

**GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

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From

Dr. C.S. Kumar, IAS
Principal Secretary to Government

To

Secretary, Board of Revenue
All RDCs
All Collectors

Sub: Guidelines for correction of RoR and maps for forest lands in Revenue villages for which forest rights have been granted under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Ref: This Department letter No. 43974 dated 29.10.2010

Madam/Sir,

In inviting a reference to the subject cited above, I am to say that the Scheduled Tribes and Other Traditional Forest Dwellers(Recognition of Forest Rights) Act, 2006 recognizes and vests forest rights including rights to hold and live in the forest land under individual or common occupation for habitation or self-cultivation for livelihood by (i) the forest dwelling scheduled Tribes as defined in section 2(c) and (ii) other traditional forest dwellers who have for at least three generations prior to 13th day of December, 2005 primarily resided in and who depend on the forest or forest land for bonafide livelihood needs as provided under section 2(o) of the Act. Such rights are heritable but not alienable or transferable.

2. In this connection, a guideline for correction of RoR and maps for forest lands in Revenue villages for which forest rights have been granted was issued vide this Department letter under reference. The said guideline was for recording of individual forest rights only and was silent on recording of community forest rights. It was instructed in the above guidelines to treat the process of recording the forest rights at par with the mutation process, which has created confusion in the field and Tahasildars are correcting the RoRs as is done in the mutation process i.e. by deducting/ deleting the area from the original Government plot and khata and recording the same in the name of



FRA holder in a separate khata. The procedure requires to be modified to the extent that the kisan and status of forest land continue to remain as such and the forest rights including rights to hold and live in the forest land under individual or common occupation for habitation or self-cultivation for bonafide livelihood is vested with the forest dwelling scheduled Tribes residing on such land as on 13th day of December, 2005 and other traditional forest dwellers who have resided on such land for at least three generations prior to 13th day of December, 2005.

3. At present, under e-governance initiatives taken by Revenue and DM Department, all mutation cases are processed in DLRMS software and all other revenue cases are processed under RCCMS software. Instructions have been issued by this Department to discontinue the hard copy maintenance of case records and RoRs. All RoRs will be updated in Bhulekh platform and village maps in Bhunaksa software. As it is required to correct the RoRs in Bhulekh database and maps in Bhunaksa software, it is imperative to modify the existing guidelines and issue fresh guidelines delineating the process and procedures in detail for recording and updating the FRA cases.

4. After careful consideration of the above, the Government, in supersession of the guidelines issued earlier vide the letter under reference, have been pleased to issue the following guidelines for correction of RoR and maps in Bhulekh database with correction of maps in Bhunaksa database for forest lands in Revenue villages for which forest rights have been granted:-

(i) Recording of individual forest rights

a) The Tahasildar, on receipt of copies of title of forest rights under individual tenure in Annexure-II issued under rule 8(h) of the ST& OTFD (RFR) Rules, 2007 and the sketch map of the said land from the District Level Committee in respect of revenue village, shall open the LRMS Portal through **lrmsodisha.nic.in- own motion-FRA-IFR** and enter relevant information and upload the documents like the title sanctioned on joint signature of Collector, DWO and DFO and the sketch map. He shall also enter caste and or community (Tribe) to which the claimant belongs.

b) Tahasildar will pass necessary orders for correction of the RoR of the village and map accordingly. While passing orders, Tahasildar should ensure that the land allotted for forest rights be recorded in a separate khata in favour of the FRA Holder.

Change in the original Government khata:

c) The land so recorded shall not be deducted from Government khata. If a full plot is given on FRA, it will be mentioned in the remarks column of the forest plot that "Forest rights over the plot has been declared in favour of _____ and new FRA khata No. _____ has been opened" which in Odia may be read as "ଏହି ପ୍ଲଟ ଉପରେ ଜଂଗଲ ଅଧିକାର _____ କୁ ପ୍ରଦାନ କରାଯାଇଛି ଏବଂ _____ ନମ୍ବର ଖାତା ଖୋଲା ଯାଇଛି".

