Will justice be given to the Reangs of Shikaribari, Tripura?

Asian Indigenous & Tribal Peoples Network
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Photo: Reangs of Shikaribari

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The Reangs of Tripura are officially classified as "Particularly Vulnerable Tribal Group" by the Government of India because of their "declining or stagnant population, low level of literacy, pre-agricultural level of technology and economic backwardness"[1]. The Reangs are traditional forest dwellers and majority of their habitation remain afforested. The Forest Department officials often play havoc on their lives. Yet, none dared to challenge the Forest Department or bring them to justice.

This report chronicles possibly the most successful struggle by any tribal group in Tripura against the nefarious designs of the Forest Department officials who have been so insubordinate that the National Human Rights Commission in its order on 4 May 2012 had to recommend appropriate actions against insubordination. Since then the NHRC and the Revenue Courts have further been held contemptuously by the same Forest Department officials.

It all started with 37 Reang families of Shikaribari Mouja under Ambassa Sub-Division of Dhalai district being selected for a rubber plantation scheme of the Tripura Government for their economic development during 2008-2009. In order to plant rubber saplings, the Reang beneficiaries submitted applications for Tree Registration Certificates to the Divisional Forest Officer (DFO), Ambassa Range under Dhalai district. The Forest Department officials of Ambassa with the connivance of the Principal Chief Conservator of Forests (PCCF) and Additional PCCF in order to extort money launched unprecedented 'atrocity' as defined under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) of 1989 on the Reangs.

The DFO, Ambassa forwarded the applications of the Reangs for the Tree Registration Certificates to the Sub-Divisional Magistrate (SDM), Ambassa on 23 October 2008 seeking confirmation of status of the lands prior to the registration of the trees. However, even before receiving reply from the SDM, Ambassa, then DFO of Ambassa, Mr C. L. Das filed a complaint on 12 November 2008 before the Revenue Court of the District Collector and Magistrate of Dhalai district stating that the lands allotted to the Reangs were 'reserved forests' and allotment was given by the Tripura Government without the approval from the Forest Department. This is despite the fact that the Forest Department itself had given due approval for allotting the lands to the Reang tribal families. In his reply, the SDM, Ambassa vide letter dated 4 February 2009 intimated to the DFO, Ambassa that the status of land prior to allotment was *khas* land.[2]

The Reangs alleged that Mr C. L. Das demanded bribes from the beneficiaries. As they could not pay the bribes, he filed a case before the Revenue Court of District Collector and Magistrate, Dhalai without waiting for the report of the SDM, Ambassa.[3] Mr Das filed the case pursuant to the direction of the Principal Chief Conservator of Forest (PCCF) and Additional PCCF.

It is however pertinent to mention that prior to the selection of the 37 Reang tribals for the rubber plantation, tree extraction permissions were allowed by the Forest Department from the same plot of lands under Shikaribari Mouja. On 8 August 2008, Mr Sushil Debbarma, then DFO, Ambassa allowed tree extraction permit to one Baikyamani Reang, one of the 44 allottees.[4] Further, while the case was still pending with the Revenue Court of the District Collector and Magistrate of Dhalai district, Mr C. L. Das also declared the allotted lands of the Reang tribals at Shikaribari Mouja as "non-forest lands" on 7 July 2009 after the Reang

1. SCHEME OF DEVELOPMENT OF PRIMITIVE TRIBAL GROUPS (PTGs), F.No.22040/58/2007-NGO, Government of India, Ministry of Tribal Affair http://tribal.gov.in/writereaddata/mainlinkfile/File1082.pdf
2. Judgment dated 7 June 2011 of the Revenue Court of the District Magistrate and Collector, Dhalai District, Tripura
3. Memorandum dated 27 March 2012 submitted by the Reang tribals of Shikaribari Mouja to the Investigation Team of the National Human Rights Commission
4. Permission for tree extraction in favour of Baikyamani Reang by Sushil Debbarma, Divisional Forest officer, Ambassa Forest Division (No.F.32 (1)-1/JT/AD-2008/19457-62 dated 8.8.2008)

families allegedly agreed to pay bribes. Pursuant to this, Mr Das instructed the Sub-Divisional Magistrate, Ambassa and the Forest Department officials to conduct joint verification of the land and trees to allow extraction of trees. Accordingly, Mrs. Rakhi Biswas, SDM of Ambassa in a letter dated 28 July 2009 directed the Reang tribals to pay demarcation fees of Rs. 1,19,000/-. The Reang families deposited the fees after selling domestic livestock such as pigs, hens, goats etc. After deposition of the fees, the lands of 29 Reang families were jointly verified by the officials of the Forest and Revenue departments during 2010-11. Both Mr R P Thangwan, then Principal Chief Conservator of Forests (PCCF) and Mr Balbir Singh, then Additional PCCF who had directed the DFO to file the case in the first place did not raise any objection as they were also promised of their shares of the bribe.[5] However, as the Reangs refused to sell their trees to the contractors chosen by the Forest Department officials, the case pending before the Revenue Court was revived through a corrigendum filed on 29 August 2011 and the case No. 122/REV/2011 was registered.[6]

The Reangs continued to file various appeals to the Tripura Government and the Government of India while AITPN provided legal and technical advice including filing of a complaint against the concerned forest department officials under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for 'instituting false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Tribe". In the meantime, all the funds i.e. Rs. 17,31,500/- sanctioned for the 37 Reang families for rubber plantation were siphoned off by the officials as per inquiry conducted by the SDM, Ambassa.

On 7 June 2011, the Revenue Court of District Magistrate and Collector, Dhalai district dismissed the case (No. 122/REV/2011) filed by the Forest Department and confirmed that the lands allotted to the Reang tribals was "non forest land".

Information obtained under the Right to Information Act, 2005 show that the Law Secretary to the Government of Tripura, the Chief Secretary of Tripura, the Minister of Forest and Environment, the Revenue Minister and the Chief Minister advised not to file the appeal before the Court of Revenue Commissioner against the order of the Revenue Court of District Magistrate and Collector, Dhalai dated 7 June 2011. However, on 6 July 2011, the Forest Department officials i.e. PCCF, Additional PCCF and the DFO, Ambassa defying the highest authorities of the State Government of Tripura filed an appeal before the Court of the Revenue Secretary, Revenue Department, Government of Tripura.

In the meantime, Mr Thaithak Reang, leader of the Reang beneficiary families and a beneficiary himself, filed an RTI application with the Forest Department on 24 April 2011 seeking information, including copies of the Annual Confidential Reports of Dr. R L Srivastava, PCCF, Mr Balbir Singh, Additional PCCF and Mr C L Das. These officials were suspected to have been involved in alleged cases of corruption and departmental inquiries too were conducted but managed by these officials. As the Public Information Officer and the First Appellate Authority of the Forest Department, Government of Tripura refused to disclose the information and an appeal was filed before the Tripura Information Commission.

While the case was pending before the Tripura Information Commission, in the late evening of on 10 December 2011, Mr Thaithak Reang was approached by unidentified persons wearing masks at his house and threatened with dire consequences for seeking information against forest officials namely Mr C. L. Das, Mr R. L. Srivastava and Mr R. P. Thangwan. The unidentified persons also told Mr Thaithak Reang that Mr Sanjit Debbarma who has been assisting him would also not be spared. The same was brought to the attention of the Tripura Information Commission (TIC) through a written complaint on 17 December 2011.

The Tripura Information Commission fixed the date for hearing of the appeal on 3 February 2012. On 29 January 2012, Mr Sanjit Debbarma visited Shikaribari village to meet Mr Thaithak Reang to discuss the

5. Memorandum dated 27 March 2012 submitted by the Reang tribals of Shikaribari Mouja to the Investigation Team of the National Human Rights Commission
6. *Ibid*

appeal fixed for hearing before the TIC on 3 February 2012. While returning in a motorcycle at about 6.40 pm on the same day, Mr Sanjit Debbarma was hit by a canter vehicle near a market stall adjacent to Eco-Park under Manu Forest Division in Dhalai. Mr Debbarma sustained injuries including in the head after he fell down from the motorcycle. He was rushed by two unidentified tribals to Manu Hospital in an unconscious state. Mr Debbarma was discharged from the hospital on 30 January 2012 and filed a police complaint on 1 February 2012.

The Asian Indigenous and Tribal Peoples Network (AITPN) sought opinion of its project partner, Asian Centre for Human Rights which thereafter filed a complaint (Case No.8/23/5/2012) with the National Human Rights Commission (NHRC) on 9 February 2012. The NHRC sent its investigation team and based on the fact finding report, the NHRC in its proceeding on 4th May 2012, specially directed the State Government of Tripura to "*(i) ensure that the investigation into the attacks on Mr Sanjit Debbarma is immediately taken over by the CBCID, (ii) withdraw the vexatious appeal against the decision of the District Revenue Court, (iii) take appropriate disciplinary action against the Forest Officials who have so clearly been insubordinate, and (iii) recover the money that was misappropriated and also initiate criminal proceedings against the officials responsible".*

The Forest Department officials refused to withdraw the vexatious suit as directed by the NHRC on 4th May 2012. Nonetheless, the Court of Secretary, Revenue Department, Govt of Tripura in its judgment on 11 May 2012 further dismissed the appeal of the Forest Department with the direction for compliance of its order. Instead of complying with the orders of the NHRC for withdrawal of the case from the Court of Revenue Commissioner, on 5 June 2012, the PCCF once again initiated the process to seek permission to "g*o for appeal in the appropriate Govt (of Tripura) if approved*". This was rejected by the Law Secretary on 9 July 2012 and the Advocate General on 5 August 2012.

After failing to get permission to file an appeal before the High Court, in a letter dated 22 September 2012, Mr R K Das, the Additional Secretary to the Government of Tripura, Forest Department informed the DFO, Dhalai district informed that *"the Government in the Forest Department examined the aforesaid order in consultation with the Law Department and it has been opined by the Law Department that there has been no cogent reasons for the Appellant/Petitioner (DFO, Ambassa) to contest the aforesaid order dated 11/05/2012 through Writ Petition."*

This case is not about rubber plantation or extraction of the trees to facilitate the plantation of the rubber saplings by 37 Reang beneficiaries but about the land rights of over 313 families living in Shikaribari Mouja. The judgement of the Court of the Revenue Secretary and the refusal of the highest authorities of the Government of Tripura to continue the atrocity on the Reangs will also ensure that all those who have been allotted *khas* lands under similar circumstances are protected.

The struggle has not been without a price. It is not only the attack on Mr Sanjit Debbarma who has been assisting the Reangs but 13 members of the beneficiaries and their families died during this period because of the inability to access treatment as the Forest Department of Tripura denied the rights over their land and resources.

The pertinent question remains whether the Forest Department officials who have been so insubordinate will be taken to task and appropriate actions will be taken against those who had siphoned off the funds meant for the Reangs. The NHRC in its latest proceedings stated, "*In its proceedings of the 20th July, 2012, the Commission had asked the Government of Tripura to respond on the points made therein by the 7th September, 2012. However, no reply has been received. If the Commission does not receive a thorough and substantive response on all points by the 9th November, 2012, it will be constrained to invoke its powers under section 13 of the Protection of Human Rights Act, 1993, and to issue a coercive process*".

Paritosh Chakma
Director

2. The Reang tribals of Shikaribari

The Reangs are one of the 21 Scheduled Tribes (STs) of Tripura. They are the second largest tribal group in the State with a total population of 1,65,103 persons as per 2001 Census.[7] They predominantly reside at Ambassa Salema (Eastern part), Manu, Chamanu and Dumburnagar Block of Dhalai district; Teliamura and Tulashikhar Block of West district; Amarpur, Matabari (Eastern part), Bagafa and Rajnagar (a small part) Blocks of South district; and Panisagar (partly) Block of North Tripura district.[8]

The Reangs are very poor and their level of literacy is extremely low. Due to their poor economic conditions, the Reangs are classified as "Primitive Tribal Group" (now Particularly Vulnerable Tribal Group) by the Government of India. The Government of India has undertaken many special economic packages for their development.

The Reang tribals are forest dwellers and most of their habitations are in the forest areas. Like any other tribals, the Reangs are dependent on *jhum* cultivation (slash and burn agriculture) for livelihood.

i. Shikaribari village

Shikaribari village falls under Ambassa Sub-Division of the Dhalai district and is home to the tribals including the Reangs since time immemorial. The State Government of Tripura notified Shikaribari as a revenue village after 1976. The village falls under the Tripura Tribal Areas Autonomous District Council (TTAADC).

According to the 2001 Census, the total population of the village was 1717 persons comprising 313 households. About 99.1 per cent of the populations are Scheduled Tribes (STs). Majority of the populations are Reangs.

ii. Declaration of Shikaribari as non-forest area

In 1962, the Shikaribari area comprising land measuring 851.02 acres (533.38 acres from Sabeg Dag No. 701 and 317.64 acres from Sabeg Dag No. 608) was recorded as "Proposed Reserve Forest" during the first survey.[9] Thereafter, the Forest Department issued the final notification on 21 May 1976 and declared "Chandraipara Reserve Forest" under section 20 of the Indian Forest Act, 1927 comprising an area of 100.44 sq. km situated within Kamalpur and Kailashahar Sub-Divisions. As per the said final Notification, the Shikaribari Mouja comprising areas of 302.61 acres from Cadastral Survey (C.S.) Plot No. 701(Part) and 224.39 acres from C.S. Plot No. 608 (Part) in place of 533.38 acres and 317.64 acres respectively were left out of the "Proposed Reserve Forest".[10] The areas notified as reserve forest was recorded in Forest Khatian while the remaining areas (i.e. of Shikaribari Mouja) as government *khas* land in pursuance to Memorandum dated 18 October 1984 issued by the Director Land Records and Settlement, Tripura.[11]

Land allotment to Reang families of Shikaribari

After the land in Shikaribari Mouja was converted into "*khas* land" the State Government of Tripura started giving land allotment to the tribal families including the Reangs for their socio-economic development under the "Jhumia Settlement Project" and to wean them away for *jhum* cultivation.

7. Economic Review of Tripura 2008-2009, Directorate of Economics & Statistics Planning (Statistics) Department, Govt. of Tripura, available at: http://destripura.nic.in/review20078.pdf
8. Achievement of Tribal Rehabilitation in Plantation and Primitive Tribal Group Programme, Govt. of Tripura, available at: http://tripura.nic.in/trppgp/Tribal.pdf
9. Memorandum dated 27.3.2012 of 53 Reang tribals submitted to the visiting Investigation Team of NHRC to Tripura
10. Judgment dated 11.5.2012 of the Court of Secretary, Revenue Department, Tripura in the Revision Case No. 10/2011, U/S of the TLR & LR Act, 1960 filed by DFO, Ambassa, Forest Department, Tripura
11. Ibid

From 1978 to 1999, the State Government gave land allotment to 44 Reang tribal families of Shikaribari under the Tripura Land Revenue and Land Reforms Act, 1960.[12]

Out of the 44 allotments, two allotments were made in 1978 and the rest were made between 1992 and 1999. Allotments made in favour of 42 families between 1992 and 1999 were made from the Hal Dag Nos. 321, 322, 327/406, 333, 339, 356, 362 and 377 of the finally published record of rights after revision in 1984. While the two allotments made in favour of two families in 1978 were made from the erstwhile CS Plot No. 701 recorded in the Khatian of the Forest Department. The field verification report of the Senior Surveyor of Working Plan Division confirmed that all the 44 allotments including the two allotments made in 1978 were not situated within the limits of the Chandraipara Reserve Forest (RF) which was notified by the government on 21 May 1976. The status of all the 44 allotments was recorded as *khas* land prior to allotment in the finally published revision survey, record of rights (RoRs) published in 1984 after carving out from the erstwhile Forest-Khatians as shown in the table below:[13]

Sl No.	Sabek Dag No. as per 1st Settlement	Area of the Sabek plot	Hal Dag No. in the revision survey RoR recorded as Khas land	Area of Khas land (in acres)	Area notified as RF (in acres)	Area recorded as RF (in acres) in the revision survey
1	701	533.38	362	6.64	302.61	296.28 (under Dag No. 342)
			364	5.88		
			347	0.42		
			350	0.43		
			356	20.58		
			353	0.30		
			354	4.05		
			333	3.37		
			334	6.86		
			339	6.60		
			367	1.68		
			317	0.12		
			369	0.36		
			370	2.85		
			375	0.72		
			377	91.81		
	Total	533.38		152.67	302.61	296.28
2	608	317.96	319	0.20	224.39	219.29 (under Dag No.330)
			320	1.73		
			321	77.30		
			322	2.58		
			327/406	1.36		
	Total	317.96		83.17	224.39	219.29
3	605	0.24			0.33	Nil

12. Enquiry report of P. Bhattacharya, Conservator of Forests, Northern Circle, Kumarghat, Tripura (pertaining to the allegations made by Shri Thaithak Reang) submitted to the Principal Chief Conservator of Forests, Tripura vide letter No.F.1-40/CFNC/Timber/AMB/For-09/1163 dated 4.9.2009
13. Enquiry report of P. Bhattacharya, Conservator of Forests, Northern Circle, Kumarghat, Tripura (pertaining to the allegations made by Shri Thaithak Reang) submitted to the Principal Chief Conservator of Forests, Tripura vide letter No.F.1-40/CFNC/Timber/AMB/For-09/1163 dated 4.9.2009

3. Specific programme for welfare of the tribals through rubber plantation

The Government of India and State Government of Tripura undertook a "primitive group programme" to uplift the socio-economic conditions of the Reang tribals. The project has been implemented by the Forest Department since 1983-84. Among others, the objectives of the primitive group programme includes "economic rehabilitations of Primitive Tribal Group families residing in forest areas; weaning away from the destructive and uneconomic practice of shifting cultivation; stopping deforestation and its consequential hazards due to jhum cultivation; scientific utilization of barren land by raising economically important crops; to provide moderate housing assistance; to build up infrastructure facilities; generating employment in backward areas; minimizing the economic gaps and disparities between primitive tribes and other; and extending social benefits like education, water supply health care and sanitation".[14]

For better Co-ordination and implementation of the programme, a separate "Directorate of Tribal Rehabilitation in Plantation and Primitive Group Programme" was set up in 1985-1986. The Directorate is presently known as "the Tribal Welfare (TRP & PTG)."[15]

From 2008-2009, the TW (TRP & PTG) Department initiated Rubber Plantation, Housing, Health Care etc among the Scheduled Tribes including the Reangs for their socio-economic development.[16] During 2008-2009, 37 Reang families from Shikaribari Mouja were selected for rubber plantation scheme and Rs. 17,31,500/- was sanctioned for them.[17] Further, another 16 Reang families from Shikaribari were selected for rubber plantation for the year 2011-2012 and an amount of Rs. 6,50,000 was sanctioned on 12 August 2011.[18]

14. Achievement of Tribal Rehabilitation in Plantation and Primitive Tribal Group Programme, Govt. of Tripura,, available at: http://tripura.nic.in/trppgp/Tribal.pdf
15. Performance Report 1983-84 to 2009-10, TW (TRP & PTG) Department, Govt. of Tripura, available at: http://tripura.nic.in/trppgp/Booklet_of_Achievement_of_TW_TRP&PTG_%20Deptt.pdf
16. Performance Report 1983-84 to 2009-10, TW (TRP & PTG) Department, Govt. of Tripura, available at: http://tripura.nic.in/trppgp/Booklet_of_Achievement_of_TW_TRP&PTG_%20Deptt.pdf
17. Letter No. 10(102)/SDM/ABS/TW/2011/37349-51 dated 24.9.2011 of Milind Ramteke (IAS), Sub-Divisional Magistrate, Ambassa, Dhalai District to the District Magistrate & Collector, Dhalai District, Tripura
18. Letter dated 12.8.2011 of Sub-Divisional Magistrate, Ambassa, Dhalai District, Tripura to the Cashier, SDM Office, Ambassa

4. Atrocities by the Forest Department

i. Denial of tree extraction permits due to failure to pay bribes

In order to address their economic needs on 4 February 2006 about 44 Reang families of Shikaribari village submitted applications along with land records to the District Magistrate & Collector, Dhalai for government aided rubber plantation. As stated about 37 Reang tribals of Shikaribari were selected for rubber plantation scheme during 2008-2009.

These Reang families thereafter submitted applications for Tree Registration Certificates (TRCs) to the Divisional Forest Officer (DFO), Ambassa for clearing the trees, which was essential to plant the rubber sampling. The applications were forwarded to the SDM, Ambassa on 23 October 2008 for confirmation of status of the land prior to allotment. In response, the SDM, Ambassa vide his letter dated 4 February 2009 intimated that the status of land prior to allotment was khas land.[19]

However, even before the response from the SDM, Ambassa was received, then DFO of Ambassa, Mr C. L. Das filed a complaint on 12 November 2008 with the Revenue Court of the District Collector and Magistrate of Dhalai district stating that the lands allotted to the Reangs were reserved forests. The Reang tribals alleged that Mr C. L. Das demanded bribes from the beneficiaries. As they could not pay the bribes, therefore he filed the complaint before the District Revenue Court without waiting for the report of the SDM, Ambassa.[20]

It is pertinent to mention that prior to the selection of the 37 Reang tribals for the rubber plantation tree extraction permissions were allowed by the Forest Department from the same plot of lands under Shikaribari Mouja. On 8 August 2008, Sushil Debbarma (IFS), then DFO, Ambassa allowed tree extraction permit to one Baikyamani Reang, one of the 44 allottees.[21]

Surprisingly while the case was still pending with the Revenue Court of the District Collector and Magistrate of Dhalai district, Mr C. L. Das also declared the allotted lands of the Reang tribals at Shikaribari Mouja as "non-forest lands" on 7 July 2009 after the Reang families allegedly agreed to pay bribes. Pursuant to that, the DFO instructed the Sub-Divisional Magistrate, Ambassa and the Forest Department officials to conduct joint verification of the land and trees to allow extraction of trees. Accordingly, Mrs. Rakhi Biswas (TCS), Sub-Divisional Magistrate (SDM) of Ambassa asked the Reang tribals to pay demarcation fees of Rs. 1,19,000/-. The Reang families deposited the fees to the SDM, Ambassa after selling domestic livestock such as pigs, hens, goats etc. Subsequently, the lands of 29 Reang families were jointly verified by the officials of the Forest and Revenue departments during 2010-11. It is clear that Mr R P Thangwan, Principal Chief Conservator of Forests (PCCF) and Balbir Singh, Additional PCCF who had directed to the DFO to file the case in the first place did not raise any objection as they were allegedly promised of their shares of the bribe.[22]

However, fresh disputes arose as the Reang tribals refused to sell the trees to the contractors/merchants chosen by the Forest Department officials who were willing to pay the Reangs advance to enable them to bribe the forest officials. As the Reang tribals refused to sell the timbers to the merchants/contractors selected by the Forest Department officials, the forest officials revived the case pending at the Revenue Court of the District

19. Judgment dated 7 June 2011 of the Revenue Court of the District Magistrate and Collector, Dhalai District, Tripura
20. Memorandum dated 27 March 2012 submitted by the Reang tribals of Shikaribari Mouja to the Investigation Team of the National Human Rights Commission
21. Permission for tree extraction in favour of Baikyamani Reang by Sushil Debbarma, Divisional Forest officer, Ambassa Forest Division (No.F.32 (1)-1/JT/AD-2008/19457-62 dated 8.8.2008)
22. Memorandum dated 27 March 2012 submitted by the Reang tribals of Shikaribari Mouja to the Investigation Team of the National Human Rights Commission

Collector and Magistrate, Dhalai since 12 November 2008. The same complaint was registered afresh after a corrigendum filed on 29 August 2011.[23]

ii. False case filed before the District Revenue Court

As mentioned above, the complaint was first filed on 12 November 2008 by Mr C. L. Das, the then DFO, Ambassa Forest Division in the Revenue Court of District Magistrate and Collector, Dhalai district for cancellation of the allotted land to the 44 Reang tribal families under Section 11(3) of Tripura Land Revenue and Land Reforms (TLRLR) Act, 1960. While the case was still pending before the Court, on 4 April 2009, Mr R P Thangwan, then Principal Chief Conservator of Forests (PCCF) of Tripura ordered that "No allotment could be made legally in FR (Reserved Forests) without dereservation for which there is provision in IFA (Indian Forest Act, 1927)" and directed for "cancellation of allotment" of land made to the 44 Reang tribals.

