

FORM-II
(FOR PROJECTS OTHER THAN LINEAR PROJECTS)
GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT COLLECTOR
DARJEELING

No.....179/c

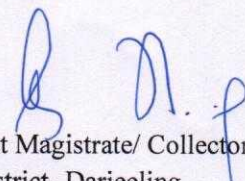
Dated: 30/09/2021

TO WHOWSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No.11- 9/98-FC (pt.) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non-forest purposes, it is certified that **0.0288** Hectare of forest land proposed to be diverted in favour of the **Darjeeling Municipality** for **construction of water reservoir under AMRUT water supply project** in **Darjeeling** district falls within jurisdiction of **Darjeeling-Pulbazar village(s)/Tehsil**.

It is further certified that:

- (a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire **0.0288** Hectares (Area of each for Zoo 1 and Zoo 2 is 0.0144 Hectares) of forest area proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub-Division Level Committee(s) and the District Level Committee are enclosed in **Para no.14.**
- (b) The proposal for such diversion (with full details of the project and its implications, in vernacular/ local language) have been placed before each concerned Gram Sabha of forest-dwellers, who eligible under the FRA;
- (c) Each of the Gram Sabha(s) concerned has certified that all formalities/processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and details of proposed diversion. A copy of certificate issued by the gram sabha (**since the area of the both the sites falls under the Municipality it has no gram sabha**).
- (d) The discussion and decisions on such proposals had taken place only when there was a quorum of minimum 50% of the members of Gram Sabha present;
- (e) The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Gram Sabhas have given their consent to it;
- (f) The rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable have been specifically safe guarded as per section 3 (1) (e) of the FRA.


District Magistrate/ Collector
District- Darjeeling

Gorkhaland Territorial Administration
Office of the District Welfare Officer
Backward Classes Welfare, Darjeeling

Memo.no. 431 (20)/BCW/GTA/Di.
XII/1/ST/Forest/06

Date : 10 - 08 - 2021

To,


1. The District Land and Land Reforms Officer, Darjeeling.
2. The Divisional Forest Officer, Darjeeling Forest Division, Darjeeling.
3. The Divisional Forest Officer, Wild Life-I Division, Darjeeling.
4. The Divisional Forest Officer, Kurseong Forest Division, Darjeeling.
5. The Divisional Forest Officer, Darjeeling (T) & S.F. Division, G.T.A., Darjeeling.
6. Smt. D.L. Phinjo, WBCS (Exe.), Executive Director, GTA, Darjeeling.
7. Sri Sonam Bhutia, WBCS (Exe.), Executive Director, GTA, Darjeeling.
8. Sri. Arijit Mitra, WBCS (Exe.), Officer-on-Special Duty, GTA, Darjeeling.
9. The Sub-Divisional Officer, Darjeeling(S).
10. The Sub-Divisional Officer, Kurseong.
11. The Sub-Divisional Officer, Mirik.
12. The Deputy Magistrate & Deputy Collector, Officer- in- charge, forest Rights Act, 2006, Darjeeling.
13. The Sub-Divisional Land & Land Reforms Officer, Darjeeling.
14. The Sub-Divisional Land & Land Reforms Officer, Kurseong.
15. The Sub-Divisional Land & Land Reforms Officer, Mirik.
16. The Block Development Officer, Darjeeling-Pulbazar Dev. Block, Bijanbari, Darjeeling.
17. The Block Development Officer, Jorebunglow-Sukhiapokhari Dev. Block, Sukhiapokhari, Darjeeling.
18. The Block Development Officer, Rangli-Rangliot Dev. Block, Takdah, Darjeeling.
19. The Block Development Officer, Kurseong Dev. Block, Kurseong, Darjeeling.
20. The Block Development Officer, Mirik Dev. Block, Mirik, Darjeeling.

Sub: Supply of Minutes of D.L.C. Meeting on Forest Rights Act, 2006 held on 30-07-2021.

Sir / Madam,

Please find herewith Minutes of District **Level Committee Meeting on Forest Rights Act, 2006 held on 30-07-2021** at Conference Hall, Office of the District Magistrate, Darjeeling, in separate sheet for favour of your kind information and taking necessary action.

Yours faithfully,


District Welfare Officer,
Backward Classes Welfare,
✓ G.T.A., Darjeeling.

