



TOP PRIORITY
SUPREME COURT CASE

Government of West Bengal
Directorate of Forests
Office of the Principal Chief Conservator of Forests, Head of Forest Force
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No.: 100 /PGLI/7R-2(1055)/19

Dated: 03.04.2019

To

All Divisional Forest Officers (*Territorial*)
Directorate of Forests
Govt. of West Bengal.

Sub. : **Report on the cases rejected under the Forest (Rights) Act—refer to Hon'ble Supreme Court's direction to FSI in Writ Petition (Civil) No. 109/208—Wildlife First & Others Vs. MoEF.**

Sir / Madam,

The Hon'ble Supreme Court in its recent Order dated 13th of February, 2019, in Writ Petition (Civil) No. 109/208, related to eviction of encroachment by the persons whose cases of getting patta under the F.R Act have been rejected, has directed the Forest Survey of India (FSI) to make the satellite survey and place on record the encroachment positions and also states the positions after the eviction as far as possible. The DG, FSI in his letter dated 12th of March, 2019, addressed to the Chief Secretary, Govt. of West Bengal, and a similar letter dated 7th March, 2019, addressed to the PCCF (HoFF), has requested the State to provide the polygons of land parcels on which claims made by the STs and OTFDs, have been rejected by the competent authority of the State.

As per affidavit filed by the State of West Bengal in the Writ Petition, the total number of claims filed and number of claims rejected are as follows:

Categories	Total No. of Claims Filed	No. of Rejected Claims
Schedule Tribes	95958	50288
Other Traditional Forest Dwellers (OTFD)	36004	35856
TOTAL:	131962	86144

The claims for rights to forest land is made by STs & OTFDs in Form-A under Rule 6(1) under the Schedule Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008. It is learnt that rejections of claims have been done by committees at various levels in the Districts. In consideration of the directions of the Hon'ble Supreme Court of India and subsequent request of FSI to the Chief Secretary as well as the PCCF (HoFF) in the instant case, you may take

initiative to collect the details of the rejected cases with reference and submit a consolidated report for the Divisions in the following format:

District	Name of Village	Gram Panchayat	Rejected claims of STs		Rejected claims of OTFDs	
			No. of Claims Rejected	Area against Rejected Claims	No. of Claims Rejected	Area against Rejected Claims

The report should be compiled and sent to this office positively by 30th of April, 2019.

This is further directed that all territorial DFOs/DFDs shall collect the copies of all the papers related to both approved and not approved cases from the district authority of BCW Department and make a case wise list (by name) along with the maps in the following format:

Name of claimant	Father's name	P.S	Mouza & JL No. or Block compt.	Plot No.	Area

This exercise must be completed by 15th May, 2019.

Yours faithfully,

(N.K.Pandey)

Principal Chief Conservator of Forests
& Head of Forest Force , West Bengal

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Copy forwarded to:

1. All Chief Conservator of Forests (*Territorial*), West Bengal. They are requested to monitor the progress of the works and ensure that the report is submitted to this office on time.
2. The Conservator of Forests, Land & FCA, West Bengal. He is requested to liaison with the DFOs and consolidates the report for State **by end of May, 2019.**

(N.K.Pandey)

Principal Chief Conservator of Forests
& Head of Forest Force , West Bengal