Consequent to the direction of the then PCCF, the case before the Revenue Court of District Magistrate and Collector, Dhalai district was revived after a gap of almost one year. The case was registered under Section 95 of TLRLR Act pursuant to a corrigendum issued by the DFO, Ambassa Forest Division vide corrigendum No. F.32(1)/GEM/JT/AD-2K(Part)/183013-16 dated 29.08.2009. In the complaint, the DFO, Ambassa Forest Division claimed that the Reserve Forest land was allotted to 44 families of Shikaribari Mouja violating the Forest Conservation Act, 1980 and that the land was allotted prior to 1980 without concurrence of the Forest Department.[24]

In the meanwhile, inquiries were conducted by the Forest Department as well as the Revenue Department regarding the status of the land in question. These inquiries found that the claims of the Forest Department were false. In his investigation report, Mr Kamal C. Das, Junior Surveyor, Working Plan Division I, Agartala submitted to the Divisional Forest Officer, Working Plan Division No. 1 on 7 August 2009 conclusively proved that the lands allotted to the 44 Reang tribals were 'non-forest' land. The report submitted, *inter alia,* stated as under:

> *"Records further revealed (sic) that the Forest Department, vide order No. F.18-4/42For-76/16294 dt 21/05/1976 declared 302.61 acres and 224.39 acres of land from old C.S. Plot No 701 (Part) & 608 (Part) respectively as Chandraipara R.F. The remaining 230.77 acres & 93.25 acres of land of old C.S. Plot No 701 (Part) & 608 (Part) respectively was dereseved as Block No – 17 from said R.F as mentioned in the field book for P&T microwave Station.*
>
> *On consultation of the records it is found that during revisional survey the entire dereserved land was recorded as Khas land and parts of those plots were allotted to 44 families and many others."*

Further, on 29 August 2009, Mr S. Das, Divisional Forest Officer, Working Plan Division No. 1 clarified to the Principal Chief Conservator of Forests that *"Land plots allotted for the 44 families as stated do not fall within constituted Chandraipara R.F as per the field enquiry and report of the Sr. Surveyor of the Working Plan Division No. 1".*

In addition, Mr P Bhattacharya, Conservator of Forests, Northern Circle, Kumarghat also conducted an enquiry and submitted his enquiry report to the PCCF vide his letter dated 4 September 2009 stating that the lands allotted to the Reangs were *khas* land. In his report Conservator of Forests, Northern Circle, Kumarghat, *inter alia*, recommended withdrawal of the case filed in the Revenue Court of the District Magistrate and

23. Memorandum dated 27 March 2012 submitted by the Reang tribals of Shikaribari Mouja to the Investigation Team of the National Human Rights Commission
24. Judgment dated 7 June 2011 of the Revenue Court of the District Magistrate and Collector, Dhalai District, Tripura

Collector, Dhalai under the order communicated by the CF, WRT vide letter No.F.6-3/Land/For-2003/Gen/19,457 dated 01/10/2008 and revising the FHQ letter No.F.7. (232)/For/FP-02/209 dated 27/05/2009 addressed to the National Commission for Scheduled Tribes in which the Forest Department claimed the lands allotted to the Reangs as Reserve Forest land.[25]

In order to suppress the report of Mr P Bhattacharya, Mr Balbir Singh, Additional Chief Conservator of Forest vide his letter No.F.7(232)/For-FP-02/15,991 dated 14th September 2010 sought clarification from the District Magistrate & Collector, Dhalai as to how the forest land has been converted to non-forest land and allotted to Reang tribal families. The DM & Collector, Dhalai in his reply vide letter No.F.2(44)/DM/D/REV/2010/09-12 dated 4th January 2011 stated that "*The plot No.608 and 701 in question of diversion Forest land to Govt. Khas land allotted to the Jhumia families as Shikaribari for the settlement of the distress tribal families under Jhumia settlement Project. It was converted as per the Notification of the State Govt. / Govt. of India in consistence with the various sections of the Indian Forest Act (Annexure-III) in particularly section 27 which provided for conversion of Reserve Forest land into Govt. Khas land by the Designated Forest Settlement Officer in the year 1976 and executed in Tripura during last Revisional Survey……..*".

These reports had proved beyond any reasonable doubt that the lands allotted to the 44 Reang tribals are not reserve forest land and the order of the then PCCF, Mr R P Thangwan vide No. F.7(232)/For/FP-02/646-47 dated 4 April 2009 does not hold any ground. Unfortunately, Mr R P Thangwan failed to withdraw his order even after the receipt of the abovementioned inquiry reports. On the other hand, harassment of the poor Reang tribals continued through the court case.

iii. Non implementation of the District Revenue Court's order

While the case was pending before the Revenue Court of District Magistrate and Collector of Dhalai, the Forest Department officials sought opinion of the Revenue Department. The Revenue Department examined the land case of Shikaribari village while the case was still pending at the District Revenue Court, Dhalai. In his opinion on 5 March 2011, Revenue Minister of Tripura Mr Badal Chowdhury unequivocally stated that *"the contentions of the Forest Department are not based on law….As the Forests Department is raising this issue time and again, this matter may also be seen by the Law Department for further confirmation."*

The matter was referred to the Law Secretary.

The Law Secretary in his opinion dated 8 March 2011 stated "*there is no cause of action for the Forest Department to pursue the case rather it is advisable that the case may not be pressed*." Further, the opinion of the Law Secretary was approved by the Chief Minister, the Revenue Minister and the Chief Secretary, who also serves as Secretary, Forest and Minister of Forest and Environment Mr Jiten Chaudhury.

These opinions were concealed from the Revenue Court of District Magistrate and Collector, Dhalai and the Forest Department continued to press the matter before the Revenue Court of District Magistrate and Collector.

Nonetheless, on 7 June 2011, the Revenue Court of District Magistrate and Collector, Dhalai district passed its judgement dismissing the petition (Case No.122/REV/2011) filed by the Forest Department and confirming the land rights of the Reang tribals. The District Revenue Court held that the lands in question were not reserve forest but government *khas* land as stated below:

25. Enquiry report of P. Bhattacharya, Conservator of Forests, Northern Circle, Kumarghat, Tripura (pertaining to the allegations made by Shri Thaithak Reang) submitted to the Principal Chief Conservator of Forests, Tripura vide letter No.F.1-40/CFNC/Timber/AMB/For-09/1163 dated 4.9.2009

"7. The demarcation/survey report dated 07-08-2009 under taken by Sri Kalam Chandra Das, Junior Surveyor, Working Plan Division No.-1 Agartala of Forest Department (Exhibit-9) wherein it was clarified that Forest Department vide order No.F.18-4/For-76/16924 dated 21-05-1976 declared 302.61 acres and 224.39 acres of land from old C.S. plot No. 701/p and No.608/p respectively as Chandraipara FR. The remaining areas 230.77 acres in C.S. plot No.701/p and 93.25 acres of C.S. plot No.608/p where declared as de-reserved as Block No.17 from the earlier RF area as mentioned in the field book for P&T microwave station. During his verification he also ascertained that the land which was de-reserved by the Forest Department in the year of 1976 was converted into Govt. khas land during revisional survey period by the Settlement Department and 44 Nos. tribal families (Reang) were given allotment of land by the SDM, Ambassa in the years of 1997 U/S-14 of TLR & LR Act, 1960.

8. It appears that the report of the SDM, Ambassa No. F. 3(4)-SDM/ABS/REV/08/9836 dt. 04-02-2009 (Exhibit-3) is correct in the sense that the part of reserve forest land from Sabek CS Plot No. 701 & 608 was converted into the Khas land during last revisional survey in and subsequently, land allotments were made in the year 1991 onwards. Therefore, the status of land immediately before the allotment was Khas land and the report of SDM, Ambassa dt. 25-12-2007 (Exhibit-2) stands corrected."

Accordingly, the Revenue Court ordered *"Based on the above findings and on consultation of Government records it is hereby ordered that allotment orders issued to tribal families from the land in question are legal and prayer for correction of land records U/S-95 of TLR & LR Act'60 as prayed for is hereby rejected."*

The delight of the Reang tribals was short-lived as on 16 June 2011, Mr Abhisek Singh, District Magistrate and Collector, Dhalai district issued an order restricting the tree extraction permits to the 37 Reang tribals until further order on the following unsubstantiated grounds:[26]

"There is apprehension of breach of peace regarding extraction of trees from the said land mentioned in the order. Moreover, there is likelihood of contesting the case in the higher court by the petitioner claimant. Further, the other party has also filed appeals/complains (sic) in different forums which are yet to be settled.

Under the above circumstances, it is hereby ordered that no extraction of trees should be allowed in the said land till the end of time limit of contesting the case in the higher court and until the issue is settled in all other forums as well."

There was no police or intelligence report to warrant declaration of the area to be "disturb" by allowing tree extraction permit to the Reang tribal beneficiaries. No complaint was filed by the beneficiaries either in any police station or before the District Administration to create breach of peace due to counterclaims. Therefore, the order of the newly appointed DM and Collector, Dhalai was aimed at unduly favouring the Forest Department officials to the prejudice the Reang tribals. This order was essentially passed to provide time to the Forest Department to appeal against the order of the District Revenue Court, Dhalai in the Court of the Secretary, Revenue Department, Government of Tripura.

iv. Non-implementation of the order of the Court of Secretary, Revenue Department

Even the highest authorities of the State Government of Tripura had specifically directed not press the matter, in clear defiance of the highest authorities of the State Government of Tripura on 6 July 2011 the Forest Department filed an appeal before the Court of the Secretary, Revenue Department, Government of Tripura against the judgement of the District Revenue Court, Dhalai.

26. Order dated 16 June 2011 of the District Collector and Magistrate, Dhalai district, Tripura

In its appeal, the Forest Department brought forth some false claims in its defence. For example, while filing the appeal at the Court of Secretary, Revenue Department the Forest Department changed its position of the status of land at Shikaribari village as "Protected Forest" instead of "Reserved Forest" as claimed in its complaint filed before the District Revenue Court, Dhalai. It was claimed in the appeal that *"……..As per the Khatian, the land was protected forest. By a Notification dated 29.05.1976 Chandraipara RF was constituted taking a portion of the aforesaid CS Plot No.701 and 608. The rest area of the said two CS Plots remained as unclassified forest land and thus it attracts the provision of the 1980 Act."*

However, the Forest Department failed to submit any documentary records such as notification of the Forest Department or any other government memorandum to substantiate its claim that the area left out through the Forest Department's notification of 1976 has been declared as unclassified forest land or protected forest.

The Court of Secretary, Revenue Department while dismissing the appeal of the Forest Department vide its judgment dated 11 May 2012 stated as under:

> "…..The reserve forest so notified was comprising an area of 100.44 sq. km situated within Kamalpur and Kailashahar Sub-Division. As per the said Notification, in Shikaribari Mouja inter alia, comprised an area of 302.61 acres of C.S. Plot No-701 (Part) and 224.39 acres of C.S. Plot No-608 (Part) in place of 533.38 acres and 317.64 acres respectively as appeared in 1962. The area notified as reserve forest has been recorded in Forest Khatian and the remaining areas as per Forest Department Notification of 1976 was recorded as government khash land in pursuance of Memorandum- 17737-807/F.6(14)-DSLR/LR/84 dated 18-10-1984 issued by the Director Land Records & Settlement.
>
> ……In this position, the Memo issued by Director, Land Records & Settlement on 18-10-1984 giving guidelines to field functionaries regarding entry in the RoR seems to be justified as the notification No.F.13(48)-For/61 cannot have any effect while a fresh notification No. F. 18-4/42/For-76-16294 dated 21st May, 1976 was issued in super session of the earlier one.
>
> The State Government further in a notification under No. F. 2-2/5/For-80/CD dated 9th August, 1982 rescinds the notification No. 13 dated 29th April, 1952 of the Forest Department regarding the declaration of protected forest.
>
> "In the circumstances as discussed above I am of the opinion that the appellant petitioner could not adduce any fresh documentary evidence in support of their revision petition filed U/S 95. The order passed by the Ld. DM & Collector, Dhalai District in case No. 122 / Rev/2011 U/S 95 of the TLR & LR Act should be upheld and accordingly the appeal is dismissed."

In its order the Court of Secretary, Revenue Department directed the Forest Department for compliance of its order.

5. Insubordination of the highest authorities by the Forest Department

This case is a unique example of insubordination by the Forest officials unheard anywhere else. The senior most officials of the Forest Department, Tripura had been acting as law unto themselves without any respect either for the Government of Tripura or the institutions such as the NHRC. The details of the insubordination of the highest authorities are explained below:

i. Defiance of the order of the Chief Minister, Revenue Minister and Law Secretary

While the case was being pursued before the Revenue Court of the District Magistrate and Collector, the Forest Department sought necessary opinion and permission from the relevant authorities of the State Government of Tripura on the question of the Shikaribari land.

The Revenue Minister, Government of Tripura examined the land case of Shikaribari village while the case was still pending at the District Revenue Court, Dhalai. In his opinion, Revenue Minister Badal Chowdhury on 5 March 2011 unequivocally stated that *"the contentions of the Forest Department are not based on law….As the Forests Department is raising this issue time and again, this matter may also be seen by the Law Department for further confirmation."*

The Law Secretary in his opinion dated 8 March 2011 stated "*there is no cause of action for the Forest Department to pursue the case rather it is advisable that the case may not be pressed*." Further, the opinion of the Law Secretary was approved by the Chief Minister, the Revenue Minister and the Chief Secretary, who also serves as Secretary, Forest and Minister of Forest and Environment Jiten Chaudhury.

Yet, in clear defiance of the highest authorities of the State Government of Tripura, the Forest Department officials continued to press the false charges against the Reangs before the District Revenue Court, Dhalai, which passed its judgment in favour of the Reang tribals on 7 June 2011.

ii. Failure to withdraw the appeal in violation of the NHRC order

The officials of the Forest Department not only defied the highest authorities of the state government but also failed to honour the order of the National Human Rights Commission.

In its proceedings dated 4 May 2012, the NHRC, while examining the complaint filed by Asian Centre for Human Rights, was astonished to learn that the "officials of the Forest Department are continuing with their suit despite the very clear view to the contrary of the senior bureaucracy, endorsed by the political leadership who constitute the Government of the day."

Taking notice of the blatant insubordination, the NHRC directed the Chief Secretary, Government of Tripura to clarify as to whether the Forest Department functions independently of the rest of the government and withdraw the appeal filed before the Court of Revenue Secretary. The NHRC directed as under:

> "…..the Chief Secretary, Government of Tripura, to clarify to it if the Forest Department functions independently of the rest of the Government, and is not bound by decisions taken by him and endorsed by the Chief Minister. If the Forest Department continues to be a part of the Government of Tripura, the Commission would expect that the vexatious appeal against the decision of the District Revenue Court would be immediately withdrawn so that the Reang families may be permitted to

fully use the land which has been allotted to them. Appropriate disciplinary action would also be in order against the Forest officials who have so clearly been insubordinate".

However, the Forest Department refused to withdraw the vexatious appeal against the decision of the District Revenue Court. Further, the state government even failed to inform the NHRC that the Court of the Revenue Secretary had ruled against the Forest Department.

iii. Permission sought from Government to appeal before the Guwahati High Court

In complete contempt of the National Human Rights Commission which had directed to withdraw the vexatious appeal against the District Revenue Court, the Forest Department sought permission from the Government of Tripura to file appeal against the order of the Court of the Revenue Secretary before the Guwahati High Court.

The information obtained under the RTI Act, 2005 as described below shows the contemptuous conduct of the Forest Department:

> On 5 June 2012, the Conservator of Forest prepared a brief note on the judgement of the Court of Revenue Commissioner. On 7 June 2012, in the file note the Principal Chief Conservator of Forest stated "in view of the above, we may go for appeal in the appropriate Govt if approved".
>
> On 9 July 2012, the Law Secretary gave an opinion concluding that "In such a situation, allotment of such khas land to any individual person by Revenue authority during the period 1991-1997 does not attract section 2 of the Forest (Conservation) Act, 1980. So the allotment was/is legal and valid. The Forest Department should not unnecessarily raise untenable question at the belated state, particularly when the poor tribals were in possession for more than 20 years."
>
> On 13 July 2012, Chief Secretary directed to seek the opinion of the Advocate General by stating that "As this relates to interpretation of law advice of Ld Advocate General is solicited".
>
> On 5th August 2012, the Advocate General gave his legal opinion "I agree with the views recorded by Law Secretary, Government of Tripura".

Despite the opinion of the Law Secretary and Advocate General, the Principal Chief Conservator of Forest continued to violate the judgement of the Revenue Secretary.

The conduct of the Forest Department gives an impression that Tripura is lawless where the officials can abuse their powers in absolute insubordination and contempt of the Court and the NHRC.

6. Corruption as the root cause of atrocity on the Reangs

Corruption and misappropriation of funds meant for the primitive Reang tribals by the officials of the Forest Department and the District Administration is the root cause of insubordination and non-compliance of the orders of the Revenue Courts and atrocity against the Reangs.

i. Clearance given after the Reangs agreed to pay bribes

As explained above, when 37 Reang families of Shikaribari village were selected for rubber plantation programmes and they approached the Forest Department for necessary permission, the Forest Department officials decided to extort the Reangs. The officials demanded bribes from them. They could not pay the bribes and were denied the tree extraction permissions. Subsequently, on 12 November 2008, Mr C L Das, then DFO, Ambassa filed a case before the District Revenue Court, Dhalai claiming the Shikaribari village as "forest land".

However, when the Reangs agreed to pay bribes, the DFO declared the lands as "non-forest lands" and further requested Sub-Divisional Magistrate, Ambassa for Joint Verification for land and extraction of the trees. Accordingly, Sub-Divisional Magistrate directed to pay Rs 1,19,000 as demarcation fees and the same was paid. Surprisingly, both Mr R P Thangwan and Mr Balbir Singh who had directed to the DFO to file the case in the first place did not raise any objection despite the letter being marked to them as they were promised of their shares of the bribe.

ii. Siphoning off funds sanctioned for the Reangs

During 2008-2009, the Tribal Welfare Department selected 37 Reang families from Shikaribari Mouja under the rubber plantation scheme and Rs. 17,31,500 was sanctioned.[27]

However, the Reang beneficiaries could not avail the funds due to the frivolous complaint filed at the District Revenue Court, Dhalai. In the meanwhile, the funds allocated for the rubber plantation scheme have been siphoned off.

The misappropriation of the funds was confirmed in the investigation report of Milind Ramteke, Sub Divisional Magistrate, Ambassa, Dhalai district. In his report to District Magistrate & Collector, Dhalai on 24 September 2011, Mr Milind Ramteke stated that Rs 17,31,500/- was released to be provided to 37 beneficiary families under Rubber Plantation Scheme at Shikaribari village during 2008-2009 which have been siphoned off by the officials. During his field investigation, Mr Ramteke did not find any rubber nursery, fencing etc in connection with the Shikaribari rubber project. The report clearly stated about the misappropriation as given below:

> "There is possibility of massive misappropriation of public money in connection with this project and also the innocent tribal beneficiaries have been cheated badly by the officials connected with this project. It is very clear that not only the IO of this project failed in implementation but the then Branch Officer in connection with this project and the then SDM also miserably failed to monitor and supervise this entire project with impartiality, integrity and propriety."

27. Letter No. 10(102)/SDM/ABS/TW/2011/37349-51 dated 24.9.2011 of Milind Ramteke (IAS), Sub-Divisional Magistrate, Ambassa, Dhalai District to the District Magistrate & Collector, Dhalai District, Tripura

Considering the massive misappropriation of the government money, SDM Mr Ramteke recommended that the matter "requires an independent, impartial and detailed enquiry."

Further, the Secretary, Tribal Welfare Department, Tripura in a letter dated 9 July 2012 informed the National Human Rights Commission that the concerned Implementing Officer and Supervisory Officer were charge-sheeted on 2 July 2012 and action would be taken against them after receiving the findings of the Inquiring Authority.

7. Suffering of the Reang tribals: Deaths and denials

The Reangs had to endure suffering a lot during the pendency of the case which was caused by insubordination.

In addition to the 44 families who have been denied the benefits of rubber plantation earlier as the Forest Department filed a case, another 16 families have been selected as beneficiaries for rubber plantation by the Tribal Welfare (TW) Department of the Government of Tripura but could not take the benefit of the scheme as the case remained pending.

In his letter dated 20 July 2012 to the Sub-Divisional Welfare Officer, the Sub-Divisional Magistrate stated the following:

> "The names of the 16 ST families are attached as Annexure-A. Already RPS Committee was formed in this regard and the money placed by the TW Department, Government of Tripura of Rs 6.50 lakhs for the said scheme was deposited in the Tripura Gramin Bank, Ambasa Branch in the RPS Account No.8091012216580 vide Memo No.18771-805.F.11-249/TW/SEFT/2007-08 dated 18/9/2008. But the said project could not be started as the matter related to Shikaribari allotment of Khas land at Shikaribari Mouza was sub-judice in the Court of Ld DM, Dhalai and later on was appealed by the Forest Department in the Court of Ld Secretary, Govt of Tripura, Revenue Department Vide Revision Case no.10/2011 U/S 95of TLR &LR Act, 1960. The final judgement of the said case in the Court of Ld. Secretary, Govt of Tripura, Revenue Department was given on date 11/5/2012 in favour of respondents one Sri Thaithak Reang of Mouza Shikaribari under Ambasa TK and others. Now already the appeal period in the said case which is of 30 days is over. Hence it is necessary to start the implementation of the above said project so that the said ST families can be benefitted by the said scheme of the Govt of Tripura. Therefore, you are kindly requested to initiate the further process of implementation of the said project following all the codal formalities and procedures."