Enclo: As stated.

Memo.no. /BCW/GTA/Di.
XII/1/ST/Forest/06

Date : - - 2021.

Copy forwarded for information to:-

- 1) The District Magistrate & Chairman, Forest Rights Act, 2006, Darjeeling.

District Welfare Officer,
Backward Classes Welfare,
✓ G.T.A., Darjeeling.

Resolution of the meeting of District Level Committee, Darjeeling under Forest Rights Act, 2006 held on 30-07-2021 at Conference Hall, Office of the District Magistrate, Darjeeling.

Officers Present: -

Sl. no.	Name	Department	Signature
1	Shri Poonambalam, IAS	The District Magistrate & Chairman, D.L.C. under FRA, 2006.	Sd/-
2	Sri Pankaj Suryawanshi, IFS	Divisional Forest Officer, Darjeeling.	Sd/-
3	Dr. Harikrishnan P. J., IFS	Divisional Forest Officer, Kurseong.	Sd/-
4	Shri Samden Dukpa, WBCS (Exe.)	Executive Director-cum-D.W.O., B.C.W., Darjeeling.	Sd/-
5	Smt. D.L. Phinjo, WBCS (Exe.)	Executive Director, Darjeeling G.T.A.	Sd/-
6	Shri Sonam Bhutia, WBCS (Exe.)	Executive Director, Darjeeling G.T.A.	Sd/-
7	Shri Arijit Mitra, WBCS (Exe.)	Executive Director, Darjeeling G.T.A.	Sd/-
8	Shri Dulen Roy, WBCS (Exe.)	S.D.O., Darjeeling Sadar.	Sd/-
9	Shri Ezaz Ahamed, IAS	S.D.O., Kurseong.	Sd/-
10	Shri Sudipta Debnath, WBCS (Exe.)	S.D.O., Mirik.	Sd/-
11	Smt. T.C. Dukpa	Deputy Magistrate & Deputy Collector, Darjeeling.	Sd/-
12	Smt. Tina Dukpa	SDL & LRO, Darjeeling.	Sd/-
13	Shri D. Ghatak	SDL & LRO, Kurseong.	Sd/-
14	Smt. D. Yankey	SDL & LRO, Mirik.	Sd/-
16	Shri Sanjay Ghising	B.D.O, Darjeeling –Pulbazar.	Sd/-
17	Shri Samirul Islam	B.D.O, Jorebunglow-Sukhiapokhari.	Sd/-
18	Shri Biplab Kumar Roy	B.D.O, Mirik.	Sd/-
20	Shri Dipen Tamang, WBFS	ADFO, Kurseong Forest Division.	Sd/-
21	Shri Lachuman Rai, R.O.	Rep. Of DFO Territorial Division, GTA.	Sd/-
22	Ms. Sujata Yonzon	Inspector, BCW, Kurseong.	Sd/-
23	Shri Rupen Portel	DA & DLC FRC, Darjeeling Sadar.	Sd/-

The District Magistrate & Chairman DLC, FRA, Darjeeling welcomed all the Members present in the meeting with an introduction with all Officers and started discussion on implementation of Forest Rights Act, 2006.

- The District Magistrate informed that the progress of issuance of titles under FRA has been very slow as compared to other Districts of West Bengal and also stated that FRA meeting could not be convened in regular interval due to WBLA Election and ongoing Covid 19 Pandemic.
- The Hon'ble Supreme Court of India has directed that all ST and OTFD claims should be disposed off and settled.
- The District Welfare Officer, B.C.W and Member Secretary, DLC, Darjeeling submitted the status report on implementation of Forest Rights Act, 2006 in Darjeeling GTA Area. He said that out of the 1223 ST Claims that was passed by DLC, 1075 Forest Titles has been distributed (i.e. Darjeeling Pulbazar - 197, Jorebunglow- Sukhiapokhari - 290, Rangli- Rangliot - 195, Kurseong - 326 and Mirik - 67) and out of 189 OTFD Claims passed in DLC, 144 OTFD Forest titles of Kurseong Sub-Division has been distributed and 43 OTFD Claims have been sent for re-verification to SDLC, Kurseong.
- He also stated that 65 ST Forest Titles (i.e. Eklay Ghar, Sukhiapokhari -25, Jholy, Kurseong-18, Sukna, Kurseong-07 and Khaireni, Kurseong- 15) duly signed by the DWO and ADM (LR) are still lying pending at DFO, Wildlife, Darjeeling for signature since 13.10.2020. The District magistrate suggested to complete all 65 cases within 15 (fifteen) days.
- The DWO stated that the Claims already passed by DLC and duly prepared titles placed for signature of DFO are again held up for re-verification.

