

GUIDELINES FOR

SETTING UP OF FOREST RIGHTS CELL (DHARTI AABA UNITS) AT SUB DIVISIONAL LEVEL UNDER DHARTI AABA JANJATIYA GRAM UTKARSH ABHIYAN (DA-JGUA)

Background

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 recognizes and vests rights of the forest dwelling communities for use, protect, conserve and manage the forests within their customary boundary.

The law has special significance for Odisha where as much as 39.31%¹ of land area is classified as legally recorded forests. The state is home to as many as 64 Scheduled Tribes who constitute over 22.8% of its population. Both Scheduled Tribes (STs) and other traditional forest dwellers (OTFDs) in Odisha are critically dependent on forest lands for their livelihoods and survival.

As per the FRA Atlas of Odisha, it is estimated that there are around 32,562 potential FRA villages wherein Forest Rights (IFR, CR and CFR) can be recognized under Forest Rights Act (FRA). The estimated potential forest area over which forest rights can be recognized in Odisha is approx. 35,739 Sq Kms of which CFR rights can be recognized in 27,8183 Sq km and Individual Forest Rights in 79214 Sq Kms approximately.

Setting Up of FRA Cells (Dharti Aaba Units)

In Odisha, FRA Cells have been constituted at District and Tehsil level (30 District-level and 217 Tehsil-level Forest Right Cells constituted) and are operational. The cells are constituted on basis of the FRA potentiality at district and block/tehsil level as mapped in the FRA Atlas developed by SCSTRTI, ST & SC Development Department, Govt. of Odisha.

The cells are actively engaged in claim filling, facilitating joint verification, conducting SDLC / DLC meetings., title preparation etc.. It has been witnessed that post constitution of FRA cells, the rights recognition process has been expedited and streamlined.

But it is observed that there are a number of claims pending at SDLC level which needs to be addressed properly for early disposal. It is realized that since the FRA Cells in Odisha have no human resource deployed at SDLC level which is leading to delay in addressal of pending claims at SDLC level. Further, SDLC also needs to take pro-active steps for ensuring coverage of title holders under different schemes of government.

In order to address the issues of pending claims, ensure completion of digitization of FRA case records in a time bound manner, convergence of FRA title holders with different govt. programmes/schemes and to undertake comprehensive implementation of the FRA,

58 numbers of new FR Cells will be set be at Sub Division Level (@1 at each Sub Division across the State) under Dharti Aaba Janjatiya Gram Utkarsh Abhiyan (DA-JGUA), newly approved scheme of Ministry of Tribal Affairs, Govt. of India.

The FRA cells at Sub Division level will have a dedicated team and will work in close coordination with the FRA cell personnel already existing at district and tehsil level The FRA Cell or Dharti Aaba Units will be responsible for undertaking several activities proposed under DA-JGUA scheme and will also play a crucial role in coordinating convergence process and constitution of CFRMC and development of CFR Management Plans.

Functions of FRA Cells (Dharti Aaba Units)

I. Completing Process of recognition of rights

- Facilitating the process of claim generation (all IFR, CR & CFRR) at Gram Sabha level by assisting claimants and Gram Sabhas in obtaining necessary documents and evidence, including Gram Sabha resolutions, verification notices, and certificates.
- Facilitate in applying for community forest rights (CFRs) through the Forest Rights Committee.
- Establish coordination between Government Departments and Civil Societies for proper facilitation of the Forest Rights Act & Rules so that all the eligible STs & OTFDs can file their claims in proper Forms and those are placed before the Gram Sabha/FRCs for appropriate decision.
- Ensure availability of all case records (including rejected claims) with desired

documents at appropriate level.

- Help in Quick disposal of the pending claims under FRA with particular emphasis on the claims approved by the DLCs.
- Ensure that the reason of rejection of the claims made at the Gram Sabha and SDLC levels are communicated to the claimant, to enable the claimants to prefer petitions to the SDLC/DLC within the timeline stipulated in the rules.
- Distribution of FRA titles to the rightful claimants & ensure RoR corrections & its incorporation in the relevant Govt. records
- Promote public awareness regarding the implementation of the Forest Rights Act and its associated rules.
- Undertake and facilitate special capacity-building programs for the FRA and

provide a detailed report on these initiatives.

II. Digitization of Records

- Facilitate the process of completion of demarcation of the forest land vested with the claimants.
- Facilitate digitization of records of lands already vested
- Uploading of details of all the claimants in the dedicated portal

III. Preparation of plans for IFR and CFR beneficiaries

- Ensure that all the FRA title holders are covered under Govt. schemes all relevant schemes for individual benefits, such as those from the PM Kisan Scheme and DAJGUA including those related to land improvement, land productivity, basic amenities & other livelihood measures.
- Ensure that the claims for Community Rights (CR), Community Forest Resources Rights (CFR) are filed in the prescribed formats by the Gramsabha concerned as per its potential.
- Facilitate Constitution of the CFR Management Committee in accordance with the guidelines set by the Ministry of Tribal Affairs (MoTA).
- Coordinate with the Gram Sabha, CFR Management Committee, and technical

agencies for the preparation and execution of the CFR management plan.