The prolonged legal proceedings and denial of rights had already resulted in the deaths of a number of beneficiaries of Rubber Plantation scheme.

By June 2012, 13 beneficiaries, including their relatives, out of the 37 died since the Forest Department initiated the false case before the Revenue Courts. The deceased were identified as Gobinda Reang who died on 7.2.2011; Tayungrai Reang who died on 13.2.2011; Bikrambati Reang who died on 5.4.2011; Surajoy Reang who died on 17.4.2011; Sachindra Reang who died on 7.5.2011; Baburam Reang who died on 26.5.2011; Potiham Reang who died on 5.6.2011; Moniram Reang who died on 5.6.2011; Birbahadur Reang who died on 12.9.2011; Annyaram Reang who died on 29.9.2011; Subaljoy Reang who died on 30.12.2011; and Nala Chandra Reang and Hiranjoy Reang who died in June 2012. Majority of these deaths occurred due to lack of money for medical treatment.

8. Interventions of the National Human Rights Commission

In the light of the attack on the Mr Sanjit Debbarma who has been supporting the Reangs of Shikaribari, the Asian Indigenous and Tribal Peoples Network had no other option but to approach the National Human Rights Commission.

i. Attacks on RTI activists, Mr Sanjit Debbarma for supporting the Reangs

The denial of land rights to the Reang tribals of Shikaribari by the Forest Department due to false litigation forced the tribals to use of the Right to Information Act (RTI), 2005 to obtain necessary information.

In this regard, RTI activist Mr Sanjit Debbarmma, son of Monoranjan Debbarma of Chailengta village in Dhalai district, was assisting Thaithak Reang, one of the beneficiaries of the rubber plantation scheme, who had filed an RTI application with the Forest Department on 24 April 2011 seeking information, including copies of the Annual Confidential Reports (ACRs) of Mr Balbir Singh (IFS), Additional Principal Chief Conservator of Forests, Mr C L Das (IFS), District Forest Officer of Dhalai district and Dr. R L Srivastava (IFS). These officials were suspected to have been involved in alleged cases of corruption and departmental inquiries have been conducted. Though they have so far managed the departmental inquiries, it was understood that the conduct of these officials were recorded in the ACRs. Therefore, RTI application was filed seeking the information.

However, attempts are being made to hide/deny information by the Forest Department. As a result, Mr Thaithak Reang had to file an appeal with the Tripura Information Commission (TIC). The appeal was registered by TIC as Appeal No. TIC-13 of 2011-12.

On 29 January 2012, Mr Sanjit Debbarma had gone to Shikaribari village to meet Mr Thaithak Reang in order to discuss about the hearing in connection with the appeal fixed by the TIC on 3 February 2012. But, Mr Sanjit Debbarma was hit by a canter vehicle near a market stall adjacent to Eco-Park under Manu Forest Division in Dhalai district while he was returning from Shikaribari village in a motorcycle at about 6.40 pm on the same day.

Mr Sanjit Debbarma sustained injuries including in the head after he fell down from the motorcycle. He was rushed by two tribals to Manu Hospital in an unconscious state. Mr Debbarma was discharged from the hospital on 30 January 2012.

Mr Sanjit Debbarma suspected that he was deliberately attacked at the instigation of the Forest officials for helping the Reang tribals. Accordingly Mr Sanjit Debbarma lodged a complaint at the Manu police station, Dhalai on 1 February 2012 requesting for a thorough investigation into the attack on his life. In his complaint to the police, Mr Sanjit Debbarma stated that prior to the attack some unidentified persons had visited the house of Mr Thaithak Reang on 10 December 2011 and threatened him with dire consequences if he continues to seek information against forest officials namely Mr C. L. Das, Mr R. L. Srivastava and Mr R. P. Thangwan. The unidentified persons also told Mr Thaithak Reang that Mr Sanjit Debbarma will also not be spared.[28] On 17 December 2011, Mr Thaithak Reang wrote a letter to the Tripura information Commission about the threat received by him. However, no action was taken by the Tripura Information Commission.

Following the attack on Mr Sanjit Debbarma and in view of the threats to their lives, both Mr Thaithak Reang and Mr Sanjit Debbarma did not appear before Tripura Information Commission for the hearing on

28. Complaint dated 1.2.2012 filed with the Manu police station, Dhalai district by RTI activist Sanjit Debbarma

3 February 2012. The inability to appear for the hearing was informed to the Secretary, Tripura Information Commission on 2 February 2012.[29]

ii. Complaint before the NHRC

On 9 February 2012, AITPN's project partner[30] filed a complaint with the National Human Rights Commission (NHRC) highlighting the attempt to murder of RTI activist Mr Sanjit Debbarma for helping the Reang tribals to secure their rights; denial of the rights to the 44 Reang tribal families by the Forest Department officials; and misappropriation of funds meant for the Reang tribals.

The complaint stated that it would not be possible for the State Police to conduct impartial and meaningful inquiry given that the senior most officials in the Forest Department as well as high-ranking officials of the State administration are involved in the matter. Therefore, the NHRC was requested to direct the State Government of Tripura to order for an enquiry by the Central Bureau of Investigation (CBI) in all the three issues.

iii. Directions of the NHRC

Pursuant to the complaint, the NHRC registered the complaint as Case No. 8/23/5/2012 and promptly acted given the gravity of the charges. The NHRC directed its Director General (Investigation) to conduct a fact-finding enquiry urgently on all aspects of the complaint and submit the report to the NHRC by 19 April 2012. While directing its own fact finding investigation, the NHRC stated that before the NHRC order an enquiry by the CBI as demanded by ACHR since senior-most officials of the Forest Department and the state administration were involved and the State Police would not be able to conduct an impartial and meaningful enquiry *"it would be important for it to collect the facts independently. Given the gravity of the charges, the Commission believes that this complaint justifies an urgent enquiry by the Investigation Division."*

The Investigation Team of NHRC visited Tripura for the fact findings in March 2012. On 27 March 2012, 53 Reang tribal beneficiaries of the rubber plantation scheme submitted a memorandum to the NHRC Investigation Team. In its memorandum the Reang tribals highlighted a number of issues and requested the NHRC Team, among others, to investigate the role of the senior most forest officials of Tripura in the denial of rights to them by instituting a false case, harassment, misappropriation of funds and to direct the Forest Department to allow tree extraction permission to take benefit of the rubber plantation scheme.

From 17-19 April 2012, AITPN's project partner also conducted a fact finding visit to Shikaribari and met the beneficiaries and RTI activist Mr Sanjit Debbarma in order to compliment the investigation of the NHRC. The fact finding report was submitted to the NHRC on 26 April 2012 along with some documents collected during the visit which could not be submitted to the NHRC Team by the Reang tribals. In its investigation report, AITPN's project partner, among others, submitted that out of the 37 beneficiaries for rubber plantation scheme, 11 beneficiaries have died since the Forest Department initiated the false litigation; absolute insubordination by unscrupulous Forest Department officials in defiance of the opinion of the Chief Minister, Revenue Minister, Chief Secretary and Law Secretary not to pursue the case; changed of position of the Forest Department while filing the appeal at the Court of Revenue Commissioner regarding the status of Shikaribari village as "Protected Forest" instead of "Reserved Forest" as claimed in the Revenue Court of Dhalai District; and most importantly about the unwillingness of the State Police to investigate the alleged criminal conspiracy despite specific individuals being accused named in the complaint of Mr Sanjit Debbarma, registration of the FIR only on the eve of the visit of the NHRC team, production of two boys before the NHRC team who gave statements as dictated by the police.

29. Written representation dated 2.2.2012 submitted to the Secretary, Tripura Information Commission by Thaithak Reang
30. Asian Centre for Human Rights is a project partner.

The NHRC in its substantive proceedings dated 4 May 2012 directed the following:

> "In a complaint to the Commission, dated the 9th February 2012, the Asian Centre for Human Rights made three serious charges : i) an attempt had been made to murder Shri Sanjit Debbarma near the Manu Forest Division in the Dhalai district of Tripura on the 29th January, 2012, the complainant and the victim suspected that he had been targeted because he was an RTI activist who had been fighting for the rights of the Reang tribals, ii) 44 Reang families, of the Primitive Tribal Group, were being denied their land rights despite the order of the Revenue Court in Dhalai, and iii) Rs. 17,31,500/- allocated for these families had been misappropriated. Given the gravity of these charges, the Commission had asked its investigation Division to conduct an enquiry. It has received a report from the team that went to Dhalai and has also received supplementary information sent by the complainant, through letters of the 17th, 18th and 26th April,
>
> **MOTORCYCLE ACCIDENT OF SANJIT DEBBARMA:**
>
> The Commission notes with disquiet that though Sanjit Debbarma was injured on the evening of the 29th January 2012, and lodged a complaint with the police on the 1st February, after being discharged from hospital, the police started their enquiries late in March, their *suo motu* FIR being filed on the 27th March, almost two months after the incident. It is clear that this enquiry was conducted only because the NHRC team was arriving on the 26th March. The local police were therefore exceptionally tardy in discharging their duties, and the culpable negligence of the delay as been compounded by the direction in which they have tried to lead the inquiry. They recorded the testimony of two young boys, Tapan Debbarma and Ajoy Marak, from a nearby settlement, who claimed that they took Sanjit Debbarma to hospital, and produced them before the NHRC team. However, doubts arise about the reliability of these statements because: i) the police have not explained how they traced these boys, since no records were left at the hospital; ii) in the testimony recorded by the police, apparently on the 10th March, Tapan Debbarma given his age as 17, Ajoy Marak said he was 18, before the NHRC team, the boy who said he was Tapan Debbarma also said that he was 10 years old; the other boy said he was Ajoy Marak and he was 17; clearly two different boys were taken to meet the NHRC team; iii) In the statements recorded by the police and attributed to Tapan Debbarma and Ajoy Marak, they said that they heard the sound of an accident and went to investigate, whereas the boys who appeared before the NHRC team said that they were on their way home when they met a man who said that he had an accident; iv) Tapan Debbarma told the police that they had not seen any other vehicle before or after the accident, which Sanjit Debbarma had confessed to them that he had himself brought on because he was driving under the influence of liquor. Neither of the boys who appeared before the NHRC team said this. It is doubtful therefore that the same boys were produced before the NHRC team, which raises questions about the motives of the police and the value of the testimony given by these boys. The Commission notes that the doctor who treated Sanjit Debbarma has also given a statement to the police to the effect that he had smelled alcohol on his patient. However, the treatment record has no reference to his being under the influence of alcohol, though it would have been the doctor's duty to note his findings after he had examined the patient and this would have been of critical importance in affixing responsibility after a traffic accident. The Commission therefore must conclude that the doctor's statement to the police is also tutored, and that the police have tried to build up a false case in which this incident could be passed off as an accident caused by a person driving under the influence of liquor. The Commission also notes that, though Sanjit Debbarma's motorcycle was available for inspection, the police did not examine it immediately, though it would have carried traces that could have helped locate the offending vehicle. Nor indeed have the police made any effort to establish if a Canter had been spotted or reported damaged, as this vehicle might have after hitting the motorcycle. *The Commission concludes that the police investigation has been deliberately delayed, was perfunctory and, most disturbingly,*

tried to build up a case against the victim rather than trying to identify possible assailants. The Commission brings this to the attention of the Chief Secretary and the DGP, Government of Tripura, and will expect the, to ensure that the investigation is immediately taken over by the CBCID, which should conduct a thorough and impartial enquiry. (Emphasis ours)

THE DENIAL OF LAND RIGHTS OF 44 REANG FAMILIES:

The NHRC team has confirmed that there is a dispute between the district administration, which granted land rights to the Reang families, and the Forest Officer, who have contested this, refusing to accept the appeal in the Court of the Revenue Commissioner, where this matter was last heard on the 7th April, 2012. In the supplementary documents sent by the complaint, the Commission notes with some surprise that his matter has been considered on file at the highest levels in the Government of Tripura, and a decision very clearly taken that the land in question is not forest land. The Commission has received copies of the relevant notes, among which the most significant are the following: note no. 32, dated the 5th March 2011, of the Minister (Revenue), who, while concurring with the views of his Commissioner that the contention of the Forest Department was not based on law, sought the views of Law Secretary:- the Law Secretary's note of the 8th March 2011 that "there is no cause of action for the Forest Department to pursue the case rather it is advisable that case may not be pressed". This advice of the Law Secretary was signed and therefore endorsed without comment by the Chief Secretary, under whom the Forest Department works after being seen by the ministry of Revenue, who had made the reference, this note was also signed by the Chief Minister. The Commission is therefore astonished that officials of the Forest Department are continuing with their suit despite the very clear view to the contrary of the senior bureaucracy, endorsed by the political leadership who constitute the Government of the day. *The Commission asks the Chief Secretary, Government of Tripura, to clarify to it if the Forest Department functions independently of the rest of the Government, and is not bound by decisions taken by him and endorsed by the Chief Minister. If the Forest Department continues to be a part of the Government of Tripura, the Commission would expect that the vexatious appeal against the decision of the District Revenue Court would be immediately withdrawn so that the Reang families may be permitted to fully use the land which has been allotted to them. Appropriate disciplinary action would also be in order against the Forest Officials who have so clearly been insubordinate.* (Emphasis ours)

MISAPPROPRIATION OF RS. 17,31,500 ALLOCATED TO 44 REANG FAMILIES:

The investigation Division has confirmed that there were grave irregularities in the management, and the misappropriation, of the funds allotted to the Rubber Producer Society (RPS) set up by these Reang families. Based on an enquiry conducted by the ADM, Dhalai, show cause notices have been issued for the recovery of funds from the Deputy Collector Ambassa and the Extension Officer who was the Implementing Officer of this project. *The Commission recommends that very quick action be taken to recover the money that was misappropriated. In addition, it expects that the Government of Tripura will also initiate criminal proceedings against the officials responsible. The Commission expects a report from the Chief Secretary, Government of Tripura by the 13th July, 2012 on the action that the State Government has taken or proposes to take on all three of the issues raised in this complaint and examined in these proceedings. (Emphasis ours)*

On 20 July 2012, the NHRC was scheduled to examine the status of implementation of the directions issued to the state government of Tripura vide its proceedings dated 4 May 2012.

Prior to the NHRC sitting, AITPN's project partner in a submission dated 10 July 2012 brought to its notice about the non-implementation of any of the NHRC's directions. In its submission, ACHR informed that the state government failed to hand over the case of attack on Mr Sanjit Debbarma to the CB-CID. Similarly,

the appeal filed before the Court of Revenue Commissioner was not withdrawn. The case continued and the Court gave its judgement on 11 May 2012 in favour of the Reangs. But, the Forest Department refused to comply with the judgement of the Court. As a result the Reangs could not take benefits of the Rubber plantation programme and two more beneficiaries namely, Nala Chandra Reang, whose father Sarath Chandra Reang is one of the 44 beneficiaries, and Hiranjoy Reang, whose mother Memsaibati Reang was also one of the beneficiaries, died in June 2012. No disciplinary action against the officials was taken and insubordination reached the level of perversity. The state government also failed to take any action either to recover the money misappropriated or to initiate criminal actions.

The NHRC further noted and directed the following:

> In its proceedings of the 4th May, 2012 the Commission had asked the Government of Tripura to take action on three points: i) to have the CBCID conduct an enquiry into the incident involving Shri Sanjit Debbarma, in which he was injured; ii) to withdraw the vexatious appeal lodged by Forest Department officials, in defiance of decisions taken at the highest levels of the State Government, against the order of the District Revenue Court, which ruled in favour of the Reang families; and iii) not only to take very quick action to recover the money, amounting to Rs.17,31,500/- allocated to the 44 Reang families, but also to initiate criminal proceedings against the officials responsible.
>
> **DENIAL OF LAND RIGHTS**
>
> In response, the Commission has received a letter from the Additional Secretary, dated the 10th July, which argues that the Forest Officers had not been insubordinate because they had "proceeded as per provisions of the Rules and Acts related to Forests". This seems to imply that these Rules and Acts permit officials to disobey decisions taken by their superiors. In this case, the Forest Officers filed a suit well after the Revenue Minister and the Chief Minister had endorsed on file the advice of the Law Secretary that the "case may not be pressed." In a well-ordered bureaucracy, officials who deliberately flouted and subverted the decisions of their superiors would be considered insubordinate, and would suffer severe consequences. Since the intention and effect were to harass and expropriate a particularly vulnerable group, this insubordination has caused a grave violation of human rights. The Commission therefore reiterates its view that deterrent department action should be taken against the officers concerned. What the Additional Secretary has not reported, but which the complainant has brought to the Commission's notice, is the fact that on the 11th May 2012, the Secretary, Revenue Department has dismissed the appeal lodged by the insubordinate forest officials. The Government of Tripura has not reported on the steps it has taken in the two months that have intervened to ensure that the land rights of these Reang families are restored to them. The Commission will expect an urgent report confirming the action taken.
>
> **MISAPPROPRIATION OF FUNDS ALLOCATED TO THE REANG FAMILIES**
>
> The Commission has also received a letter, dated the 9th July 2012, from the Secretary, Tribal Welfare Department, in which it has been informed that the concerned Implementing Officer and Supervisory Officer have been charge-sheeted on the 2nd July 2012. Action would be taken against them after receiving the findings of the Inquiring Authority. The Commission will expect a further report from the Secretary, Tribal Welfare Department, on the outcome of the inquiry.
>
> **INCIDENT INVOLVING SANJIT DEBBARMA**
>
> The Commission has not been informed if the CBCID has been asked to inquire into the incident involving Sanjit Debbarma.
>
> The Commission will expect the Government of Tripura to send it reports on all points by the 7th September. 2012."

9. Will justice be given to the Reangs?

The State government of Tripura has already rejected the permission sought by the Forest Department to file an appeal at the Guwahati High Court against the ruling of the Court of Secretary, Revenue Department, Tripura in the Revenue Case No. 10/2011 u/s 95 of Tripura Land Revenue and Land Reforms Act, 1960. In a letter dated 22 September 2012, R K Das, the Additional Secretary to the Government of Tripura, Forest Department informed the District Forest Officer, Dhalai district that *"the Government in the Forest Department examined the aforesaid order in consultation with the Law Department and it has been opined by the Law Department that there has been no cogent reasons for the Appellant/Petitioner (DFO, Ambassa) to contest the aforesaid order dated 11/05/2012 through Writ Petition."*

The National Human Rights Commission however is yet to receive the compliance reports sought from the state government of Tripura. In the meantime, the Forest Department officials including the DFO, Ambassa continue to deny the rights to the Reangs and the rubber plantation programmes remain stalled.

The question remains as to where whether appropriate action will be taken against all the officials concerned as recommended by the National Human Rights Commission**.** The NHRC in its latest proceedings stated, "*In its proceedings of the 20th July, 2012, the Commission had asked the Government of Tripura to respond on the points made therein by the 7th September, 2012. However, no reply has been received. If the Commission does not receive a thorough and substantive response on all points by the 9th November, 2012, it will be constrained to invoke its powers under section 13 of the Protection of Human Rights Act, 1993, and to issue a coercive process*".

It is essential that the recommendations of the NHRC are fully implemented given the atrocity against one of the most vulnerable tribal groups who are officially designated as "Particularly Vulnerable Tribal Group" by the Government of India.

Justice must be seen to be done.

ANNEXURE I: List of 37 Reang beneficiaries selected for rubber plantation

PROPOSED LIST OF 37 NOS BENEFICIARIES FOR RUBBER PLANTATION AT SHIKARIBARI UNDER AMBASSA SUB-DIVISION.