- The Sub-Divisional Level Committees under Forest Rights Act 2006 placed 129 ST claims at the District Level committee for approval.
- The Block- wise details of the claims as:

Block	ST claims	OTFD Claims	Community Claims
Darjeeling- Pulbazar	19	0	0
Jorebunglow- Sukhiapokhari	41	0	0
Rangli- Rangliot	03(re-verification)	0	0
Kurseong	63	0	0
Mirik	03	0	0
Total	129	0	0

- Out of the above 129 ST Cases, 63 ST Claims of Bamanpokhri, Kurseong was placed. ADFO, Kurseong Forest Division informed the house that 49 ST claims of Bamanpokhri has already been cleared by DFO and the rest 14 cases of Kurseong together with 19 cases of Darjeeling Pulbazar, 3 (re-verification) cases of Rangli-Rangliot, 41 cases of Jorebunglow – Sukhiapokhari and 3 cases of Mirik was resolved to be sent to DFOs by the concerned SDO for re-examination and approval.
- SDLC has a pivotal role for implementation of Forest Right Act, 2006 and it was decided that all Cases should be scrutinised, verified and sent to the concerned DFO for clearance of the cases before placing the cases in SDLC. After recommendation of SDLC, it should be sent to DLC.
- It is resolved that all ST pending cases lying at Blocks and S.D.O. Level should be completed within next 15 (fifteen) days by forming a Field Enquiry Team comprising the representatives of Forest, Land Department, BDO Officials and Gram Panchayat Officials.
- It is also resolved to form an Enquiry Committee at the sub Divisional level comprising of DM&DC, Additional Divisional Forest Officer, One Revenue Officer and One Extension Officer of Block to ascertain the permanent residential proof of ST claimants prior to 2005 through field enquiry.
- Since most of the OTFD Claimants could not produce residential proof of settlement in the village since 1930, the District Magistrate requested the DFOs to form a uniform procedure after consulting with the Higher Authority of the Forest Department regarding settlement of OTFD claims in order to clear pending cases. The District Magistrate again requested the Forest Department to supply the Old Forest Documents and Records, such as F.D Holding no. or any other records relating to settlement of Forest Dwellers in the Village prior to 1930.
- As regard to issuance of NOC for diversion of Forest Land for installation of Reliance Jio 4G Tower at Kurseong, the file has been received from the DM/DC, Darjeeling. On scrutiny of the file it is transpired that the file is incomplete in nature and which will be returned back to DM/DC, Darjeeling for the want of following documents, such as, i) the duly filled up online Form- A by the User Agency for seeking prior approval for diversion of Forest Land for non- forest purpose for the facilities managed by the Government under sub-section (2) of Section 3 of the Scheduled Tribes and Other Traditional Dwellers (Recognition of Forest Rights) Act, 2006.ii) a copy of records of the meeting of SDLC, iii) the Sketch Map of proposed Area duly prepared and signed by Competent Authorities i.e. Forest Department, Land & Land Reform Department and Representative of FRC along with demarcation of the Land with its boundaries, iv) Land to be diverted in whose favour and v) purpose of the Diversion of Land.
- The proposal of Darjeeling Municipality for construction of Water reservoir under AMRUT Water Supply Project at i) Senchel area measuring 0.1075 Ha, ii) Zoo-1 area measuring 0.0144 Ha and iii) Zoo-2 areas measuring 0.0144 ha respectively was placed before the DLC. The Committee discussed the matter and recommended the proposal.
- The DFO, Kurseong has no objection regarding diversion of Forest Land measuring 1.70 Acre or 0.6880 Ha for BOP Bagkhore, ^{8th} Bn. SSB khaprial. The proposal was passed in the house. "No Objection Certificates" in Form II (Non-Linear Project) will be issued.
- As there was no other points of discussion the meeting end up with vote of thanks by the Chair.


 District Magistrate,
 &
 Chairman,
 District Level Committee
 Under FRA, 2006.