New FRA khata so prepared shall not be assessed to rent and cess.

d) If forest rights are given over a part plot, a bata plot will be created and recorded in favour of the FR Holder in a new khata without changing the Kisam of land. The bata plot shall be numbered as a sub-plot of the original plot. For example, if the original forest kisam plot No is 2250 with area of Ac.100.00 and FRA is given for Ac.5.00 to one person and Ac.8.00 to another, then the Bata plot numbers will be 2250/1 for Ac.5.00 and 2250/2 for Ac.8.00.

e) After creation of the bata plots, the area of the original plot will be accordingly reduced. For example, after creation of 1st bata plot in respect of the above example, the area in respect of plot No.2250 will be Ac.95.00. However, the bata plot so created will be recorded in the Government khata and in the remarks column of the bata plot No., it will be mentioned that "Forest rights over the plot has been declared in favour of _____ and new FRA khata No _____ has been opened" which in Odia may be read as "ଏହି ପ୍ଲଟ ଉପରେ ଜଂଗଲ ଅଧିକାର _____ କୁ ପ୍ରଦାନ କରାଯାଇଛି ଏବଂ _____ ନମ୍ବର ଖାତା ଖୋଲା ଯାଇଛି". Thus, the bata plots 2250/1 and 2250/2 will appear in the Government khata as well, so that the total area of the forest land remains unchanged.

Creation of new Khata:

f) New khata shall be prepared for such land covered under forest right after the existing Government khatas of the village and allotted new numbers following the last serial of Government khata. Suppose in a village, there are 100 private holdings numbering up to 100 and Government khatas from 101 to 105. Then the new khata number in respect of FRA will be 106 & 107 respectively.

g) The forest rights will be recorded jointly in the name of both the spouses in case of married person and in the name of single head in case a household is headed by a single person.

h) The status column (ସ୍ତମ୍ଭ) of the RoR in respect of such forest land under individual tenure shall record the status as "Forest rights recognized under the ST&OTFD (RFR) Act, 2006", which in Odia may be read as "ଅନୁସୂଚିତ ଜନଜାତି ଏବଂ ଅନ୍ୟାନ୍ୟ ପାରମ୍ପରିକ ବନବାସୀଙ୍କର (ଜଂଗଲ ଅଧିକାର ସ୍ୱୀକୃତି) ଆଇନ, ୨୦୦୬ ମୁତାବକ ଦିଆଯାଇଥିବା ଅଧିକାର".

For this, a drop down option is given in the software.

i) Kisam of land will remain unchanged as forest. Even if the land is being used as homestead or agriculture by the forest right holder, the kisam will not be recorded as Gharabari or housesite. However, in the remarks column, it may be mentioned that "This land is being used as Gharabari/ self- cultivation purpose", which may be read in Odia as "ଏହି ଜମି ଘରବାରି କିମ୍ବା ଚାଷ ଜମି ଭାବରେ ବ୍ୟବହୃତ ହେଉଛି". For recording of this, a drop down option is given in the software.

j) Correction of hard copies of khatians available in the Tahasil Office shall be done accordingly and Khatian of the R.I. Office shall be done on receipt of the intimation slip and sketch map.

Demarcation and correction of map:

k) Correction of map will be done in Bhunaksha software immediately as is done in mutation cases.

l) A free copy of the RoR so prepared and the sketch map shall be provided to the FR holder and a copy be sent to the RI of concerned Revenue Circle with intimation slip. A certified copy may be provided to the concerned Gram Sabha.

m) The concerned R.I. shall demarcate the land as per the sketch map to the FR holder within 15 days of receipt of the sketch map. During demarcation, the Revenue Inspector will try to record the coordinates of the boundaries of the demarcated plot. The concerned R.I shall intimate back to the Tahasildar about demarcation and the coordinates, if available.

(ii) Recording of Community Forest Rights:

a) On receipt of the copies of the title of community forest rights in Annexure-III issued under rule 8(h) of the ST& OTFD (RFR) Rules, 2007 and the sketch map of the said land from the District Level Committee in respect of the revenue village, the Tahasildar shall open the LRMS Portal through **lrmsodisha.nic.in)- own motion-FRA- CFR** and enter relevant information and upload the documents like the title sanctioned on joint signature of Collector, DWO and DFO and the sketch map.

Change in the original Government khata:

b) Tahasildar shall pass necessary orders for recording the community forest rights and for correction of the RoR of the village and map accordingly. The land so recorded shall not be deducted from Government khata. If a full plot is given on CFR, it shall be mentioned in the remarks column of the forest plot that "Community forest rights over the plot has been declared in favour of _____ community", which may read in Odia as "ଏହି ଜମି ଉପରେ ଗୋଷ୍ଠୀଗତ ନିଗଳ ଅଧିକାର _____ ଜଙ୍ଗଲ ବାସିନ୍ଦା ଗୋଷ୍ଠୀକୁ ପ୍ରଦାନ କରାଯାଇଛି".

c) If community forest rights are given over a part plot, a bata plot will be created and recorded in the same Government khata without changing the Kisam of land. The bata plot shall be numbered as a sub-plot of the original plot. For example, if the original forest kisam plot No is 2250 with area of Ac.100.00 and IFR is given for Ac.5.00 to one person and Ac.8.00 to another,