Name of beneficiaries	Mouja	Khaitan No.	Dag No.	Area in Acre.	Classification of land	Status of land
2	3	4	5	6	7	8
Sri.Sarajoy Reang, S/O,Bishnuram Reang	Shikaribari	169	377/562, 377/563	3.20	Tilla	Allottee
Sri.Faidaram Reang, S/O.Ram Charan Reang	Shikaribari	251	364/699	3.00	Tilla	Allottee
Sri.Gobinda Reang, S/O,Gunaram Reang	Shikaribari	188	362/593, 362/595	3.34	Tilla	Allottee
Sri.Adhirai Reang, S/O,Nal Chandra Reang	Shikaribari	164	377/571, 377/572	3.20	Tilla	Allottee
Sri.Sachindra Reang, S/O,Sati Ram Reang	Shikaribari	184	334/605. 334/606	3.20	Tilla	Allottee
Sri.Kharendra Reang, S/O,Jamarai Reang	Shikaribari	165	377/569, 377/570	3.20	Tilla	Allottee
Sri Dagendra Reang S/O,Sati Ram Reang	Shikaribari	182	333/604 333	3.37	Tilla	Allottee
Sri Sandhya Ram Reang S/O, Nabindra Reang	Shikaribari	166	377/567 377/568	3.20	Tilla	Allottee
Sri.Mukti Ram Reang. S/O.Sati Ram Reang	Shikaribari	250	334/698	3.00	Tilla	Allottee
Sri.Ananda Reang. S/O.Kaia Rai Reang	Shikaribari	167	377/566	3.00	Tilla	Allottee
Sri.Surendra Reang. S/O.Deba Ram Reang	Shikaribari	170	377/561	3.00	Tilla	Allottee
Sri.Narendra Reang. S/O.Laksman Joy Reang	Shikaribari	173	377/555. 377/556	3.20	Tilla	Allottee
Sri.Kamal Joy Reang. S/O.Deba Ram Reang	Shikaribari	178	377/586	3.00	Tilla	Allottee
Sri.Sanka Ram Reang. S/O.Asha Chandra Reang	Shikaribari	173	377/573. 377/574	3.20	Tilla	Allottee
Sri.Anna Ram Reang. S/O.Ali Rai Reang	Shikaribari	168	377/564. 377/565	3.20	Tilla	Allottee
Sri.Guna Ram Reang. S/O.Ram Charan Reang	Shikaribari	187	362	3.00	Tilla	Allottee
Sri.Pandi Ram Reang. S/O.Santi Ram Reang	Shikaribari	186	339/593. 339	3.30	Tilla	Allottee
Sri.Lalit Reang, S/O.Girendra Reang	Shikaribari	185	339/591. 339/592	3.30	Tilla	Allottee
Sri.Subal Joy Reang. S/O.Laxman Joy Reang	Shikaribari	174	377/553. 377/554	3.20	Tilla	Allottee
Sri.Bir Bahadur Reang. S/O.Ram Joy Reang	Shikaribari	183	377/582. 377/583	3.30	Tilla	Allottee

Contd.on Page-2

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P. C. DAS, A/O
A.S. P. I.O.
O/o the P.C.C.F. (Tripura)

Sl. No.	Name of beneficiaries	Mouja	Khaitan No.	Dag No.	Area in Acre.	Classification of land	Status of land
1	2	3	4	5	6	7	8
21	Sri.Dharma Rai Reang, S/O,Surendra Reang	Shikaribari	172	377/557, 377/557	3.20	Tilla	Allottee
22	Sri.Adhi Ram Reang, S/O, Sam Bahadur Reang	Shikaribari	171	356/559, 356/560	3.20	Tilla	Allottee
23	Sri.Jaba Rai Reang, S/O,Annak Rai Reang	Shikaribari	181	377/581	3.00	Tilla	Allottee
24	Sri.Surja Ram Reang, S/O,Kaifai Rai Reang	Shikaribari	180	377/579, 377/580	3.30	Tilla	Allottee
25	Sri.Barchangha Reang, S/O,Nakul Joy Reang	Shikaribari	176	377/575, 377/576	3.20	Tilla	Allottee
26	Sri.Sarba Joy Reang, S/O,Manai Ram Reang	Shikaribari	179	377/577, 377/578	3.20	Tilla	Allottee
27	Sri.Birendra Reang, S/O,Nakul Joy Reang	Shikaribari	175	377/551, 377/552	3.20	Tilla	Allottee
28	Sri.Rabindra Reang, S/O.Taiyungrai Reang	Shikaribari	177	377/584. 377/585	3.20	Tilla	Allottee
29	Sri.Bakyamani Reang, S/O.Dhan Chandra Reang	Shikaribari	69	337	6.50	Tilla	Allottee
30	Sri.Bijoy Kumar Reang, S/O.Gagan Chandra Reang	Shikaribari	154	321	5.50	Tilla	Allottee
31	Sri.Gobinda Reang, S/O.Bijoy Kumar Reang	Shikaribari	156	321/489	4.90	Tilla	Allottee
32	Sri.Dilli Rai Reang, S/O,Bijoy Kumar Reang	Shikaribari	155	321/187	3.56	Tilla	Allottee
33	Sri.Mani Ram Reang, S/O.Barshaiha Reang	Shikaribari	53	657	4.10	Tilla	Allottee
34	Sri.Jama Rai Reang, S/O.Pandiram Reang	Shikaribari	37	328	6.50	Tilla	Allottee
35	Sri.Lal Bahadur Reang, S/O,Bhakta Mohan Reang	Shikaribari	67	329.331	6.50	Tilla	Allottee
36	Sri.Sati Ram Reang, S/O.Lakshmanjoy Reang	Shikaribari	63	332	6.50	Tilla	Allottee
37	Sri.Deba Ram Reang, S/O.Joy Chandra Reang	Shikaribari	45	358	3.30	Tilla	Allottee

12/2/2007
(Sankar Sarkar)
Sub-Divisional Magistrate
Ambassa Dhalai District.

certified true copy
7/6/10
P. C. DAS, A/C
A. S. P. I. O.
O/o the P.C.C.F. (Tripura)

ANNEXURE II: Letter dated 8 August 2008 by then DFO, Ambassa allowing extraction of trees

OFFICE OF THE DIVISIONAL FOREST OFFICER
AMBASSA FOREST DIVISION

Sub: Permit of extraction of tress from Jote land in favour of Shri Baikyamani Reang. S/o. Dhan Chandra Reang. Shikari Bari, Ambassa. Dhalai.

Ref: - No.F.3 (14)/SDM/ABS/REV/08/1502. Dated. 26.07.2007 of SDM. Ambassa.

Allowed to extract 30 (thirty) nos. of tress from C.S. Plot No.337 of Khatian No.69 of Mouja Shikaribari under Ambassa T.K. as per demarcation report of the S.D.M. Ambassa vide above reference.

TRESS REGISTRATION CERTIFICATE NO. 263/A*R/AD-08.*

Sl. No.	Sl. No. and year of stand marking	Species	Girth at BH (in cm)	Length (in cm)	Branches if any	C.S. Plot No
1	01/07-08	Gamar	140	800	-	337
2	02/07-08	-do-	102	2100	-	-do-
3	03/07-08	-do-	104	2000	-	-do-
4	04/07-08	-do-	127	1900	-	-do-
5	05/07-08	-do-	120	2100	-	-do-
6	06/07-08	-do-	112	1800	-	-do-
7	07/07-08	-do-	106	2000	-	-do-
8	08/07-08	-do-	97	1900	-	-do-
9	09/07-08	-do-	122	1800	-	-do-
10	010/07-08	-do-	90	1600	-	-do-
11	011/07-08	-do-	95	1800	-	-do-
12	012/07-08	-do-	100	1700	-	-do-
13	013/07-08	-do-	120	1800	-	-do-
14	014/07-08	-do-	100	1700	-	-do-
15	015/07-08	-do-	90	1600	-	-do-
16	016/07-08	-do-	105	1800	-	-do-
17	017/07-08	-do-	135	2100	-	-do-
18	018/07-08	-do-	110	1800	-	-do-
19	019/07-08	-do-	140	1900	-	-do-
20	020/07-08	-do-	115	1800	-	-do-
21	021/07-08	-do-	125	1900	-	-do-
22	022/07-08	-do-	106	1800	-	-do-
23	023/07-08	-do-	88	1700	-	-do-
24	024/07-08	-do-	148	2100	-	-do-
25	025/07-08	-do-	115	1800	-	-do-
26	026/07-08	-do-	155	2100	-	-do-
27	027/07-08	-do-	160	2000	-	-do-
28	028/07-08	-do-	105	1800	--	-do-
29	029/07-08	-do-	220	600	4 br.	-do-
30	030/07-08	-do-	132	1900	--	-do-
	Total: 30 trees.					*Time: 30 days.*

Sale tax on notified government royalty. service charge and other charge are not be realized as per notification/rules

A complete list of logs is to be submitted as per stand marking list indicating the concerned land particulars (i.e. C.S. Plot No. Khatian No.. Mouja, status of land etc.) T.P. is to be issued only on receipt of written order from this office. Other formalities are to be observed as per standing instruction of the authority.

O/C.
No16.2 f2(07-111).

(Sushil Debbarma)
Divisional Forest Officer
Ambassa Forest Division

No.F.32 (1)-1/JT/AD-2008/ 19457-62 Dated. 8/8 /2008

Copy to:-

1. The Superintendent of Sale Taxes. Ambassa Dhalai Tripura.
2. The Range Officer. Ambassa. He is to do the logs marking of the permitted bole. logs/branches only.
3. The In-Charge DFPP. Salema for information and necessary action.
4. The Beat Officer. Kulai beat for information and necessary action.
5. The O/C. Drop Gate. Ambassa for information and necessary action.
6. Shri ~~Chaitaly Reng~~. ~~Kulai~~ through R.O. Ambassa.

Baikyamani Reang.

Divisional Forest Officer
Ambassa Forest Division

Certified to be true copy
SPIO, (O/O DFO. Ambassa.

Government of Tripura
Office of the Divisional Forest Officer
Ambassa Forest Division

Sub:- Prayer of Shri Bakyamani Reang. S/O. Dhan Chandra Reang, Shikaribari for allowing him T.P. for carrying the logs of trees No. 01 to 030/07-08 of permit No.F.32(1)-1/JT/AD-08/19,457-62. dated, 08/08/08 to Agartala.

Ref: - Her application dated, Nil & No.F.23/AR-08/Nil, dated, 23.08.2008 of R.O. Ambassa.

T.P. may be issued after observing all formalities for carrying the logs of trees No. & permit as mentioned on the above subject.

Time allowed: - 30(thirty) days.

[Sushil Debbarma]
Divisional Forest Officer,
Ambassa Forest Division.

No.F.32 (1)-1/JT/AD-08/ 22,078-82 Dated, 12/9/2008.

Copy to:-

1. The Range Officer, Ambassa with logs marking list for information and n/action.
2. The I/C. SFPU Ambassa for information and necessary action.
3. The Beat Officer, Jaharnagar Beat with logs marking list for information & n/action.
4. The O/C. Drop gate, Ambassa with marking list for information & necessary action.
5. Shri Bakyamani Reang, Shikaribari with logs marking list. The concerned timber cannot be transport to any sawmills or wood based industry which have not been authorized and having FTL. He must get the logs checked at Ambassa drop gate before proceeding to destination.

O/C.
Note-96 (07-11),

Divisional Forest Officer.
Ambassa Forest Division.

Certified to be true copy
PIO. (O/O DFO. Ambassa.

ANNEXURE III: Letter of SDM dated 4 February 2009 intimating the status of land prior to allotment to be khas land

Government of Tripura
Office of the Sub-Divisional Magistrate
Ambassa Dhalai Tripura

AF.2(32)/SDM/ABS/REV/08/ 2824 Dated 4/2/2009

To
The Divisional Forest Officer
Ambassa Forest Division.

Sub: - Status of land allotment to 44 Nos families of Sikaribari area.

Ref: - Your letter No. F.32 (1)-1/JT/AD-08/24965-25010 dt. 23/10/2008.

Sir.

With reference to the above, I am enclosing herewith the list of 44 Nos families under Sikaribari Mouja after proper enquiry and showing the legal status of land prior to allotment.

This is for your kind information and necessary action please.

Yours faithfully

Enclo :- As stated.

4-2-09

Sub-Divisional Magistrate
Ambassa Dhalai Tripura

Tripura
7965
4/2/09

certified true copy
P.C. DAS, AIO
A.S. P I.O.
O/o the P.C.C.F. (Tripura)

COPY.

P. C. DAS, A/C
A.S. P.T.O.
O/o the P.C.C.F. (Trg.)

STATUS OF LAND ALLOTMENT TO 44 FAMILIES OF SIKARIBARI AREA

	Name of T.V.	Name of Mouza	Land Particulars					Year of allotment	Status of land prior to allotment
			Khatian No	Patta/ Dag No	Dag No	Class of land	Area (in acres)		
ng an Reang	Ambassa	Sikaribari	187	701(P)	362	Tilla	3.00	1997	Khas land
n Reang ram Reang	Ambassa	Sikaribari	186	701(P)	339/593 339	Bastu Tilla	0.30 3.00	1997	Khas land
nang, S/O,Girendra	Ambassa	Sikaribari	185	701(P)	339/593 339	Bastu Tilla	0.30 3.00	1997	Khas land
chindra ng,S/O,Satiram Reang	Ambassa	Sikaribari	184	701(P)	334/605 334/606	Bastu Tilla	0.20 3.00	1997	Khas land
bahadur Reang, /O,Ramjoy Reang	Ambassa	Sikaribari	183	701(P)	377/582 377/583	Bastu Tilla	0.30 3.00	1997	Khas land
Dajendra Reang, 6 S/O,Satiram Reang	Ambassa	Sikaribari	182	701(P)	333/604 333	Bastu Tilla	0.37 3.00	1997	Khas land
Sarbajoy Reang, 7 S/O,Sanai Ram Reang	Ambassa	Sikaribari	179	701(P)	377/577 377/578	Bastu Tilla	0.20 3.00	1997	Khas land
Kharendra Reang, 8 S/O,Jamarai Reang	Ambassa	Sikaribari	165	701(P)	377/569 377/570	Bastu Tilla	0.20 3.00	1997	Khas land
Sri Kamal Joy Reang, 9 S/O, Debram Reang	Ambassa	Sikaribari	178	701(P)	377/586	Tilla	3.00	1997	Khas land
Sri Mangal Sing Reang, 10 S/O,Bijoy Kr. Reang	Ambassa	Sikaribari	153	608(P)	321/490	tilla	3.70	1997	khas land
Sri Subaljoy Reang, 11 S/O,Laxmanjoy Reang	Ambassa	Sikaribari	174	701(P)	377/553 377/554	bastu tilla	0.20 3.00	1997	khas land
Nensaibati Reang, 12 W/O,Mritunjoy Reang	Ambassa	Sikaribari	243	608(P)	321/691 321/692	Bastu/Tilla Tilla	0.20 3.00	1997	khas land
Sri Prasan Joy Reang, 13 S/O,Sanabahadur Reang	Ambassa	Sikaribari	256	701(P)	377/704 377/705	Bastu/Tilla tilla	0.20 1.80	1997	khas land
Sandhya Ram Reang, 14 S/O, Nabindra Reang	Ambassa	Sikaribari	166	701(P)	377/567 377/568	Bastu/Tilla tilla	3.20 3.00	1997	khas land
Sri Bijoy Kr. Reang, 15 S/O. Sukrachandra Reang	Ambassa	Sikaribari	156	608(P)	321/488	tilla	5.50	1992	khas land
Sri Govinda Reang, 16 S/O,Bijoy Kr. Reang	Ambassa	Sikaribari	156	608(P)	321/489	Tilla	4.90	1992	khas land
Lapterung Reang 17 W/O,Birchandra Reang	Ambassa	Sikaribari	149	608(P)	321/481 321/482	Bastu/Tilla tilla	0.20 2.60	1992	khas land
Sri Monohar Reang, 18 S/O,Birchandra Reang	Ambassa	Sikaribari	151	608(P)	321/485	tilla	3.80	1992	Khas land
Joybati Reang, 19 W/O,Randha Reang	Ambassa	Sikaribari	150	608(P)	321/484	Tilla	3.80	1992	Khas land
Sri Surja Ram Reang, 20 S/O, Kaifiyarai Reang	Ambassa	Sikaribari	180	701(P)	377/579 377/580	Bastu Tilla	0.30 3.00	1997	Khas land
Sri Jobrai Reang, 21 S/O, Amakrai Reang	Ambassa	Sikaribari	181	701(P)	377/581	Tilla	3.00	1997	Khas land
Govinda Reang, 22 S/O,Gunaram Reang	Ambassa	Sikaribari	188	701(P)	362/594 362/595	Bastu Tilla	0.34 3.00	1997	Khas land
Sri Rabindra Reang, 23 S/O,Taimungrai Reang	Ambassa	Sikaribari	177	701(P)	377/584 377/585	Bastu Tilla	0.20 3.00	1997	Khas
Sri Birendra Reang, 24 S/O,Nakuljoy Reang	Ambassa	Sikaribari	175	701(P)	377/551 377/552	Bastu Tilla	0.20 3.00	1997	Khas land
Sri Maniram Reang, 25 S/O,Barsaiha Reang	Ambassa	Sikaribari	53	701(P)	357	Tilla	4.10	1978	Khas land
Sri Dilliram Reang, 26 S/O,Bijoy Kr. Reang	Ambassa	Sikaribari	155	608	321/487	Tilla	3.56	1992	Khas land
Sri Baikya Mani Reang, 27 S/O,Dhanchandra Reang	Ambassa	Sikaribari	69	701(P)	337	Tilla	6.50	1978	Khas land
Sri Barchangha Reang, 28 S/O, Nakuljoy Reang	Ambassa	Sikaribari	176	701(P)	377/575 377/576	Bastu Tilla	0.20 3.00	1997	Khas land
Narendra Reang, 29 S/O, Jarmajoy Reang	Ambassa	Sikaribari	173	701(P)	377/555 377/556	Bastu Tilla	0.20 3.00	1997	Khas land
Adhiram Reang, 30 S/O,Sambahadur Reang	Ambassa	Sikaribari	171	701(P)	356/559 356/560	Bastu Tilla	0.20 3.00	1997	Khas land
Adhiroy Reang, 31 S/O, Nalachandra Reang	Ambassa	Sikaribari	164	701(P)	377/571 377/572	Bastu Tilla	0.20 3.00	1997	Khas land
Sarajoy Reang, 32 S/O,Bishnu Ram Reang	Ambassa	Sikaribari	169	701(P)	377/562 377/563	Bastu Tilla	0.20 3.00	1997	Khas land
Annyaram Reang, 33 S/O,Alirai Reang	Ambassa	Sikaribari	168	701(P)	377/564 377/565	Bastu Tilla	0.20 3.00	1997	Khas land

	Ambassa	Sikaribari	170 701(P)	377/561	Tilla	3.00	1997 Khal land
				377/557	Bastu	0.20	
	Ambassa	Sikaribari	172 701(P)	377/558	Tilla	3.00	1997 Khas land
...hu	Ambassa	Sikaribari	258 701(P)	377/708	Tilla	2.00	1999 Khas land
				377/706	Bastu	0.20	
...Reang	Ambassa	Sikaribari	257 701(P)	377/707	Tilla	1.80	1999 Khas land
...o.							
...y Reang	Ambassa	Sikaribari	167 701(P)	377/566	Tilla	3.00	1997 Khal land
...l Reang,	Ambassa	Sikaribari	253 701(P)	356/701	Tilla	2.00	1999 Khal land
...n Reang,S/O,Satiram	Ambassa	Sikaribari	250 701(P)	334/698	Tilla	3.00	1999 Khas land
...m Reang,	Ambassa	Sikaribari	248 701(P)	322/487	Tilla	2.00	1999 Khas land
...nda Reang,S/O,Bijoy Kr.	Ambassa	Sikaribari	156 608(P)	321/489	Tilla	4.90	1992 Khas land
...thakha Reang.				377/709	Bastu	0.20	
.../O, Debaram Reang	Ambassa	Sikaribari	259 701(P)	377/710	Tilla	1.80	1999 Khas land
Jagyaram Reang,				325	Bastu	0.24	
...S/O,Taijang rai Reang	Ambassa	Sikaribari	249 605(P)	327/406	Bagan/Tilla	1.36	1999 Khas land

Sub-Divisional Magistrate
Ambassa Dhalai District.

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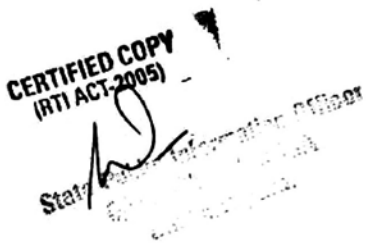
PROPOSED LIST OF 32 NOS BENEFICIARIES FOR RUBBER PLANTATION UNDER AMBASSA SUB-DIVISION.

Sl. No.	Name of beneficiaries	Mouja	Khaitan No.	Dag No.	Area in Acre.	Classification of land	Status of land
	2	3	4	5	6	7	8
	Sri.Sarajoy Reang, S/O,Bishnuram Reang	Shikaribari	169	377/562, 377/563	3.20	Tilla	Allottee
	Sri.Faidaram Reang, S/O,Ram Charan Reang	Shikaribari	251	364/699	3.00	Tilla	Allottee
	Sri.Gobinda Reang, S/O,Gunaram Reang	Shikaribari	188	362/593, 362/595	3.34	Tilla	Allottee
	Sri.Adhirai Reang, S/O,Nal Chandra Reang	Shikaribari	164	377/571, 377/572	3.20	Tilla	Allottee
	Sri.Sachindra Reang, S/O,Sati Ram Reang	Shikaribari	184	334/605, 334/606	3.20	Tilla	Allottee
6	Sri.Kharendra Reang, S/O,Jamarai Reang	Shikaribari	165	377/569, 377/570	3.20	Tilla	Allottee
9	Sri.Mukti Ram Reang, S/O,Sati Ram Reang	Shikaribari	250	334/698	3.00	Tilla	Allottee
10	Sri.Ananda Reang, S/O,Kala Rai Reang	Shikaribari	167	377/566	3.00	Tilla	Allottee
11	Sri.Surendra Reang, S/O,Deba Ram Reang	Shikaribari	170	377/561	3.00	Tilla	Allottee
12	Sri.Narendra Reang, S/O,Laksman Joy Reang	Shikaribari	173	377/555, 377/556	3.20	Tilla	Allottee
13	Sri.Kamal Joy Reang, S/O,Deba Ram Reang	Shikaribari	178	377/586	3.00	Tilla	Allottee
14	Sri.Sanka Ram Reang, S/O,Asha Chandra Reang	Shikaribari	173	377/573, 377/574	3.20	Tilla	Allottee
15	Sri.Anna Ram Reang, S/O,Ali Rai Reang	Shikaribari	168	377/564, 377/565	3.20	Tilla	Allottee
16	Sri.Guna Ram Reang, S/O,Ram Charan Reang	Shikaribari	187	362	3.00	Tilla	Allottee
17	Sri.Pandi Ram Reang, S/O,Santi Ram Reang	Shikaribari	186	339/593, 339	3.30	Tilla	Allottee
18	Sri.Lalit Reang, S/O,Girendra Reang	Shikaribari	185	339/591, 339/592	3.30	Tilla	Allottee
19	Sri.Subal Joy Reang, S/O,Laxman Joy Reang	Shikaribari	174	377/553, 377/554	3.20	Tilla	Allottee
20	Sri.Bir Bahadur Reang, S/O,Ram Joy Reang	Shikaribari	183	377/582, 377/583	3.30	Tilla	Allottee



.o.	Name of beneficiaries	Mouja	Khaitan No.	Dag No.	Area in Acre.	Classification of land	Status of land
1	2	3	4	5	6	7	8
21	Sri.Dharma Rai Reang, S/O,Surendra Reang	Shikaribari	172	377/557, 377/558	3.20	Tilla	Allottee
22	Sri.Adhi Ram Reang, S/O, Sam Bahadur Reang	Shikaribari	171	356/559, 356/560	3.20	Tilla	Allottee
23	Sri.Jaba Rai Reang, S/O,Annak Rai Reang	Shikaribari	181	377/581	3.00	Tilla	Allottee
24	Sri.Surja Ram Reang, S/O,Kaifai Rai Reang	Shikaribari	180	377/579, 377/580	3.30	Tilla	Allottee
25	Sri.Barchangha Reang, S/O,Nakul Joy Reang	Shikaribari	176	377/575, 377/576	3.20	Tilla	Allottee
26	Sri.Sarba Joy Reang, S/O,Manai Ram Reang	Shikaribari	179	377/577, 377/578	3.20	Tilla	Allottee
27	Sri.Birendra Reang, S/O,Nakul Joy Reang	Shikaribari	175	377/551, 377/552	3.20	Tilla	Allottee
28	Sri.Rabindra Reang, S/O,Taiyungrai Reang	Shikaribari	177	377/584, 377/585	3.20	Tilla	Allottee
29	Sri.Bakyamani Reang, S/O,Dhan Chandra Reang	Shikaribari	69	337	6.50	Tilla	Allottee
30	Sri.Bijoy Kumar Reang, S/O,Gagan Chandra Reang	Shikaribari	154	321	5.50	Tilla	Allottee
31	Sri.Gobinda Reang, S/O,Bijoy Kumar Reang	Shikaribari	156	321/489	4.90	Tilla	Allottee
32	Sri.Dilli Rai Reang, S/O,Bijoy Kumar Reang	Shikaribari	155	321/487	3.56	Tilla	Allottee
33	Sri.Mani Ram Reang, S/O,Barshaiha Reang	Shikaribari	53	657	4.10	Tilla	Allottee
34	Sri.Jama Rai Reang, S/O,Pandiram Reang	Shikaribari	37	328	6.50	Tilla	Allottee
35	Sri.Lal Bahadur Reang, S/O,Bhakta Mohan Reang	Shikaribari	67	329,331	6.50	Tilla	Allottee
36	Sri.Sati Ram Reang, S/O,Lakshmanjoy Reang	Shikaribari	63	332	6.50	Tilla	Allottee
37	Sri.Deba Ram Reang, S/O,Joy Chandra Reang	Shikaribari	45	358	3.30	Tilla	Allottee

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Sub-Divisional Magistrate
Ambassa Dhalai District.

