01.2008 for carrying out the provisions of the Act.

The joint communication notes that despite considerable lapse of time since the Act came into force, the process of recognition of rights is yet to be completed. Further, the exercise of these rights as well as operationalization of Section 5 of the Act are other areas of concern. Hence, the Ministries of Tribal Affairs (MoTA) and Environment, Forests and Climate Change (MoEFCC) deliberated on issues for smoother implementation of the Act and noted that there has been no conflict insofar as the legal framework of the law is concerned. Since the State Governments are responsible for implementation of the Act, issues related to its implementation need to be resolved at the State level in terms of the statutory provisions. It was emphasized that any queries/issues that may require clarification/hamper the implementation of FRA may be brought to the notice of Central Government so that both Ministries may take a collective view on the matter.

As per the joint communication, the frontline staff of State Forest department should extend assistance to the institutions/committees under Rule 4(1)(e) and (f) of the Act for preparing conservation and management plan for community forest resources in order to sustainably and equitably manage such community forest resources for the benefit of forest dwelling Scheduled Tribes and other Traditional Forest Dwellers and integrate such conservation and management plan with the micro plans or working plans or management plans.

It was also emphasized that enhancement of livelihood prospects of the traditional forest dwelling and forest dependent tribal and other communities requires synergy between the two ministries at the Central level and at both the Forest and Tribal Welfare/Affairs Departments of the State Governments.

The Ministry of Environment, Forest and Climate Change and Ministry of Tribal Affairs are committed to implementation of the Act in letter and spirit. State Governments were urged in the joint communication to ensure close cooperation and coordination between State Forest Department and

State Tribal Welfare Department, which will provide a win-win situation for both the forests and tribal communities at grassroots level.