IV. Conversion of Forest villages to revenue villages

- Ensure that the process of conversion of the forest, un-surveyed villages, habitation etc. into revenue villages is initiated & completed smoothly in a time bound manner by the Gram sabha concerned.

V. Convergence

- Collaborate with district administrations and the District Level Convergence Committee to facilitate access to benefits and enhance convergence.
- Address all matters related to the implementation of the FRA as directed by the State Tribal Welfare Department and the District Administration.

Location of the FR Cell:

The FR Cells or Dharti Aaba Units will be constituted at Sub Division level. The Cell will be constituted in each Sub Division Office and will be headed by the Sub Collector.

Composition of FRA Cells

Each FR Cell will be supported with 2 numbers of human resources as mentioned below:

- Coordinator – 1 No.
- MIS Assistant – 1 No.

Qualifications and Experience of personnel to be engaged in the FR Cell

Co-ordinator.

Education:

- Candidate should have completed graduation. Individuals with Master's degree will be preferred.

Work Experience:

- Minimum 2-3 years of experience in NGO / Social Sector projects.
- Candidates from the concerned district should be preferred for all the positions under the scheme.
- Experience of working with government projects will be an added advantage.
- Fair understanding of Central / State Govt Schemes & community mobilization skills
- Experience in delivery of training & capacity building programmes / initiatives.
- Experience of networking with Line Departments of Government.

Language and competency:

- Fluency in oral and written communication in English and Odia.

Computer Skills:

- Proficiency in computer skills like the use of MS Office and conversant with internet / emails.

Remuneration:

- Consolidated remuneration of Rs. 35,000 /- per month (inclusive of all taxes) subject to submission of signed absentee statement and performance report by the concerned Sub Collector/Nodal Officer by 5th of each succeeding month.

MIS Assistant**Education:**

- Candidate should have completed graduation and PGDCA course. Individuals with Master's degree will be preferred.

Work Experience:

- 02 years of experience in data entry and large-scale database management in any reputed govt. / private agency.
- Proficiency in the use of MS Office specifically MS Office, MS Excel and conversant with internet / use of online platforms is a mandatory requirement.

Language and competency:

- Fluency in oral and written communication in Odia and English is a mandatory requirement.

Remuneration:

- Consolidated remuneration of Rs.25,000 /- per month (inclusive of all taxes) subject to submission of signed absentee statement and performance report by the concerned Sub Collector/Nodal Officer by 5th of each succeeding month.

Nature of Engagement:

Mode of engagement will be completely contractual and on temporary basis. The contract agreement will be for a period of 1 year. The contract can be terminated by either of the party with one-month prior notice or remuneration in lieu.

The engagement of manpower through third party/service provider should strictly be done following the guidelines of Finance Department & GA & PG Department issued in this concern.

Selection Procedure:

All the hiring will be done through the third party/service provider at the district level. The selection of candidates should be done through open advertisement and walk in interview process. The interview panel constituted by each district may consist of the following members.

1. ADM (Revenue)
2. Sub Collector
3. PA, ITDA / DWO (Nodal Officer on FRA)

4. Representative of facilitating NGOs for the district/ Representative from State

District level Nodal Officer on FRA would process the file and obtain approval of the Collector in this regard. Concerned agency will share the resumes of interested candidates prior to the date of the interview which needs to be scrutinised by the scrutiny team. Preliminary scrutiny of documents for proof of age, requisite qualifications and work experience should be done by scrutiny team for accessing the eligibility criteria of the candidates for attending the walk-in interview.

The interview panel members will interview the candidates based on the subject matter knowledge, field experiences and any other relevant questionnaires. Proportionate division of marking should be given by each of the panel members for each of the candidate, which would be totaled as the marks obtained by that specific candidate. The final compiled tabulation sheet of all the candidates should be prepared and kept along with the documentation (Biodata, photocopies of the requisite documents) of all the candidates for future reference and approvals, along with signatures of all the panel members.

The list of selected candidates along with the Minutes of meeting should be communicated to the ST & SC Dev. Dept. for necessary information and a copy marked to the Service Provider / facilitating NGOs for the district for necessary action.

Infrastructure:

The FR cell shall be well equipped with a Desktop, Printer, internet facilities with sitting arrangement for the personnel engaged and Almirah for keeping village-wise records. For the newly constituted FR Cells at Sub Division level, fund for the above-mentioned purpose has been placed with the district level Nodal Officer on FRA.

Facilities / documents to be made available at the FR Cell level:

- Claim Forms
- Process Facilitation Notes
- Posters and Leaflets
- Digital copies of RoRs
- List & details of Government Programs and Schemes
- Templates of various Resolutions to be adopted by the Gram Sabha
- Copy of Act and Rules (English/ Odia version)
- Government Circulars and Orders
- Village wise case Records
- Resolution copies of Gram-sabhas, SDLC and DLC meeting
- Village wise list of FRC members and CFRMC members
- Voter lists of all the villages located within the Tahasil.
- Block level Potential Maps with list of Potential Villages
- Cadastral Maps of all potential villages with Khatiyans
- Forest Maps of RFs, PRFs etc along with Forest Block