ANNEXURE IV: Letter of Sub-Divisional Magistrate, Ambassa dated 28 July 2009 asking the Reangs to pay demarcation fees of Rs. 1,19,000/-

GOVERNMENT OF TRIPURA
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE
AMBASSA SUB-DIVISION : DHALAI

No. 2230 /F.3(14)/SDM/ABS/REV/09 July 28, 2009

To
The District Magistrate & Collector,
Dhalai District, Jawharnagar.

Sir,

I am enclosing herewith a prayer submitted by Sri Thaithak Reang, Lt. Debaram Reang & Sri Sanjit Debbarma of Sikaribari on behalf of 48 families of Govt. aided rubber plantation from Sikaribari area. In the prayer, they have requested to exempt the fees/charges for joint verification of land by the Forest Deptt and Sub-Divisional administration, Ambassa for issuing trees registration certificate for extraction of trees, due to their poor financial condition. It may be mentioned here that after assessment, the demarcation/joint verification charges comes to Rs.1,19,090/- (Rupees One lakh nineteen thousand ninety) only.

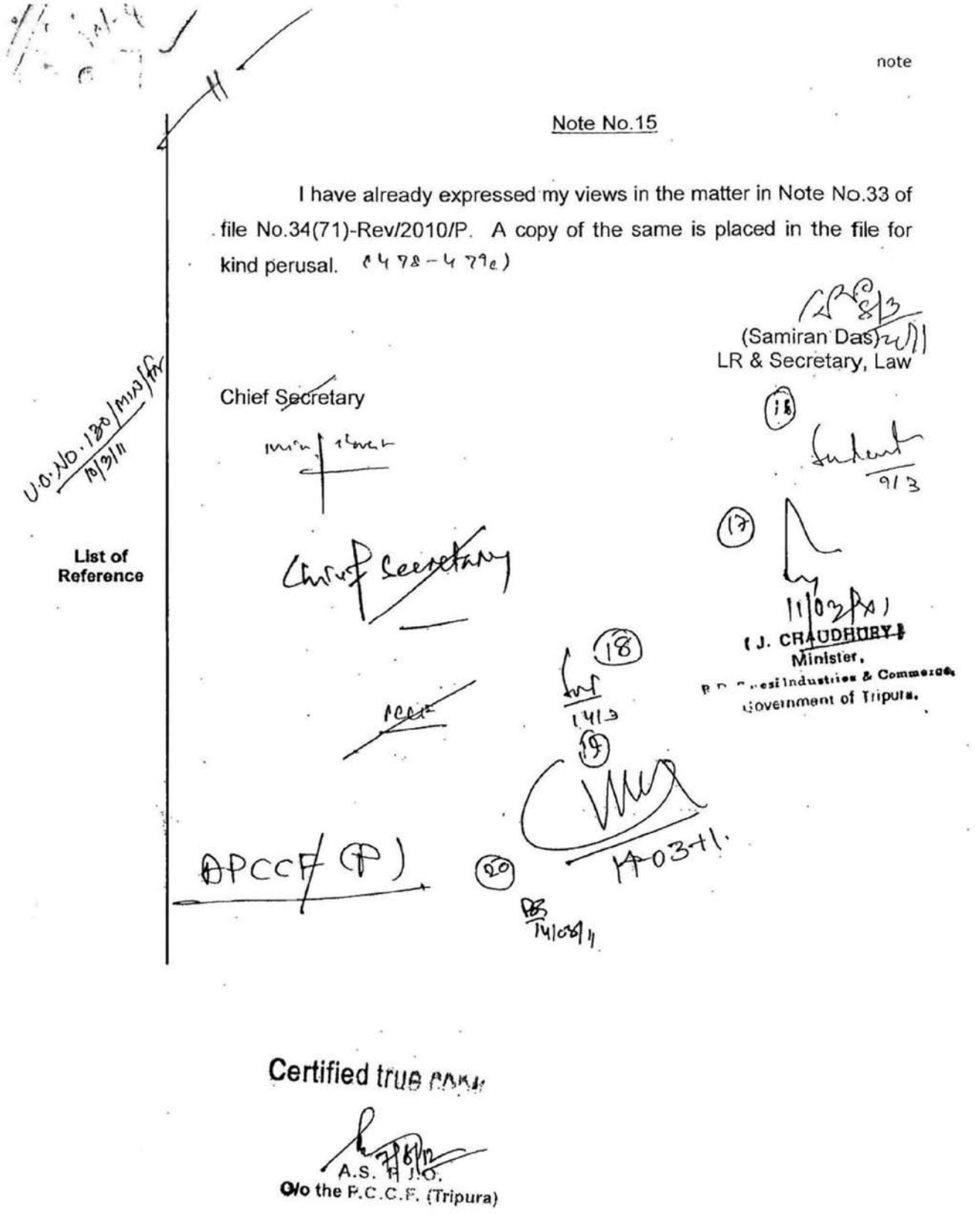
In view of the above, I would request you to kindly consider their prayer and issue necessary instruction in this regard.

Enclo : As stated.

Yours faithfully,

(Rakhi Biswas)
Sub-Divisional Magistrate
Ambassa Sub-Division .

ANNEXURE V: Opinion of Law Secretary, Chief Secretary, Revenue Minister asking the Forest Department not to pursue the case



note

Note No.15

I have already expressed my views in the matter in Note No.33 of file No.34(71)-Rev/2010/P. A copy of the same is placed in the file for kind perusal. (478-479c)

(Samiran Das)
LR & Secretary, Law

Chief Secretary

U.O.No.130/M13/Hr
10/3/11

List of Reference

(J. CHAUDHURY)
Minister,
Forest Industries & Commerce,
Government of Tripura.

APCCF (P)

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A.S.
O/o the P.C.C.F. (Tripura)

Note No.33

Examined.

Land measuring 851.02 acres pertaining to old CS plot No.701 and 608 of Mouja Sikaribari was recorded in the name of Forest Department in khatian No.12/21 during the first settlement operation.

Subsequently vide Notification dated 21/5/1976, 527 acres of land (out of total 851.02) was declared as reserve forest leaving thereby 320 acres of land (in cancellation of earlier Notification dated 11/5/1966 as was published in Tripura Gazette as on 25/7/2007).

When the revisional survey was taken up in the area after 1980 the land measuring 324.02 acres under plot No.701/P and 608/P excluded from the reserve forest vide Notification dated 21/5/1976 issued by the Forest Department and taken back by the Government and declared as khas land by transferring it in the khatian of the Tripura Government from the khatian of Forest Department pursuant to Notification dated 18/10/1984 of the Director of Land Records & Settlement and thereafter those lands had been given allotment to 69 tribal families who have been in occupation of those lands as forest dwellers.

Forest Department filed a petition in the Court of Ld. District Collector, Dhalai in 2008 u/s 11(3) of the TLR & LR Act 1960 seeking correction of record of rights claiming the land as forest land.

Section 29 of the Indian Forest Act 1927 empowers the State Government to declare any forest land or waste land as a 'protected forest' by Notification in the official gazette. Section 29 of the Indian Forest Act 1927, is confined within the declared forest. It does not say about the procedure as to how the record-of-rights will be prepared by the State Government. The transfer of protected forest land in the khatian of the Govt. of Tripura has been made pursuant to Notification dated 18/10/1984 considering the fact that forest department did not report identifying forest land within the erstwhile protected forest. In section 29 of the Indian Forest Act there is no bar for transfer of forest land within erstwhile protected forest in the khatian of the Govt. of

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To the P.C.C.F. (Tripura)

Tripura since the lands transferred have no tree groves and that Forest Conservation Act 1980 is not applicable as there is no question of de-reservation of forest land for non-forest purpose is involved.

In a similar case it was decided by the Ld. Revenue Commissioner between Conservator of Forests, Southern Circle and Others Vs. State of Tripura in Revision case No.7/98 u/s 95 of the TLR & LR Act, 1960 that similar type of land as in the present case should be recorded in the khas khatian of the Government of Tripura and Forest Department occupation may be recorded in remarks column of the khatian only on the land which have tree groves and under forest use.

This order has not been challenged by the Forest Department in any higher Forum and therefore, that order stands good unless or until cancelled or modified by the competent Court and as such on the same principle, it can be held that allotment of these lands made by the Government in favour of 69 families is not illegal and is not liable to be cancelled.

Considering all these aspects, I am of the view that there is no cause of action for the Forest Department to pursue the case rather it is advisable that case may not be pressed.

(Samiran Das)
LR & Secretary, Law

Chief Secretary

Minister, Revenue

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O/o the P.C.C.F. (Tripura)

ANNEXURE VI: Judgement dated 7 June 2011 of the Revenue Court of District Magistrate and Collector, Dhalai district

Office of the Principal Secretary Government of Tripura Agrt.

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Case No.122/REV/2011

GOVERNMENT OF TRIPURA
ORDER SHEET

IN THE COURT OF
DISTRICT COLLECTOR, DHALAI DISTRICT, AWAHARNAGAR

The Divisional Forest Officer, Ambassa.	Vs.	1.The Sub-Divisional Magistrate, Ambassa. 2.Sri Pranamjoy Reang, S/O,Sambahadur Reang,of Sikaribari. 3.Sri Thaithak Reang, S/O, Lt.Debaram Reang of Sikaribari under Ambassa Sub-Division.

Sub: U/S 95 of TLR & LR Act. 1960

Sl. No. and date of order	ORDER	Signature of parties & Remarks
07.06.2011	Sri Chandan Lal Das, DFO, Ambassa Division, Ambassa submitted a petition on 12.11.2008 U/S 11(3) of TLR & LR Act'1960. Later on a corrigendum issued by the DFO, Ambassa Forest Division, Dhalai to state that the application may be treated as U/S 95 of TLR & LR Act'1960 vide his corrigendum No.F.32(1)/GEM/JT/AD-2K(Part)/183013-16 Dated-29.08.2009. Accordingly, instant case U/S 95 of TLR & LR Act'1960 has been registered. The petitioner stated that some RF land has been allotted to 44 families of Shikhabari mouja under Ambassa Sub-Division violating the Forest Conservation Act 1980. The land was allotted prior to 1980 AD without concurrence of the Forest Department. The DFO, Ambassa prayed for correction of record U/S 95 of TLR & LR Act'1960. Heard and gone through the written statement submitted by the petitioner which reveals that one Sri Sri Sambahadure Reang and 43 others submitted application along with parcha to DFO, Ambassa for extraction of trees. These were forwarded to SDM, Ambassa by DFO, Ambassa. vide his No.F.32(1)/GEN/JT/AD-2000/10660-61 dated 15-09-2006 to confirm the status of land at the time of allotment. **(Exhibit-1)** 2. In response, SDM, Ambassa vide his No.3(14)/SDM/ABS/REV/07/6095 dated 25-12-2007 forwarded the report of Tehsilder, Ambassa Tehsil Kachari **(Exhibit-2)** wherein it is mentioned that the allotment were made from old C.S.Plot No.701 & 608 and status of such land prior to allotment was Reserve Forest. Since status of land prior to allotment was forest land and hence, no further action was taken by DFO, Ambassa regarding permission for extraction of trees. 3. Subsequently, one Sri Thaithak Reang and 43 others again applied along	

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with Khatian and map to DFO, Ambassa for issue of Tree Registration Certificate. These applications were sent to SDM, Ambassa vide No.32(1)/JT/AD-08/24965-25019 dated 23-10-2008 of DFO for confirming status of land prior to allotment. In response, SDM, Ambassa vide his No.F.3(14) /SDM/ ABS /Rev/ 08/9836 dated-04.02.09 **(Exhibit-3)** intimated that the status of land prior to allotment was khas land and allotments were made after 1980.

4. Since the report of SDM, Ambassa dated 04-02-2009 and 25-12-2007 were contradictory, the DFO, Ambassa referred the matter to DFO, working plan Division- 1, Agartala to confirm the status of the land prior to allotment. In response, the DFO,WP Division No.1 vide his letter No.F.22-66/Manu & Ambassa/ Land WP-1/For-05/2321-22 dated 27-02-2009 **(Exhibit–4)** intimated the status of land prior to allotment was Reserve Forest and gave the details on the old C.S.Plot No.701 & 608 from which the allotments were made, which is reproduced below :

Sabek CS plot No.	Sabed Khatian No.	Mouja	Area	Status of land
701	12/21	Sikaribari	533.38	RF
608	12/21	Sikaribari	317.64	RF
Total			851.02	RF

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5. Khatian No.12/21 of attestation stage is in **(Exhibit-5)**. Khatian No.2 of Sikaribari Mouja shows that status of CS Plot No.608 & 701 was forest land **(Exhibit-6)**.

6. Subsequently, as per notification No.F.18-4/42/For-76/16294 dated 21-05-1976 of Forest Department, Govt. of Tripura **(Exhibit–7)**, an area 302.61 acres out of 533.38 acres of CS Plot No.701 and 224.39 acres out of 317.64 acres of CS Plot 608 was constituted as Chandraipara RF. The remaining area 230.77 acres of CS Plot No.701 and 93.25 acres of CS Plot No.608 was left as land under Forest Department as forestland, the break up given below :

Name of Mouja	Sabek Khatian No.	Sabek CS Plot No.	Area in the Khatian	Area declared as Chandrai Para RF	Area left as forestland in acre.
Sikari Bari.	2	701	533.38	302.61	230.77
Sikari bari	2	608	317.64	224.39	93.25
Total			851.02	527.00	324.02

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7. At the time of Revision Survey it is seen that 233.58 acres of forest land out of 533.38 acres of plot No.701 & 98.35 acres out of 317.64 acres of

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plot 608 has been wrongly recorded under non Forest Khatian.

8. The Section-2 of Forest (Conservation) Act, 1980 states that Notwithstanding any thing contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government , any order directing :-

I. That any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof. Shall cease to be reserved;

II. That any forest land or any portion thereof may be used for any non forest purpose" (Annexure – XV). Therefore, the reduction of forestland from the CS plot No.701 and 608 of mouja Shikaribari is in contravention of the provisions of the Forest (Conservation) Act.1980.

9. The above provisions should be read in the context of various notifications issued by the state government from time to time that the notification No.13 dt. 29-04-1952 was issued by the Forest Department U/S 29 of Indian Forest Act, 1947 declaring that the "2,438 sq. miles which were not constituted as Reserve Forest and are not under reclamation under order of the Revenue Deptt as Protected Forest" in **(Exhibit-8)**. This notification was rescinded by the notification No.F.2.2/5/Forest/80/CD dt. 19-08-1982 **(Exhibit-9)**, which had effect of reverting the protected forest land to its earlier status of unclassified govt. open forest and not as khas land and it is still attract the provision of Forest (Conservation) Act 1980.

10. In conformity with the provisions of Forest (Conservation) Act.1980, the Chief Secretary, Govt. of Tripura also vide memorandum No.F.16(66)-For-Plan/25177-25258 dated 13-06-1989 **(Exhibit-10)** issued instructions to all concerned not to divert any forestland without obtaining prior permission from Central government. The para 3 of he memorandum further clarifies that "the erstwhile protected forest lands are now "unclassed open government forest" lands.

11. Also para- 4 of the aforesaid memorandum states that "while processing any allotment case utmost care should be taken by all concerned ensuring that no forest land is allotted or otherwise utilized without obtaining prior approval of the Central government. The records maintained in the Directorate of Settlement and land Records and those in the District Administration must be re-checked with the records maintained in the Forest Department as per notification issued from the Forest Department before taking a final decision and issuing allotment order".

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Govt. of Tripura.

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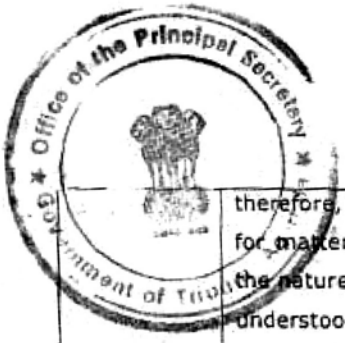
12. Hence, all such forest lands left after declaration of Chandraipara Reserve Forest of part of erstwhile protected forest land also attract the provision of Forest (Conservation) Act.1980 and Forest (Conservation Amendment Act.1988.

13. Further the Memo No.17737-807/F.6(14)-DSLR/LR/84 dated 18-10-1984 **(Exhibit-11)** issued by the Directorate of land Records and Settlement prescribing diversion/ transfer of forestland having no valuable tree growth into government khas land without following due procedure is ultra vires and , therefore, ab initio void. No executive order given by Director, Directorate of land Records & Settlement or nay other authority in contravention of the provisions of Central Act. in the case Forest (Conservation) Act.1980 passed by parliament, is tenable in law. All cases of diversion/transfer of forestland into government khas land without following due procedure as prescribed are untenable in law. The forest area transferred into government khas khatian needs to be restored as forestland.

14. Therefore, all the allotment made from above mentioned forestland in 1992, 1997 and 1999 are not only in contravention of provisions of Forest (Conservation) Act.1980 but also in violation of the memorandum dated 13-06-1989 of the Chief Secretary ,Government of Tripura. Hence, these allotments have been made from the forest land after enactment of the forest (Conservation) Act. 1980 which is a law passed by the Parliament therefore, diversion of forest land after enactment of the FCA 1980 without following due procedure prescribed, is untenable in law.

15. In the said forestland, there are valuable trees even more than 60 years old standing. Even if for a moment diversions of forestland and subsequent allotments as to be considered in compliance of the Memo No.17737-807/F.6(14)-DSLR/LR/84 dated 18-10-1984 of Director, Directorate of land Records & Settlement , even then these diversions and subsequent allotments are again in violation and contradictory to the same memo dated 18-10-1984 which provides for diversion of only those area of forest land which are devoid of trees, since these plots were already having trees standing on them. It is mentioned here that Sri Sambahadur Reang and others in their application dated 04-02-2006 **(Exhibit-12)** have also stated that the land has god gifted mature trees.

16. Also the Hon'ble Supreme Court of India is its judgment order dated 12-12-1996 in WP© No.202 of 1995 **(Exhibit-13)** ordered vide page 3-4 that the Forest Conservation Act.1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and



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Govt. of Tripura.

therefore, the provision made therein for the Conservation of Forest and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word "Forest" must be understood according to its dictionary meaning. This description covers all statutorily recognized forest, whether designated as reserved, protected or otherwise for the purpose of section 2(i) of the Forest Conservation Act. The term "forest land" occurring in section 2, will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. It is reasonable to assume that any State Government which has failed to appreciate the correct position in law so far, will forthwith correct its stance and take the necessary remedial measures without any further delay.

17. The petitioner has argued that the allotments made from the forestland after enactment of Forest (Conservation) Act.1980 are grossly in violation of Forest (Conservation) Act.1980 as well as memorandum No.F.16(66)-For-PLAN/25177-25280 dated 13-06-1989 of the Chief Secretary, Government of Tripura. Thus, allotments made to 44 residents of Shikaribari as stated in the application dated 12-11-2008 liable to be cancelled and recorded back in favour of Forest Department, Government of Tripura

Representative of respondents Sri Mangal Debbarma, Advocate, Gauwahati High Court, Agartala Branch stated that the private respondent No.2 & 3 in the above petition know all facts relating to the same.

i) That the petition purportedly filed under section 95 of TLR & LR Act is not maintainable in as much as the petitioner does not disclose the cause of action relating to correction of records wherein the suit land is situated and disputed between the parties, it is wholly misconceived and the petitioner has abused the process of the Court by filing the petition and therefore, the same is liable to be dismissed.

ii) That the petitioner has no locus stand to file the said application under section 95 of TLR & LR Act to seek correction of records, rights and title on the said land and thus, the same is liable to be dismissed.

iii) That the present petition is not maintainable because of the land in question involved in this petition is not disputed but it is a fact that the rights and titles are already recorded in favour of the respondents. So the petition of the petitioner is liable to be dismissed in limine.

iv) That the claim by the petitioner to decide for correction of records of the ROR and khatians in the name of petitioner may not be granted in view of

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the fact that the private respondents are the rightful owner in possession on the said land since after land allotted by the Govt. of Tripura.

v) That the private respondents submitted that the suit land was allotted by the Government of Tripura from the year 1978 onwards to as many as 100 families including the present respondents and others landless and homeless tribal people in the Shikaribari village. Accordingly, record of rights and title have been given to the allottee by the Government after observation of all formalities as per Tripura Land Revenue and Land Reform Rules, 1980 as on up to amendment made upto the time of allotment.

vi) That before allotment to the landless Tribal families the suit land was recorded as khas land i.e. Government land as notified by Forest Department published in Tripura Gazette Vide Notification No.18-4/42/For-76/16294, dated 21st May,1976. It is evident from the table of the said notification that the suit land was within the North Tripura District, P.S. Kamalpur, Sub-Division- Kamalpur, Mouja-Sikaribari, Plot No.701(Part) measuring 302.61 acres classified as Tilla and Plot No.608(Part) measuring 224.39 acres of land classified as Tilla has been declared as Chandrai Para Reserved Forest.

vii) It is pertinent to mention here that at the time of allotment of land to the Respondents including 42 families and other Tribal families by the Government the land was not within the area of Reserved Forest under Chandrai Para Reserved Forest.

viii) It is also submitted by the Respondents that demarcation of land of 44 families conducted by the Surveyor of Forest Department on 07-08-2009 and it was reported that the land was recorded as khas land. **(Exhibit-14).** On query by DFO, Ambassa informed in its letter vide No.F.(14)/SDM/ABS/REV/08/9836 dated 04-02-2009 that the allotment land to 44 nos. families was Govt. khas land prior to allotment. It is also submitted that on 07-07-2009 the petitioner i.e. the DFO, Ambassa informed to the SDM, Ambassa by its letter No.F.32(1)-I/11/AD-2008/12491-543 dated 07-07-2009 about the joint verification on the said land for issuing the tree registration certificate for extraction of trees it is stated that the land belongs to the Respondents is non forest land. It is further submitted that the Appellate Authority of RTI Act, office of the DM & Collector, Dhalai Tripura was also confirmed in its order dated 05-08-2010 that the said land in question was khas land before allotment to the Respondents and others in Case No.3/RTI/2010.

Further a written statement submitted by the respondent on 31.5.2011 stating that Mr. C.L. Das, IFS in his report dated 07.07.2009

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vide order No.F.32(1)-T/JT/AD-2008/12491-543 has confirmed the land of 44 Reang Tribal beneficiaries are non-forest land.

Gone through the reports of Sub-Divisional Magistrate, Ambassa vide letter No.812-13/F.3(7-4)/SDM/ABS/REV/11 Dated-23.04.11 and No.37044/F.3(7-4)/SDM/ABS/REV/10 Dated-21.5.11 **(Exhibit-15)** which reveals that land measuring 533.38 acres in plot No.701 and land measuring 317.64 in plot No.608 recorded in Khatian No.12/21 under mouja Sikaribari of Ambassa T.K. was recorded as Reserve Forest in the year 1962. During Revisional survey period of 1984, land measuring 533.38 acres and 317.64 acre recorded as follows:-

KH. No.	Old plot No.	R.S. plot No.	Area (in acres)	Remarks
1/16, 1/17, 1/18, 1/19, 1/20	701	364, 367, 350, 356, 353, 354, 333, 334, 339, 367, 317, 369, 370, 375, 377.	152.37	Govt. khas
3/2, 3/5, 3/15.	701	-	301.19	Reserve Forest
3/1	608	330	219.29	Reserve Forest
1/18, 1/19, 1/2.		319, 32, 321, 322, 327/406, 315.	83.17	Govt. khas

Allotment was given from the khas land.

On the basis of hearing to both the parties, written statements of petitioner, respondents and report of SDM, Ambassa findings are recorded as follows.

1. At the time of revisional survey the quantum of the land measuring 152.37 acres from plot No.701 and 83.17 acres from plot No.608 was made Govt. khas in conformity with the memo No.17737-807/F.6(14)/DSLR/LR/84 Dated-18.10.84 of the Director of Land Records & Settlement **(Exhibit-11)**. No records are so far available with the Forest Department which shows that they had had raised objections at the time of Revisional survey operation when the land in question was recorded as khas. Accordingly, the land recorded as khas the local revenue authority also made some allotment both newly and after revisional survey operation. In this regard, report of DLRS is referred vide letter No.4(446)-DSLR/R/10295 Dated-21.12.2010 **(Exhibit-16)**.

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2. Entire sequence of evens shows that a notification No.13 Dated-29.04.1952 was issued from the Forest Department U/s 29 of the Indian Forest Act1927 declaring "All areas of unclassed Govt. open forest of Tripura comprising approximately 2438 Sq. miles which were not constituted as reserve forest and are not under reclamation under orders of the Revenue Department as protected forest with immediate effect and all the sections under chapter iv of the said act shall now apply to this forests. Provided that pending enquiry into rights of private persons in an over the land comprised therein, the existing rights of individuals will not be abridged or affected" (Exhibit- 8). On the other hand, on 09-08-1982, the Chief Secretary to the Govt. of Tripura had issued a letter vide No.F.2-2/5/For-80/CD (Exhibit- 9) mentioning that the State Government rescinds the notification No.13 Dated-29.04.1952 of the Forest Department, Govt. of Tripura issued by the then Chief Commissioner of Tripura. Therefore, the areas which are not constituted as reserve forest and also not under reclamation under orders of the Revenue Department as protected forest do not attract any forest law and stand to be open for allotment being unclassed.

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Revenue Deptt.
Govt. of Tripura

3. In the year 1980 the Forest (conservation) Act, 1980 has been introduced. As per sub-sec 3 of section 1 and section 2 of the said Act, the cases in which specific orders for de-reservation or diversion of forest areas in connection with any project were issued by the State Government prior to 25.10-1980, need not be referred to the Central Government. However, in cases where only administrative approval for the project was issued without specific orders regarding diversion and/or diversion of forest land, a prior approval of the Central Government would be necessary.

4. An order No.17737-807/F.6(14)-DSLR/LR/84 dated 18-10-1984 was issued from the Director of Land Records & Settlement (Exhibit-11) with reference to the Notification No.F.2-2/5/For-80/CD dasted-09-08-1982, laying down that no land should be recorded as "protected Forest" in the khatian of Forest Department where there is no valuable tree growths. Lands recorded as "Protected Forest" during last settlement operation are liable to be recorded in the khas khatian of Tripura Government during Revisional survey by transferring the same from khatian of Forest Department. It was also laid down that the Directorate should extend all possible help to the staff of the Forest Department to identify the Forest land within erstwhile protected forest to take some effective steps by the Government in the Forest Department for protection and preservation of the valuable tree growths. In the Memo No.17737-807/F.6(14)-DSLR/Lr/84 dated 18-10-1984 of the Director of Land Records & Settlement (Exhibit-

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11.1 It has been laid down that "the Chief Secretary, Tripura observed that the staff of this Directorate should extend all possible help to the staff of the Forest Department to identify the Forest land within erstwhile protected forests to make some effective steps by the Government in Forest Department for protection and preservation of the valuable tree growths. Instruction in this regards has also been communicated to all vide this Directorate letter No.220462/F.6(14)-DSLR/LR/83 dated 10-02-1984. but no report identifying such land by the Forest Department has been recorded by this Directorate." It therefore, may be construed that there was no restriction on allotting land in the erstwhile protected forest, but opportunity was given to the Forest Department to preserve the valuable tree growths, although the same was not done.

5. From records furnished by Mr. Thaithak Reang, the petitioner, alongwith his representation it also appeared that the then Conservator of Forest, Northern Circle submitted a report to the PCCF vide No.F.1-40/CFNC/Timber/AMB/For-09/1762-65 dated 20-11-2009 stating that **the recording of that land as khas was done in right manner** & he did not find any reason to believe that the aforesaid allotments made by the collector involved any contravention of the Forest Conservation Act, 1980 **(Exhibit- 17).**

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Govt. of Tripura.

6. As there was clear-cut decision communicated under the Memo No.17737-807/F.6(14)-DSLR/LR/84 dated 18-10-84 that there may be many cases of allotment in the erstwhile protected forest. I have also come across an order passed by the then Revenue Commissioner on 05-04-2003 in Revision Case No.7/98 U/S 95 of the TLR & LR Act, 1960 relating to land measuring 623.04 acres under different moujas of Belonia Sub-Division bases on the petition of Conservator of Forests, Southern Circle, Udaipur. The allotment made in the erstwhile protected forest was upheld. A copy of the judgment is placed in file **(Exhibit-18)**. No record is available with the Revenue Department that the Forest Department has preferred any appeal against this judgment.

7. The demarcation/survey report dated 07-08-2009 under taken by Sri Kamal Chandra Das, Junior Surveyor, Working Plan Division No.-1 Agartala of Forest Department **(Exhibit-9)** wherein it was clarified that Forest Department vide order No.F.18-4/42/For-76/16924 dated 21-05-1976 declared 302.61 acres and 224.39 acres of land from old C.S. plot No.701/p and No.608/p respectively as Chandraipara RF. The remaining areas 230.77 acres in C.S. plot No.701/p and 93.25 acres of C.S. plot No.608/p where declared as de-reserved as Block No.17 from the earlier RF area as

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mentioned in the field book for P&T microwave station. During his verification he also ascertained that the land which was de-reserved by the Forest Department in the year of 1976 was converted into Govt. khas land during revisional survey period by the Settlement Department and 44 Nos. tribal families (Reang) were given allotment of land by the SDM, Ambassa in the years of 1997 U/S-14 of TLR & LR Act,1960.

8. It appears that the report of the SDM, Ambassa No.F.3(4)-SDM/ABS/REV/08/9836 dt. 04-02-2009 **(Exhibit-3)** is correct, in the sense that the part of reserve forest land from Sabek CS Plot No.701 & 608 was converted into the khas land during last revisional survey in and subsequently, land allotments were made in the year 1991 onwards. Therefore, the status of land immediately before the allotment was khas land and the report of SDM, Ambassa dt. 25-12-2007 **(Exhibit-2)** stands corrected.

Based on the above findings and on consultation of Government records it is hereby ordered that allotment orders issued to tribal families from the land in question are legal and prayer for correction of land records U/S-95 of TLR & LR Act'60 as prayed for is hereby rejected.

Provide copies of order sheets to all concerned.

10/6/11

District Collector
Dhalai District.

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02/Jan/12
Asstt. State Public Information Officer
Revenue Deptt.
Govt. of Tripura.

Compared by
Ed 3-1-12

Government of Tripura
Office of the District Magistrate & Collector
Dhalai District : Ambassa.

No. 12098-1600/Rev.Case No.122/REV/2011 dated, the 15th June,2011.

Copy to :- 1. The Sub-Divisional Magistrate, Ambassa for information.
2. The Divisional Forest Officer, Ambassa for information.
3. Sri Thaithak Reang, S/O, Lt. Debaram Reang of Sikaribari for information.

14/6/11
O/C, Revenue
O/o the D. M. & Collector
Dhalai District :Ambassa.

Rev cases-

ANNEXURE VII: Judgement of the Court of Secretary, Revenue Department, Government of Tripura, on 11 May 2012

Most Immediate Court Case

IN THE COURT OF SECRETARY, GOVERNMENT OF TRIPURA, REVENUE DEPARTMENT

Revision Case No. 10/2011, U/S 95 of the TLR & LR Act, 1960

Divisional Forest Officer, Ambassa .....Appellant / Petitioner

Vs

Thaithak Reang & others .....Respondents / Defendants

Sl No. & date of order	Order and signature of the Officer	Note of action taken on order
11-05-2012	During hearing stage Divisional Forest Officer, Ambassa, Dhalai District is represented by Ld. Advocate Sri Soumen Saha. Sri Thaithak Reang S/O Lt. Debram Reang of Shikari Bari, P.S. Ambassa, Dhalai is represented by Ld. Advocate Sri Mangal Debbarma, Agartala. The SDM, Ambassa, Dhalai District is represented by DCM Amabassa. The Director, Land Records and Settlement, Government of Tripura represented by Dhiraj Pal Choudhry, Kanungo. Accordingly all the parties were heard on the dates fix for hearing. The Ld. Advocate, on behalf of the petitioner filed this revision petition U/S 95 of the TLR & LR Act, 1960 against the order dated 07-06-2011 passed by the District Magistrate & Collector, Dhalai District, Tripura in case No.- 122/ Rev/2011 U/S- 95 of TLR & LR Act, 1960. The Ld. Advocate of the appellant petitioner stated that in the later part of 2006, 44 (forty four) no of tribal families of Shikaribari Mouza under Ambassa Sub-Division made application to the Divisional Forest Officer (in short DFO), Ambassa for extraction of trees from the land allotted to them in 1992 - 1997 and so on. These applications were forwarded to the Sub-Divisional Magistrate, Ambassa under letter No.32(1)/Gen/JT/AD-2000/10660-61 dated 15-09-2006 for informing the status of land at the time of allotment. In response SDM, Ambassa in a letter bearing No. 3(14)/SDM/ABS/Rev/07/6095 dated 25-12-2007 informed the DFO that the status of the land in question was Reserve Forest (in short RF) prior to allotment. This report has led the DFO, Ambassa to make an application to the District Magistrate & Collector, Dhalai District U/S-95 of the TLR & LR Act, 1960 for correction of records of rights. This petition was registered as Revenue Case No-122/Rev/2011 U/S-95 of the TLR & LR Act, 1960.	

Sl No. & date of order	Order and signature of the Officer	Note of action taken on order
	Then, again one Shri Thaithak Reang and 43(forty three) others applied to the DFO, Ambassa for issuing certificate for extraction of trees from the land allotted to them and which as per record of Forest Department falls under the Reserve Forest. Out of those 44 (forty four) allotments, 2(two) families got allotment in the year 1978 and the rest allotments were made in between 1992 and 1999. However, all these applications were sent to the SDM, Ambassa under letter No.32(1)/JT/AD-08/24965-25010 dated 23-10-2008 seeking confirmation of the status of the land in question prior to allotment. In reply, the SDM, Ambassa in a letter No.F.3(14)/SDM/ABS/REV/08/9836 dated 04-02-2009 informed the DFO, Ambassa that the land in question was government khash land prior to allotment. Finding contradictory status in the reports furnished by the SDM, Ambassa the DFO referred the matter to the Working Plan Division-I, Agartala for confirmation of the status of the land in question prior to allotment. In reply, the Working Plan Division-I in a letter No.F.22/66/Manu & Ambassa/Land WP-I/For-05/2321/22 dated 27-02-2009 informed the DFO, Ambassa that the land in question was Reserve Forest prior to allotment. The Ld. Advocate Shri Saha has also placed the argument that old C/S khatian No-2 (finally published on 04-05-1964) of mouza Shikaribari comprising C/S Plot No-701 out of area measuring 533.38 acres and Part of old C/S Plot No-608 out of area measuring 317.64 acres, relating to 44 allotment order were issued in clear violation of the provision of the Forest Conservation Act, 1980 and such action has also violated the order of the Hon'ble Supreme Court of India passed on 12-12-1996 in WP (C) No-202 of 1995 between T.N. Godavarman Thirunulktad Vs. Union of India and others. The Ld Advocate Sri Saha also stated that before revision settlement the suit land was part of khatian no.2(finally published on 04.05.1964) of Mouza Shikaribari under CS Plot No.701 covering 533.38 acres and CS Plot No.608 covering 317.64 acres of land. As per the Khatian, the land was protected forest. By a notification dated 29.05.1976 Chandrai para RF was constituted taking a portion of the aforesaid CS Plot No.701 and 608. The rest area of the said two CS Plots remained as unclassified forest land and thus it attracts the provision of the 1980 Act. In this regard, Ld. Advocate could not adduce any document like notification of Forest Department or any other government memorandum to substantiate his claim that the area left out through the Forest Department's notification of 1976 has been declared as unclassified forest land.	

Sl No. & date of order	Order and signature of the Officer	Note of action taken on order
	During provisional survey the CS Plot No 701 was illegally splited into 49 plots out of which 16 plots measuring 152.37 acres of land were illegally recorded as government khas land, 9 plots covering 301.19 acres of land was made part of RF and 24 plots covering 79.82 acres of land was illegally allotted to individuals. Similarly, CS Plot No.608 was splited into 11 plots out of which 5 plots covering an area of land measuring 183.17 acres were illegally made khas. One plot covering an area of land measuring 219.29 acres was made RF and 5 plots covering an area of land measuring 15.18 acres were illegally allotted to individuals. Out of the aforesaid newly created khas land SDM, Ambassa issued 42 impugned allotment orders. The Ld Advocate, Sri Saha also pointed out that out of 44 families 42 were given allotment in between 1992 and 1999 and none of those 42 families were in physical possession of the respective allotted land. Most of the areas allotted to those 42 families are under deep natural forests. The real intention of all the 44 families is to grab the trees standing on the suit land. In 1984 the Director, Land Records and Settlement directed the field staff through a circular to record protected forest land in non forest khatians. This circular was also issued in violation of the provisions laid down in the Forest Conservation Act 1980. In this regard, the DSLR pointed out that, the state government in a notification under No.F.2-2/5/For-80/CD dated 09-08-1982 rescinds the notification under No.13 dated 29-04-1952 of the Forest Department regarding declaration protected forest. The Ld. Advocate, Shri Mangal Debbarma on behalf of the private respondents stated that the petition filed U/S 95 of the TLR & LR Act is not maintainable as it is wholly based on misconception and not on the factual position. The Ld. Advocate, of the private respondents submitted that the suit land was allotted by the Government of Tripura from the year 1978 onwards to as many as 100 families including the present respondents and other landless and homeless tribal people in the Shikaribari village. Accordingly, record of rights and title have been given to the allottees by the Government after observing necessary formalities as required under law. It has also been stated that demarcation of land of 44 families was conducted by the surveyor of forest Department on 7-8-2009 and reported that the land was recorded as khas land. Accordingly, Mr. C. L. Das, IFS in his report dated 7-7-2009 vide order No. F. 32(1)-T/JT/AD-2008/12491-543 confirmed that the lands of 44 reang tribal beneficiaries are non-forest land.	

Sl No. & date of order	Order and signature of the Officer	Note of action taken on order
	On analysis of reports and documents furnished by the parties, it appears that land measuring 533.38 acres in C.S. plot no. 701 and land measuring 317.64 acres in C.S. plot No. 608 were recorded in khatian No. 12/21 under mouja Shikaribari of Ambassa T.K. as forest land in the year 1962. During revisional survey land area measuring 301.19 acres under C.S. plot No. 701 and area measuring 219.29 acres under C.S. plot No. 608 recorded as part of reserve forest . Thereafter, the Forest Department in a Notification F. 18-4/42/For-76-16294 dated 21st May .2976 finally declared the **"Chandraipara Reserved Forest"** U/S- 20 of the Indian Forest Act, 1927 and **in supersession** of previous Notification NO.F.13(48)-For/61 dated 11-05-1961 in this regard. The reserve forest so notified was comprising an area of 100.44 sq. km situated within Kamalpur and Kailashahar Sub-Division. As per the said Notification, in Shikaribari Mouja inter alia, comprised an area of 302.61 acres of C.S. Plot No-701 (Part) and 224.39 acres of C.S. Plot No- 608 (Part) in place of 533.38 acres and 317.64 acres respectively as appeared in 1962. The area notified as reserve forest has been recorded in Forest Khatian and the remaining area as per Forest Department Notification of 1976 was recorded as government khash land in pursuance of Memorandum- 17737-807/F.6(14)-DSLR/LR/84 dated 18-10-1984 issued by the Director Land Records & Settlement. On hearing all the parties concerned and on the basis of arguments / documents it appears that the notification of the forest Department under No. F. 18-4/42/For-76-16294 dated 21st May, 1976 was issued U/S 20 of the Indian Forest Act,1927 **in super session** of the previous notification No. 13(48)- For/61 dated 11th May, 1961 in this regard Again, after 1st August, 1976 [the date of effect of the notification] no separate notification declaring the area covered under 1961 notification but left out in the notification of 1976 as Protected Forest or Unclassified Forest Land was issued from Forest Department's side. In this position, the Memo issued by Director, Land Records & Settlement on 18-10-1984 giving guidelines to field functionaries regarding entry in the RoR seems to be justified as the notification NO.F.13(48)-For/61 dated 11-05-1961 can not have any effect while a fresh notification No. F. 18-4/42/For-76-16294 dated 21st May, 1976 was issued in super session of the earlier one.	

Immediate Court C

Sl No. & date of order	Order and signature of the Officer	Note of action taken on order
	The State Government further in a notification under No. F. 2-2/5/For-80/CD dated 9th August, 1982 rescinds the notification No. 13 dated 29th April, 1952 of the Forest Department regarding declaration of protected forest. In the circumstances as discussed above I am of the opinion that the appellant petitioner could not adduce any fresh documentary evidence in support of their revision petition filed U/S 95. The order passed by the Ld. DM & Collector, Dhalai District in case No. 122 / Rev/2011 U/S 95 of the TLR & LR Act should be upheld and accordingly the appeal in dismissed. Let a copy of the order be sent to the Divisional Forest Officer, Ambassa, the SDM, Ambassa, the Director, Land Records & Settlement and other private Respondents for compliance. Type to my dictation and corrected by me 11/5/12 4/5/12 [Swapan Saha] Secretary Revenue Department	

ANNEXURE VIII: Legal opinion directing the Forest Department not to file appeal before the Guwahati High Court

Note No.53

Ref: Note No.50

Copy of the judgement order dated 11/-05/ 2012 of the Secretary, Government of Tripura, Revenue Department passed in revision case No.10 of 2011 u/s 95 of the TLR & LR Act the DFO Ambassa Vs Thaithak Reang & others is placed at p/119-123. The DFO, Ambassa filed a revision petition u/s 95 of TLR&LR Act before the court of the Principal Secretary, Government of Tripura, Revenue Department on 06/ 07/ 11 against the judgement of DM & Collector Dhalai District. The operative part of the judgement of the Revenue Secretary is as below:

> *"I am of the opinion that the appellant petitioner could not adduce any fresh documentary evidence in support of their revision petition filed U/s 95. The order passed by the Ld. D.M. & Collector, Dhalai District in case No. 122/ Rev/ 2011 U/s 95 of the TLR & LR Act should be upheld and accordingly the appeal in dismissed"*

2. It is to be noted here that the DFO Ambassa had filed case on 12/11/ 2008 in the court of DM & Collector Dhalai u/s 95 of TLR & LR Act, 1960 to cancel all allotments made & to correct the records of rights. Meanwhile, the DM & Collector Dhalai disposed of the petition u/s. 95 of TLR & LR Act, 1960 filed by DFO Ambassa vide his order dated 07/ 06/ 2011 and the operative part of the judgement is as follows:

> *"Based on the above findings and on consultation of Government records it is hereby ordered that allotment orders issued to tribal families from the land in question are legal and prayer for correction of land records U/s 95 of TLR LR Act, 1960 as prayed for is hereby rejected". The copy of the judgement order is placed in the file at p/01-10 .*

3. But from the enquiry report of the District Magistrate, Dhalai it is observed that the allotments in question were made from khas land converted from erstwhile forest land during the course of revision survey on 1981-82 and allotments were made in the year 1991 onwards. The copy of the enquiry report is placed in the file at p/ 109 .

4. Against the judgement Shri Soumen Saha, Advocate submitted his opinion vide letter at p/125 to 127. Ld. Advocate, inter alia, stressed that Forest land cannot be converted to khas land after 1980 as per the provision of Forest (Conservation) Act 1980. In the present case the land was finally converted to khas land after 1980 i.e. in the year 1984 and allotment of land was made in the year 1991 onwards.

5. A brief note on the land related to Shri Thaithak Reang and others of Shikaribari mouja of Ambassa Forest Division is also placed in the file at p/128 as a ready reference.

6. In view of the above needful action may be taken.

(P.K. Das) 5/6/12
CF (TC)

true copy

CCF (WP & Survey) put up
PCCF (P)

54.
7/6/12

PCCF

55

In view of above, we may go for appeal in the Appropriate Court if approved.

Note

The core legal issue arisen is whether allotment of 56 hactres of land under old C.S Nos 701 and 608 located at Sikaribari Mouja, Ambassa, Dhalai, by the Revenue authority to 44 tribal families including one Sri Thaithak Reang during the period 1991-97 is legally permissible particularly when the Forest Department is claiming that the plots of land allotted to those families are of protected forest or reserved forest and for obvious reasons, such allotment of forest lands to those people is not legally permissible in view of Section 2 of the Forest (Conservation) Act, 1980.

List of Reference

2. Against such allotment, the Forest Department filed a case before the DM & Collector, Dhalai u/s 95 of TLR & LR Act, 1960 challenging the legality/ validiy of such allotment to those 44 tribal families and sought for correction of records of rights, but the DM & Collector, Dhalai, vide Judgement dated 04-01-11 held that the plots of land allotted to those families are of khas land only and so the allotment was held to be valid. Against that judgement, the Forest Department again filed appeal to the Revenue Secretary and on hearing, the Revenue Secretary vide judgement dated 11-05-2012 upheld the judgement of the DM & Collector, Dhalai. Now the Forest Department initiated a file to file a case against the judgement of the Revenue Secretary to the High Court under Article 227 of the Constitution and hence the issue again came up before us.

3. I have carefully perused the 2(two) judgements dated 04-01-2011 and dated 11-05-2012. Also perused the Notification dated 29-04-1952 issued by Mr. V. Nanjappa, the Chief Commissioner, Tripura, declaring 2488 Sq.Miles (about 60% geographical area of whole of Tripura) areas of unclassed government open forest as "Protected Forest" and another Notification dated 09-08-1982 issued thereafter by Mr. S.R. Sankaran, the Chief Secretary, Tripura, rescinding the Notificaion dated 29-04-1952. The Notifications are placed in the file.

4. It appears that in the meantime by another Notification, dated 11-05-1961 (copy placed in the file), the Forest Department declared its intention u/s 4 of the Indian Forest Act, 1927. to make 42 Sq.Miles of Forest land situated within Kailashahar and Kamalpur Sub Divisions with demarcation specified therein (the land in issue is inclusive), as "Chandraipara Reserved Forest", keeping a space for enquiry and survey as provided in the Indian Forest Act, 1927, but on enquiry, the Forest Department did not consider it appropriate to declare the whole areas(as notified) as "Chandraipara Reserved Forest" and accordingly, vide Notification dated 21-05-1976 (copy placed in the file) declared 38.79 Sq. Miles (100.47 Sq. Kilometres) only as "Chandraipara Reserved Forest" and for obvious reason, a big

areas have been excluded "free" from being declared as "Rese[illegible] Forest". On scrutiny, it appears that land appertaining to old C.S Pl[illegible] No. 701 and 608 of Sikaribari Mouja, Ambassa, Dhalai has been excluded, from where allotment was made to 44 tribal families subsequently.

5. Now question arises whether "Protected Forest"as declared under Notification, dated 29-04-1952 can be treaed as khas land for subsequent allotment to individual person by the Revenue Department after enforcement of Section 2 of the Forest (Conservation) Act, 1980, without the permission of the Central Government. Also, another question is raised whether rescinding Notification dated 09-08-1982 is legally valid after enforcement of the Forest (Conservation) Act, 1980.

List of Reference

6. The entire issue have been carefully examined and it appears that the Notification, dated 29-04-1952 declaring the "Unclassed Government Open Forest" as "Protected Forest" has been subsequently rescinded by Notification, dated 09-08-1982. By such rescinding Notification, there remains no existence of Proteced Forest in Tripura and in fact, all the "Unclassed Government Open Forest" has been made "Unprotected". Now question is whether such rescinding Notification can be legally issued where the Indian Forest Act, 1927 does not empower the State Government to do so. In my considered opinion, if the State Government can declare certain areas u/s 29 of the Indian Forest Act, 1927 as "Protected Forest", the State Government is also equally empowered to undo even if there is no specific provision and in that case, we can get aid of Section 21 of the General Clauses Act which empowers the State Government to undo the acts done by it.

Secondly: It is fact that under Section 2 of the Forest (Conservation) Act, 1980, the Reserved Forest or any forest land cannot be converted or utilized to non-forest purposes without the permission of the Central Government, but rescinding Notification, dated 09-08-1982 did not/ does not say anything about dereservation of Reserved Forest or any forest land and by that Notification, the earlier Notification, dated 29-04-1952 regarding declaration of Protected Forest, has been rescinded. The Notification does not say anything about utilization or conversion of Forest land to non-forest purpose and so it does not attract the provisions of the Forest (Conservation) Act, 1980. It means that legally there is no Protected Forest in Tripura at the moment after 09-08-1982 and for obvious reason, when the Forest Department excluded big areas under old C.S. Plot Nos. 701 and 608 under Sikaribari Mouja, Ambassa, Dhalai, from being declared as "Reserved Forest", they might have found that

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A.S. P.I.O.
o the P.C.C.F. (T)

there were no forest or trees standing on those lands, rather the Forest dwellers were occupying/ cultivating those lands. In my considered opinion, when the Notification, dated 09-08-1982 was issued, the Revenue Department might have identified such non-forest land under C.S. Plot No.701 and 608 which were excluded from being declared as Chandraipara Reserved Forest, vide Notification, dated 21-05-1976 and thereafter in revisional survey, those lands have been recorded as khas land.

In such a situation, allotment of such khas land to any individual person by Revenue authority during the period 1991-97 does not attract Secion 2 of the Forest (Conservation) Act, 1980. So, the allotment was/is legal and valid. The Forest Department should not unnecessarily raise untenable question at the belated stage, particularly, when the poor tribals were in possession for more than 20 years. The Forest Department may be intimated accordingly.

List of Reference

This note was placed to the Revenue Minister in file referred to us from Revenue Department.

Submitted for perusal of Chief Secretary.

9/7/12
(D.M. Jamatia)
LR & Secretary, Law

Chief Secretary

1037/Secy/Law/12
9.7.12

2579-CS/2012
9/7/12

'X' - pl. link up

PCCF

10/7

10/7/12

APCCF(T)

CF(TC)

10/7/12

The relevant file is placed for needful

NO, PCCF

3.

The file No. F.7(232)/For-02-11/Case-122 is link up. Note No. 60 of the file may kindly be seen. As desired by the Chief Secretary, relevant papers, Notes etc have already been sent to the Revenue Dept.

PCCF

Certified true copy

S.S. [illegible]
the P.C.C.F. (Tripura)

Note No.61

Ref.Page No.27-32[C]

Note of Law Secretary along with the other relevant papers is placed in the link file at P/27[C] to P/32[C] for needful.

(P. K. Das) 12/7/12
CF,TC

Nodal Officer (FCA)

FC&F

12/7/12

: 507-LS/FCA/12.
12/7/12

62

We have not raised any unnecessary/ untenable questions. The main issue is conversion of forest land to khas land in the year 1987 after 1980 i.e. enforcement of Forest (Conservation) Act, 1980.

12/7/12

List of Reference

O.No. 279
Dee FC(T)
2.7.2012

1468/Secy/Law/2012
16.7.12

Chief Secretary. 63

May kindly refer to action to be taken as advised by the Law Secretary [at P 31c marked x As this relates to interpretation of law, advice of Ld Advo General is solicited.

Ld Adv. Gen [through Secy Law]

13/7/12

64.

Ld Advocate General may kindly see the note placed at Page 32/c and other related documents regarding issues involved for kind views.

Ld Advocate Genl

4/8/12

Certified true copy
25/8/12
A.S. P.I.O.
O/o the P.C.C.F. (Tripura)

(Please don't write below)

Note No.65

Section 2 of the Forest (Conservation) Act, 1980 reads as follows:-

"Restriction on the preservation of forests or use of forest land for non-forest purpose.—Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing—

(i) that any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;

List of Reference

(ii) that any forest land or any portion thereof may be used for any non-forest purpose;

(iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government;

(iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for re-afforestation.

Explanation.—For the purposes of this section "non-forest purpose" means the breaking up or clearing of any forest land or portion thereof for—

(a)the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants;

(b)any purpose other than re-afforestation,

but does not include any work relating or ancillary to conservation, development and management of forest and wild life, namely, the establishment of check-posts, firelines, wireless communications and construction of fencing, bridges and culverts, dams, water-holes, trench marks, boundary marks, pipelines or other like purposes."

rtified true copy

A.S. P.I.O.
the P.C.C.F. (Tripura)

I have gone through the Notification dated 29th April. 1952 issued by the Chief Commissioner, Tripura by which approximately 2438 square miles (about 64% geographical area of whole of the State) of Tripura was declared as "protected forests" which were not constituted as reserve forests and were not under reclamation/ of the orders of the Revenue Department. This Notification dated 29th April, 1952 was rescinded by a Notification dated 9th August, 1982 issued by the Chief Secretary to the Government of Tripura, "By order of the Governor".

On the face of the above referred Notification dated 9th August 1982 it is apparent that the said Notification dated 9th August, 1982 did not direct that (i) any reserve forests (within the meaning of the expression "reserve forests" in any law for the time being in force in the State of Tripura) or any portion thereof, shall ceased to be reserved;

List of Reference

(ii)any forest land or any portion thereof may be used for any non-forest purpose;

(iii)any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government;

(iv)any forest land or any portion thereof may be cleared or trees which have grown naturally in that land or portion for the purpose of using it for re-afforestation.

Therefore, in my opinion, the above referred Notification dated 9th August 1982 was/is, lawful, valid and intravires.

In view of my opinion recorded herein above I agree with the views recorded by Law Secretary, Government of Tripura.

No. 507-CS/For/2012/ Rs dtd 4/8

Certified true copy

A.S. P.T.O. O/o the P.C.C.F. (Tripura)

Dipak Prakash Kundu
(D.P. Kundu)
Advocate General, Tripura
Date:04-08-2012
(D. P. Kundu)
Advocate General
Tripura, Agartala

Secretary, Law

66

For kind Perusal. 67 represent note 53-66 Pl. perusal & kindly convenient note indicating decision/ action to be taken

PCCF

4/8/12

5/8/12

"visit us at www.tripuralaw.nic.in"

ANNEXURE IX: Letter of SDM, Ambassa dated 24 September 2011 on siphoning off Rs 17,31,500/- sanctioned for the Reangs

GOVERNMENT OF TRIPURA
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE
AMBASSA, DHALAI DISTRICT, TRIPURA

NO: 10(102)/SDM/ABS/TW/2011/37349-51 Dated: 24th Sept, 2011

To

The DM & Collector
Dhalai District, Tripura

Sub: Regarding the irregularities in Shikaribari Rubber Project 2008-2009

Sir,

This is for your kind information that Rubber Plantation Scheme amounting Rs. 17,31,500/- was provided to 37 no of beneficiaries at Shikaribari VC in the year 2008 -2009 . The project was implemented by the IO Sri Jacob Rokhum EO(TW) section of SDM Office, Ambassa who incurred entire expenditure of Rs 17,31,500/- in this regard. As per the inspection report in connection with the above project, submitted by Sri Simon Hrankwal Sup (TW) of SDM Office dated 22/06/2011, only 21 beneficiaries got some benefits out of 37 beneficiaries who were selected for the scheme. Based on this report, Sri Jacob Rokhum EO(TW), SDM Office Gandacherra was issued show-cause notice by Smt Sonal Goel, SDM Ambassa vide letter No.1(115)/SDM/ABS/Estt/09/32612-15 dated 30th June 2011 .

In this connection I visited Shikaribari on 15th September 2011 and inspected some fields, where the rubber plantation was done by Jacob Rokhum and interacted with some beneficiaries and villagers. But there is no trace of any rubber plant and the beneficiaries gave evasive reply. Also the villagers told me that no any rubber nursery was raised at Shikaribari in the year 2008-09. But in the concerned file, it is mentioned that rubber nursery having 15000 budded rubber stumps was raised at Shikaribari in August 2008 by the IO Sri Jacob Rokhum in connection with this project. Also the total expenditure of Barbed wire(2line/3line), MS Angles and fabrication charges has been shown to be Rs. 541185/- and it is mentioned in the file that the fencing around the rubber fields of beneficiaries was done using this wire. But on my visit, I did not notice any fencing using this wire at Shikaribari, instead some barbed wire bundles are lying in SDM Office complex

I also visited a rubber nursery at Dhanacherra village near Kamalacherra from where, a complaint was lodged by one person named Sri Chandakant Malsom that Sri Jacob Rukhum had leased his field for raising rubber nursery. On my visit to this field, I found that there are around 3500 rubber plants which are about two years old. But there is no any mention of this rubber nursery in the concerned file and Sri Rhokhum never informed or seek any permission from the then SDM for this. The villagers told me that this nursery was raised in connection with the Shikaribari Rubber Project but no any rubber plant from this nursery was transplanted to Shikaribari. Now the rubber plants in

[illegible]is field are too mature to be transplanted anywhere. However the opinion of Rubber Board will be required in this regards as these trees cost more than Rs. 40000/- approximately.

Overall the matter seems to be too much complicated and is has many loopholes as far as the implementation is concerned. There is possibility of massive misappropriation of public money in connection with this project and also the innocent tribal beneficiaries have been cheated badly by the officials connected with this project. It is very clear that not only the IO of this project failed in implementation but the then Branch Officer in connection with this project and the then SDM also miserably failed to monitor and supervise this entire project with impartiality, integrity and propriety. Hence the matter requires an independent, impartial and detailed preliminary enquiry.

This is for favour of your kind information and necessary action.

24/9/11

(Milind Ramteke, IAS)
Sub-Divisional Magistrate
Ambassa, Dhalai Tripura

Copy to:

The Director, Tribal Welfare, Government of Tripura for favour of kind information.

GATEESHEEL PRASHASAN ABHIYAN

GOVERNMENT OF TRIPURA
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE
AMBASSA, DHALAI DISTRICT, TRIPURA

NO: 10(102)/SDM/ABS/TW/2011/ 40855-56 Dated: 9th December 2011

To

The DM & Collector
Dhalai District, Tripura

Sub: Regarding the irregularities in the implementation of Shikaribari Rubber Project 2008-2009 and enquiry thereof.

Sir,

Sir as per my preliminary observation which I have already brought to your kind attention vide letter no. 10(102)/SDM/ABS/TW/2011/37349-51 dated 24th September 2011, this project was not implemented properly and there is possibility of massive misappropriation of the Government Money. As many persons in connection with the implementation of this project have already been transferred from this establishment, the undersigned feels that the matter needs a detailed enquiry at your kind end for verification of truth in this regards.

This is for favour of your kind information and necessary action please.

Your's faithfully

9/12/2011

(Milind Ramteke, IAS)
Sub-Divisional Magistrate
Ambassa, Dhalai, Tripura

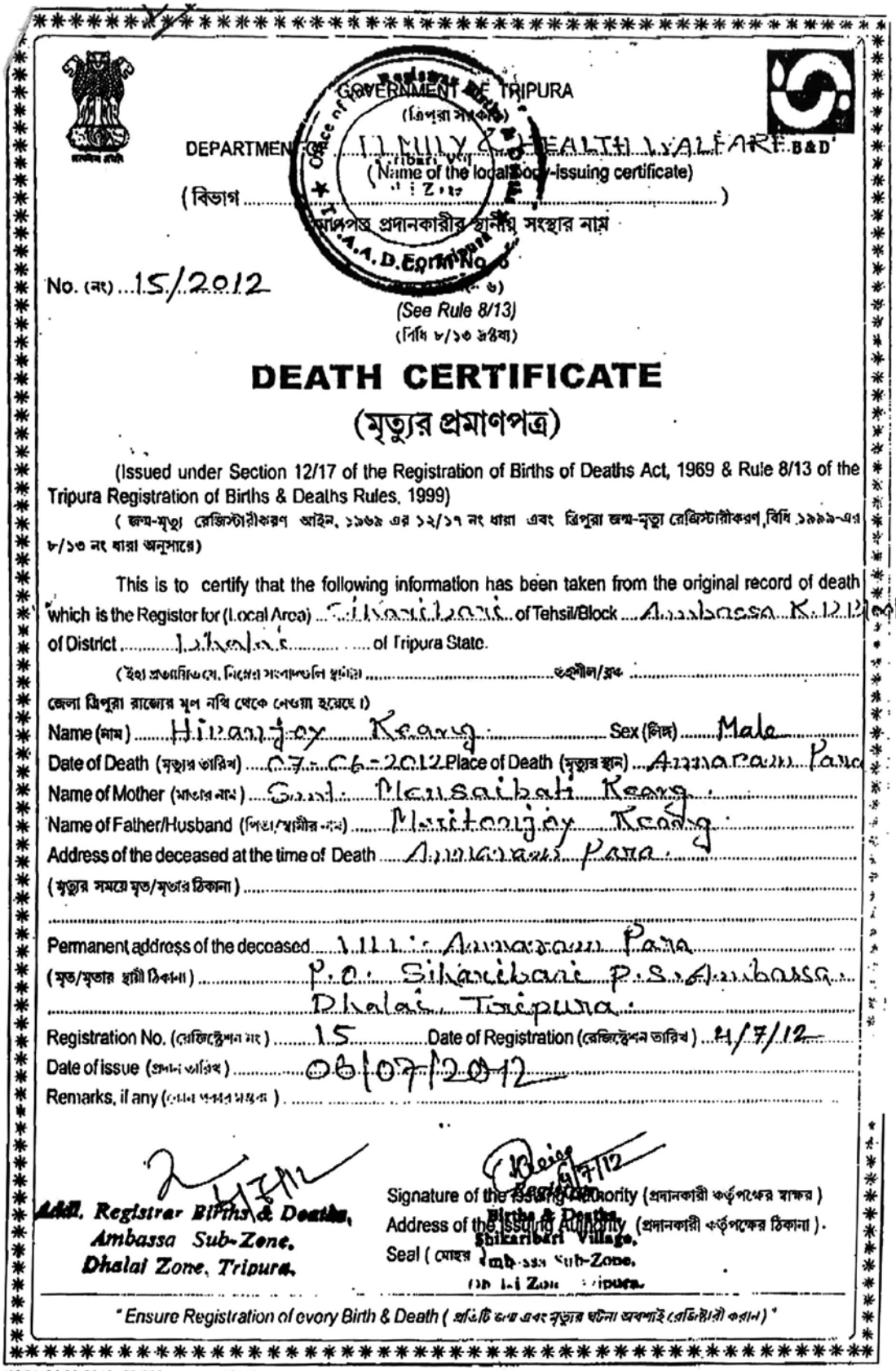
Copy to:

The Director, Tribal Welfare, Government of Tripura for favour of kind information.

9/12/2011

Sub-Divisional Magistrate
Ambassa, Dhalai, Tripura

ANNEXURE X: Death certificates of 13 beneficiaries and their family members



GOVERNMENT OF TRIPURA
(ত্রিপুরা সরকার)

DEPARTMENT OF FAMILY & HEALTH WELFARE B&D
(Name of the local body-issuing certificate)
(বিভাগ .....)
মৃত্যুর প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

No. (নং) ...15/2012

(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) ...Shikaribari... of Tehsil/Block ...Ambassa K.B.P... of District ...Dhalai... of Tripura State.

(ইহা প্রত্যয়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) ...Hiranjay Reang... Sex (লিঙ্গ) ...Male...

Date of Death (মৃত্যুর তারিখ) ...07-06-2012 Place of Death (মৃত্যুর স্থান) ...Amarpur Para...

Name of Mother (মাতার নাম) ...Smt. Mansaibah Reang...

Name of Father/Husband (পিতা/স্বামীর নাম) ...Maitonjay Reang...

Address of the deceased at the time of Death ...Amarpur Para...
(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) .....

Permanent address of the deceased ...Vill: Amarpur Para...
(মৃত/মৃতার স্থায়ী ঠিকানা) ...P.O. Shikaribari P.S. Ambassa...
...Dhalai, Tripura...

Registration No. (রেজিস্ট্রেশন নং) ...15... Date of Registration (রেজিস্ট্রেশন তারিখ) ...4/7/12...

Date of issue (প্রদান তারিখ) ...06/07/2012...

Remarks, if any (কোন মন্তব্য থাকলে) .....

Addl. Registrar Births & Deaths,
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

Signature of the Issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)
Address of the Issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা) .
Seal (মোহর) Registrar Births & Deaths, Shikaribari Village, Ambassa Sub-Zone, Dhalai Zone, Tripura.

"Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিস্ট্রারী করান)"

TGPA-24-09-2010–60,000–J.C.No. 15840.

GOVERNMENT OF TRIPURA
(ত্রিপুরা সরকার)

DEPARTMENT OF FAMILY & HEALTH WELFARE
(Name of the local body-issuing certificate)

(বিভাগ .....)

প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

B&D

Form No. 6
(ফরম নং-- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) ...16/2012

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯ এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari..... of Tehsil/Block ....Ambassa R.D. Block of District .....Dhalai..... ..... of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) .....Nalachi Reang..... Sex (লিঙ্গ) .....Male.....

Date of Death (মৃত্যুর তারিখ) ..06/06/2012.... Place of Death (মৃত্যুর স্থান) .....

Name of Mother (মাতার নাম) .....Bamati Reang.....

Name of Father/Husband (পিতা/স্বামীর নাম) .....Sanatchi Reang.....

Address of the deceased at the time of Death .....Dongkaraia Para.....

(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) .....

.....

Permanent address of the deceased .....Vill:- Dongkaraia para.....

(মৃত/মৃতার স্থায়ী ঠিকানা) .....P.O: Sikaribari P.S: Ambassa.....

.....Dhalai, Tripura.....

Registration No. (রেজিস্ট্রেশন নং) .....16..... Date of Registration (রেজিস্ট্রেশন তারিখ) ..11/7/12.....

Date of issue (প্রদান তারিখ) .....06/07/2012.....

Remarks, if any (কোন প্রকার মন্তব্য) .....

11/7/12

Addl. Registrar Births & Deaths,
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

11/7/12

Signature of the Registering Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)

Address of the Issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা).

Seal (..... Sub-Zone, ... Zone, Tripura)

** Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিস্ট্রারী করান) **

TGPA-24-09-2010--60,000--J.C.No. 15840.

GOVERNMENT OF TRIPURA

DEPARTMENT OF FEMILY & HEALTH WALFARE

(Name of the local body issuing certificate)

(বিভাগ Femily & Health Walfare)

প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

B&D

Form No. 6

(ফরম নং— ৬)

(See Rule 8/13)

(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) ...03/2012

DEATH CERTIFICATE

(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) ...Sikaribari... of Tehsil/Block ...Ambassa... of District ...Dhalai... of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) ...Smt Bikrambali Reang... Sex (লিঙ্গ) ...Female...

Date of Death (মৃত্যুর তারিখ) ...05/04/2011... Place of Death (মৃত্যুর স্থান) ...DhangKanaiPara...

Name of Mother (মাতার নাম) .....

Name of Father/Husband (পিতা/স্বামীর নাম) ...Anyakroy Reang...

Address of the deceased at the time of Death ...Vill: DhangKanai Para...

(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) ...P.O. Sikaribari P.S. Ambassa... Dist. Dhalai, Tripura.

Permanent address of the deceased ...Vill:- DhangKanai Para...

(মৃত/মৃতার স্থায়ী ঠিকানা) ...P.O. Sikaribari P.S. Ambassa... Dist. Dhalai, Tripura.

Registration No. (রেজিস্ট্রেশন নং) ...03... Date of Registration (রেজিস্ট্রেশন তারিখ) ...6/3/2012...

Date of issue (প্রদান তারিখ) ...21/3/2012...

Remarks, if any (কোন প্রকার মন্তব্য) .....

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone Tripura.

Addl Registrar of Births & Deaths
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)

Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা).

Seal (মোহর)

"Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্ট্রারী করান)"

TGPA-24-09-2010--60,000--J.C.No. 15840.

Government of Tripura
(ত্রিপুরা সরকার)

FORM NO. 6
(ফরম নম্বর-৬)
(See Rule 8)
(৮ নম্বর বিধি দ্রষ্টব্য)

DEATH CERTIFICATE
(মৃত্যুর প্রমাণ পত্র)

(Issued under Section 12/17 of the Registration of Births and Deaths Act, 1969 and Rule 8 of the Tripura Registration of Births and Deaths Rules 1999).
(জন্ম-মৃত্যু রেজিষ্টারীকরণ আইন ১৯৬৯ এর ১২/১৭ নম্বর ধারা এবং ত্রিপুরা রেজিষ্টারীকরণ বিধি ১৯৯৯ এর ৮ নম্বর বিধি অনুসারে)

This is to Certify that the following information has been taken from the original record of death which is the register for (Local Area).

(ইহা প্রত্যায়িত যে নিম্নের সংবাদগুলি স্থানীয় Amarpur তহশীল/ব্লক Dhalai জেলা, ত্রিপুরা রাজ্যের মূল নথি হইতে লওয়া হইয়াছে, যাহা ঐ এলাকারই মৃত্যু রেজিষ্টারী বই)।

Tahsil/Block (তহশীল /ব্লক) Amarpur of the District (জেলার) Dhalai

Name (নাম) Rajkumar Reang Sex (লিঙ্গ) Male

Date of Death (মৃত্যুর তারিখ) 02-06-2011 Place of Death (মৃত্যুর স্থান) Durgakamal para

Name of Father/Husband
of the deceased (মৃত/মৃতার পিতা/স্বামীর নাম) Bokumari Reang

Address of the deceased (মৃত/মৃতার ঠিকানা) Vill+PO- Bijhawi Bazar
PS- Amarpur Dhalai Tripura

Registration No. (রেজিষ্ট্রেশন নম্বর) 30
Date of Registration (রেজিষ্ট্রেশনের তারিখ) 18-06-2011

Date (তারিখ) 18/6/2011

Signature of the issuing Authority (প্রদানকারীর স্বাক্ষর)
Addl. District Registrar
Dhalai
Address of the issuing Authority (প্রদানকারীর ঠিকানা)

Seal (মোহর)

TGPA-20-12-2005-20,000–J.C. No. 12105

GOVERNMENT OF TRIPURA
Shikaribari Unit

DEPARTMENT OF Family & WELFARE
(Name of the local body-issuing certificate)
(বিভাগ ... Family & Health Welfare ...)
প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

B&D

Form No. 6
(ফরম নং- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) ... 04/2012

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)
(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari of Tehsil/Block Ambassa of District Dhalai of Tripura State.
(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ... তহশীল/ব্লক ... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) Sri Birbahadur Reang Sex (লিঙ্গ) Male
Date of Death (মৃত্যুর তারিখ) 12/09/2011 Place of Death (মৃত্যুর স্থান) ...
Name of Mother (মাতার নাম) ...
Name of Father/Husband (পিতা/স্বামীর নাম) Ranojoy Reang
Address of the deceased at the time of Death Vill:- Birendra Para,
(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) P.O. Sikaribari P.S. Ambassa,
...
Permanent address of the deceased Vill: Birendra Para
(মৃত/মৃতার স্থায়ী ঠিকানা) P.O. Sikaribari P.S. Ambassa,
Dist. Dhalai, Tripura.
Registration No. (রেজিস্ট্রেশন নং) 04 Date of Registration (রেজিস্ট্রেশন তারিখ) 6/3/2012
Date of issue (প্রদান তারিখ) 21/3/2012
Remarks, if any (কোন প্রকার মন্তব্য) ...

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

Addl. Registrar Births & Deaths
Ambassa Sub-Zone
Dhalai Zone Tripura
Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)
Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা)
Seal (মোহর)

"Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান)"

TGPA-24-09-2010-60,000-J.C.No. 15840.

GOVERNMENT OF TRIPURA
(ত্রিপুরা সরকার)

DEPARTMENT OF FEMILY & HEALTH WALFARE
(Name of the local body-issuing certificate)
(বিভাগ .....)
প্রমাণপত্রপ্রদানকারীর স্থানীয় সংস্থার নাম

B&D

Office of the Registrar Births & Deaths

Form No. 6
(ফরম নং-- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) 05/2012

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)
(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari of Tehsil/Block Ambassa of District Dhalai of Tripura State.
(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) Annyaram Reang Sex (লিঙ্গ) Male
Date of Death (মৃত্যুর তারিখ) 29/09/2011 Place of Death (মৃত্যুর স্থান) Birendra Para
Name of Mother (মাতার নাম) .....
Name of Father/Husband (পিতা/স্বামীর নাম) Alimoy Reang
Address of the deceased at the time of Death (মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) Vill:- Birendra Para P.O. Sikaribari P.S. Ambassa Dist. Dhalai
Permanent address of the deceased (মৃত/মৃতার স্থায়ী ঠিকানা) Vill:- Birendra Para P.O. Sikaribari P.S. Ambassa Dist. Dhalai, Tripura
Registration No. (রেজিস্ট্রেশন নং) 05 Date of Registration (রেজিস্ট্রেশন তারিখ) 6/3/2012
Date of issue (প্রদান তারিখ) 21/3/2012
Remarks, if any (কোন প্রকার মন্তব্য) .....

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

21/3/12
Addl. Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)
Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা).
Sub Zone
Dhalai Zone, Tripura
Seal (মোহর)

"Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান)"

TGPA-24-09-2010–60,000–J.C.No. 15840.

GOVERNMENT OF TRIPURA
DEPARTMENT OF FEMILY & HEALTH WALFARE
(Name of the local body issuing certificate)
(বিভাগ Femily & Health Walfare)
প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

Form No. 6
(ফরম নং-- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)
(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari of Tehsil/Block Ambassa, of District Dhalai of Tripura State.
(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) Tayungnai Reang. Sex (লিঙ্গ) Male
Date of Death (মৃত্যুর তারিখ) 13/02/2011 Place of Death (মৃত্যুর স্থান) Amyaram Para
Name of Mother (মাতার নাম)
Name of Father/Husband (পিতা/স্বামীর নাম) Tongnai Reang.
Address of the deceased at the time of Death Amyaram Para.
(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) P.O. Sikaribari P.S. Ambassa.
Dist. Dhalai, Tripura.
Permanent address of the deceased Vill:- Amyaram Para.
(মৃত/মৃতার স্থায়ী ঠিকানা) P.O. Sikaribari P.S. Ambassa.
Dist. Dhalai, Tripura.
Registration No. (রেজিস্ট্রেশন নং) 06 Date of Registration (রেজিস্ট্রেশন তারিখ) 6/3/2012
Date of issue (প্রদান তারিখ) 21/3/2012
Remarks, if any (কোন প্রকার মন্তব্য)

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

Addl. Registrar Births & Deaths
Ambassa Sub Zone
Dhalai Zone, Tripura
Seal (মোহর)

Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)
Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা).

"Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান)"

TGPA-24-09-2010–60,000–J.C.No. 15840.

GOVERNMENT OF TRIPURA
(ত্রিপুরা সরকার)

DEPARTMENT OF FEMALE & HEALTH WALFARE
(Name of the local body-issuing certificate)
(বিভাগ .....)
প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

B&D

Form No. 6
(ফরম নং-- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) 07/2012

DEATH CERTIFICATE

(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari of Tehsil/Block Ambassa of District Dhalai of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) Baburam Reang Sex (লিঙ্গ) Male

Date of Death (মৃত্যুর তারিখ) 26/05/2011 Place of Death (মৃত্যুর স্থান) Dhongkarai Para

Name of Mother (মাতার নাম) .....

Name of Father/Husband (পিতা/স্বামীর নাম) Panditaram Reang

Address of the deceased at the time of Death VILL- Dhongkarai Para.
(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) P.O. Sikaribari P.S. Ambassa
Dist. Dhalai, Tripura

Permanent address of the deceased VILL :- Dhongkarai Para.
(মৃত/মৃতার স্থায়ী ঠিকানা) P.O. Sikaribari P.S. Ambassa.
Dist. Dhalai, Tripura.

Registration No. (রেজিস্ট্রেশন নং) 07 Date of Registration (রেজিস্ট্রেশন তারিখ) 6/3/2012

Date of issue (প্রদান তারিখ) 21/3/2012

Remarks, if any (কোন প্রকার মন্তব্য) .....

Registrar,
Birth & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

Addl. Registrar Births & Deaths
Ambassa Sub-Zone,
Dhalai, Tripura.

Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)
Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা).

" Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান) "

TGPA-24-09-2010–60,000–J.C.No. 15840.

GOVERNMENT OF TRIPURA
(ত্রিপুরা সরকার)

DEPARTMENT OF FAMILY WELFARE
(Name of the Local body-Issuing certificate)

(বিভাগ পরিবার কল্যাণ)
প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

Office of the Registrar Births & Deaths
Shikaribari Vill
Dhalai Tripura
A.D.C.

B&D

Form No. 6
(ফরম নং- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) ...08/2012

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari of Tehsil/Block Ambassa of District Dhalai of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) Subaljoy Reang Sex (লিঙ্গ) Male

Date of Death (মৃত্যুর তারিখ) 30/12/2011 Place of Death (মৃত্যুর স্থান) Dongkarai Para

Name of Mother (মাতার নাম) .....

Name of Father/Husband (পিতা/স্বামীর নাম) Lakramanjoy Reang

Address of the deceased at the time of Death Vill: Dongkarai Para

(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) P.O. Sikaribari P.S. Ambassa

Permanent address of the deceased Vill: Dongkarai Para

(মৃত/মৃতার স্থায়ী ঠিকানা) P.O. Sikaribari P.S. Ambassa Dist. Dhalai, Tripura

Registration No. (রেজিস্ট্রেশন নং) 08 Date of Registration (রেজিস্ট্রেশন তারিখ) 6/3/2012

Date of issue (প্রদান তারিখ) 21/3/12

Remarks, if any (কোন প্রকার মন্তব্য) .....

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone Tripura.

Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর). 21/3/12
Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা). Ambassa Sub-Zone.
Seal (Dhalai Zone. Tripura

" Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্ট্রারী করান) "

TGPA-24-09-2010–60,000–J.C.No. 15840.

GOVERNMENT OF TRIPURA
(त्रिपुरा सरकार)

Office of the Registrar Births & Deaths
Shikaribari Vill.
Dhalai Zone.

DEPARTMENT OF FAMILY & HEALTH WELFARE B & D
(Name of the local body-issuing certificate)
(विभाग .....)
प्रमाणपत्র প্রদানকারী স্থানীয় সংস্থার নাম

Form No. 6
(फरम नং-- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) 09/2012

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) ...Sikaribari... of Tehsil/Block ...Ambassa... of District ...Dhalai... of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) ...Gobinda Reang... Sex (লিঙ্গ) ...Male...

Date of Death (মৃত্যুর তারিখ) 07/02/2011 Place of Death (মৃত্যুর স্থান) ...DongKarai Para...

Name of Mother (মাতার নাম) .....

Name of Father/Husband (পিতা/স্বামীর নাম) ...Gomanam Reang...

Address of the deceased at the time of Death ...Vill – DongKarai Para...

(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) ...P.O. Sikaribari P.S. Ambassa Dist. Dhalai...

Permanent address of the deceased ...Vill :- DongKarai Para...

(মৃত/মৃতার স্থায়ী ঠিকানা) ...P.O. Sikaribari P.S. Ambassa Dist. Dhalai, Tripura...

Registration No. (রেজিস্ট্রেশন নং) ...09... Date of Registration (রেজিস্ট্রেশন তারিখ) 6/3/2012

Date of issue (প্রদান তারিখ) ...21/3/2012...

Remarks, if any (কোন প্রকার মন্তব্য) .....

21/3/12

Addl. Registrar Births & Deaths
Signature of the Issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)
Ambassa Sub-Zone
Address of the Issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা)
Dhalai Zone, Tripura
Seal (মোহর)

Registrar
Births & Deaths
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone Tripura.

"Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান)"

TGPA-24-09-2010–60,000–J.C.No. 15840.

GOVERNMENT OF TRIPURA
(ত্রিপুরা সরকার)

DEPARTMENT OF FAMILY & HEALTH WELFARE B&D

(Name of the local body-issuing certificate)

(বিভাগ .....)

প্রমাণপত্র প্রদানকারীর স্থানীয় সংস্থার নাম

Office of the Registrar Births & Deaths S.D.C., Tripura

Form No. 6

No. (নং) 10/2012

(ফরম নং-- ৬)

(See Rule 8/13)

(বিধি ৮/১৩ দ্রষ্টব্য)

DEATH CERTIFICATE

(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) ..Sikaribari.. of Tehsil/Block ..Ambassa.. of District ..Dhalai.. of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) ..Samajoy Reang.. Sex (লিঙ্গ) ..Male..

Date of Death (মৃত্যুর তারিখ) ..17/04/2011.. Place of Death (মৃত্যুর স্থান) ..DongKarai Para..

Name of Mother (মাতার নাম) .....

Name of Father/Husband (পিতা/স্বামীর নাম) ..Bisnuram Reang..

Address of the deceased at the time of Death ..Vill.- DongKarai Para..

(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) ..P.O. Sikaribari, P.S. Ambassa..

..Dist. Dhalai..

Permanent address of the deceased ..Vill.- DongKarai Para..

(মৃত/মৃতার স্থায়ী ঠিকানা) ..P.O. Sikaribari P.S. Ambassa..

..Dist. Dhalai, Tripura..

Registration No. (রেজিস্ট্রেশন নং) ..10.. Date of Registration (রেজিস্ট্রেশন তারিখ) ..6/3/2012

Date of issue (প্রদান তারিখ) ..21/3/2012

Remarks, if any (কোন প্রকার মন্তব্য) .....

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

Addl Registrar Births & Deaths
Ambassa Sub-Zone.
Dhalai Zone. Tripura

Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)

Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা).

Seal (মোহর)

" Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান) "

TGPA-24-09-2010--60,000--J.C.No. 15840.

GOVERNMENT OF TRIPURA
(ত্রিপুরা সরকার)

DEPARTMENT OF CO. MIN. & HEALTH WELFARE
(Name of the local body issuing certificate)
(বিভাগ .....)
প্রমাণপত্র প্রদানকারী স্থানীয় সংস্থার নাম

Office of the Registrar Births & Deaths
Shikaribari Vill.
Dhalai Zone
A.D.C.

B&D

Form No. 6
(ফরম নং-- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) 11/2012

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari ..... of Tehsil/Block Ambassa ..... of District Dhalai ..... of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক ..... জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) Monisoam Reang ..... Sex (লিঙ্গ) Male

Date of Death (মৃত্যুর তারিখ) 05/06/2011 ..... Place of Death (মৃত্যুর স্থান) Dong Karai Para

Name of Mother (মাতার নাম) .....

Name of Father/Husband (পিতা/স্বামীর নাম) Lumsaiha Reang

Address of the deceased at the time of Death Vill:- Dong Karai Para

(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) P.O. Sikaribari P.S. Ambassa

Dist. Dhalai.

Permanent address of the deceased Vill:- Dong Karai Para

(মৃত/মৃতার স্থায়ী ঠিকানা) P.O. Sikaribari P.S. Ambassa

Dist. Dhalai, Tripura.

Registration No. (রেজিস্ট্রেশন নং) 11 ..... Date of Registration (রেজিস্ট্রেশন তারিখ) 6/8/2012

Date of issue (প্রদান তারিখ) 21/8/2012

Remarks, if any (কোন প্রকার মন্তব্য)

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone Tripura.

21/8/12

Addl. Registrar Births & Deaths.
Ambassa Sub-Zone,
Dhalai Zone, Tripura.

Signature of the Issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)

Address of the Issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা).

Seal (মোহর)

" Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান) "

TGPA-24-09-2010–60,000–J.C.No. 15840.

GOVERNMENT OF TRIPURA
(त्रिपुरा सरकार)

DEPARTMENT OF Shikaribari Vill. Health Welfare
(Name of the local body issuing certificate)
(विभाग .....)
प्रमाणपत्র প্রদানকারীর স্থানীয় সংস্থার নাম

Office of the Registrar Births & Deaths A.D.C. Tripura

B&D

Form No. 6
(फरम नং-- ৬)
(See Rule 8/13)
(বিধি ৮/১৩ দ্রষ্টব্য)

No. (নং) 12/2012

DEATH CERTIFICATE
(মৃত্যুর প্রমাণপত্র)

(Issued under Section 12/17 of the Registration of Births of Deaths Act, 1969 & Rule 8/13 of the Tripura Registration of Births & Deaths Rules, 1999)

(জন্ম-মৃত্যু রেজিস্টারীকরণ আইন, ১৯৬৯ এর ১২/১৭ নং ধারা এবং ত্রিপুরা জন্ম-মৃত্যু রেজিস্টারীকরণ বিধি ১৯৯৯-এর ৮/১৩ নং ধারা অনুসারে)

This is to certify that the following information has been taken from the original record of death which is the Register for (Local Area) Sikaribari of Tehsil/Block Ambassa, of District Dhalai of Tripura State.

(ইহা প্রত্যায়িত যে, নিম্নের সংবাদগুলি স্থানীয় ..... তহশীল/ব্লক .....
জেলা ত্রিপুরা রাজ্যের মূল নথি থেকে নেওয়া হয়েছে।)

Name (নাম) Sachindra Reang, Sex (লিঙ্গ) Male
Date of Death (মৃত্যুর তারিখ) 7/5/2011 Place of Death (মৃত্যুর স্থান) Satiram Para
Name of Mother (মাতার নাম) .....
Name of Father/Husband (পিতা/স্বামীর নাম) Satiram Reang,
Address of the deceased at the time of Death Vill:- Satiram Para,
(মৃত্যুর সময়ে মৃত/মৃতার ঠিকানা) P.O. Sikaribari P.S. Ambassa,
Dist. Dhalai.
Permanent address of the deceased Vill:- Satiram Para
(মৃত/মৃতার স্থায়ী ঠিকানা) P.O. Sikaribari P.S. Ambassa
Dist. Dhalai, Tripura.
Registration No. (রেজিস্ট্রেশন নং) 12 Date of Registration (রেজিস্ট্রেশন তারিখ) 6/6/2012
Date of issue (প্রদান তারিখ) 21/3/2012
Remarks, if any (কোন প্রকার মন্তব্য) .....

21/3/12

Registrar,
Births & Deaths,
Shikaribari Village,
Ambassa Sub-Zone,
Dhalai Zone Tripura.

Addl. Registrar Births & Deaths,
Signature of the issuing Authority (প্রদানকারী কর্তৃপক্ষের স্বাক্ষর)
Ambassa Sub-Zone,
Address of the issuing Authority (প্রদানকারী কর্তৃপক্ষের ঠিকানা) Dhalai Zone, Tripura.
Seal (মোহর)

" Ensure Registration of every Birth & Death (প্রতিটি জন্ম এবং মৃত্যুর ঘটনা অবশ্যই রেজিষ্টারী করান) "

TGPA-24-09-2010–60,000–J.C.No. 15840.

ANNEXURE XI: Letter dated 22 September 2012, Mr R K Das, Additional Secretary to the Government of Tripura to consider the applications of Thaithak Reang for extraction of trees

Most Urgent/ By Fax & Post

F. 7(232)/For-FR-02-11/Vol-10/ 22,998 — 23,003
Government of Tripura
Forest Department

Dated the 22nd September, 2012

To
The District Forest Officer
Dhalai District
Ambassa

Sub: - Application of Shri Thaithak Reang & others of Shikaribari Mouza under Ambassa Sub-Division for issue of Tree Registration Certificate, etc.-reg.

Ref: - Letter No. F. 32(1)-DFO/Ad-08/P-III/5071-75 dated 21/06/2012 of the DFO, Ambassa

Sir,

I am directed to refer to order dated 11/05/12 of the Ld. Secretary, Revenue Department in Revenue Case No. 10/2011 u/s 95 of TLR & LR Act, 1960 and to inform you that the Government in the Forest Department examined the aforesaid order in consultation with the Law Department and it has been opined by the Law Department that there has been no cogent reasons for the Appellant/ Petitioner (DFO, Ambassa) to contest the aforesaid order dated 11/05/2012 through Writ Petition.

2. In view of the above, I am further directed to inform you that the Divisional Forest Officer, Ambassa may be advised from your end to consider the applications of Shri Thaithak Reang & others for TRC. etc as per provisions of the *Tree Felling Guidelines, etc* issued by the Forest Department.

Yours faithfully,

22/9/12

(R. K. Das)
Addl. Secretary to the Govt. of Tripura

Cc.

1. PS to Addl. Principal Chief Conservator of Forests cum Nodal Officer, FCA
2. Chief Conservator of Forests (Territorial), FHQ, Aranya Bhavan
3. Chief Conservator of Forests (Working Plan & Survey) Aranya Bhavan
4. Divisional Forest Officer, Working Plan Division No. I & II

Office of the Dist. F. O.
Dhalai
No. 2497
Date 26/09/2012
Sec. GEN

RECEIVED
No. R. dfo
Time No. 5241
Date 27-09-12

DIVISIONAL FOREST OFFICER
Ambassa Division Ambassa
AMBASSA 2 8 SEP 2012 TRIPURA
RECEIVED

No. F.(...)/Gen/Dist F.O/For 2011 / 3815
GOVERNMENT OF TRIPURA
OFFICE OF THE DISTRICT FOREST OFFICER
DHALAI DISTRICT, AMBASSA

Dated, 27/09/2012.

Copy forwarded to:-

1) The Divisional Forest Officer Ambassa for information and necessary action please. as per guideline and rules in this regard.

[C K Das, IFS] 27-09-12
District Forest Officer
Dhalai District, Ambassa

The Asian Indigenous and Tribal Peoples Network (AITPN) is an alliance of indigenous and tribal peoples' organisations and individual activists across the Asian region. It seeks to promote and protect the rights of indigenous and tribal peoples in Asia:

- by providing accurate and timely information to national human rights institutions, the United Nations and its specialised mechanisms, as appropriate;
- by conducting research, campaigning and lobbying on country situations or individual cases;
- by increasing the capacity of indigenous peoples through relevant training programmes for indigenous peoples' rights activists and community leaders;
- by providing legal, political and practical advice to indigenous peoples organisations;
- by providing input into international standard-setting processes on the rights of indigenous peoples; and
- by securing the economic, social and cultural rights of indigenous peoples through rights-based approaches to development.

AITPN has Special Consultative Status with the United Nations Economic and Social Council (ECOSOC).

For further details, please write to:

Asian Indigenous and Tribal Peoples Network
C-3/441 Top Floor , Janakpuri, New Delhi-110058, India
E-Mail: aitpn@aitpn.org
Tel: +91 11 25503624