



Government of Jammu and Kashmir
Department of Forest, Ecology and Environment
Civil Secretariat, J&K

Subject: Issues pertaining to protection of forest areas and reconciliation of claims of forest-dwelling Scheduled Tribes and other traditional forest dwellers — necessary guidelines thereto.

**Circular No. 07 -JK(FST) of 2026
Dated: 11.08.2026**

Time and again, issues pertaining to the protection and preservation of forest areas, forest cover and forest land, as well as the rights and interests of inhabitants traditionally dependent upon and residing in forest areas, have come to the fore. It is, therefore, imperative to maintain an appropriate balance between the protection, conservation and sustainable management of forests in accordance with the applicable forest laws and the recognition and settlement of legitimate forest rights of forest-dwelling Scheduled Tribes and other traditional forest dwellers strictly in accordance with the applicable statutory provisions.

In this regard, the **Indian Forest Act, 1927 (16 of 1927), as applicable to the Union territory of Jammu and Kashmir**, provides the statutory framework for the protection, preservation, management and regulation of forests and forest produce, while the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter referred to as the "Forest Rights Act, 2006") and the rules made thereunder provide for a prescribed mechanism for recognition and vesting of forest rights of eligible forest-dwelling Scheduled Tribes and other traditional forest dwellers. These enactments are required to be implemented in their respective fields and in a manner that ensures that genuine and legally admissible forest rights are duly recognized and protected without compromising the statutory mandate for protection, conservation and ecological integrity of forests.

The Tribal Affairs Department, vide Circular No. 01-JK TAD of 2026 dated 30.07.2026, has also reiterated the mechanism and procedure for settlement of claims of forest-dwelling Scheduled Tribes and other traditional forest dwellers. ***It is imperative for the Deputy Commissioners, as Chairpersons of the District Level Committees, to ensure that all pending claims under the Forest Rights Act, 2006 are processed and decided expeditiously by the competent authorities strictly in accordance with the procedure prescribed under the Act and the rules made thereunder.***

Wherever occupation of forest land is reported or comes to notice, the concerned Forest authorities shall undertake proper verification of the status and classification of the land, relevant forest and revenue records, nature, extent and

period of occupation, ***relevant facts and evidence concerning the identity and eligibility of the claimant, without prejudice to the determination of eligibility by the competent authorities under the Forest Rights Act, 2006***, nature and extent of the claim, wherever made under the Forest Rights Act, 2006, and the actual ground position. Wherever necessary, the forest and revenue records shall be reconciled and the area properly demarcated so as to avoid erroneous identification of land and overlapping claims and unauthorized occupation of forest land, ***while ensuring that such reconciliation or demarcation does not prejudice any claim pending under the Forest Rights Act, 2006.***

Where occupation of forest land is found to be unauthorized and is not covered by a forest right duly recognized under the Forest Rights Act, 2006 or otherwise protected under applicable law, the concerned Forest authorities shall initiate appropriate action for prevention or removal of such unauthorized occupation strictly in accordance with the ***Indian Forest Act, 1927 (16 of 1927), as applicable to the Union territory of Jammu and Kashmir***, other applicable laws and the prescribed procedure ***with due regards to Section 4(5) of the Forest Rights Act, 2006***. Pending determination of any claim under the Forest Rights Act, 2006, the existing forest character and ecological integrity of the area shall be protected. No activity shall be permitted which changes the physical status of the land, causes degradation of forest resources, damages forest growth or otherwise prejudices the protection and conservation of forests.

The Forest Department shall extend all necessary assistance and cooperation to the Gram Sabhas, Sub-Divisional Level Committees, District Level Committees and other competent authorities constituted under the Forest Rights Act, 2006 in verification and settlement of claims. Any claim or proposed activity concerning protected areas or ecologically sensitive areas shall be examined strictly within the framework of the Forest Rights Act, 2006, the ***Indian Forest Act, 1927 (16 of 1927), as applicable to the Union territory of Jammu and Kashmir, the Wild Life (Protection) Act, 1972*** and the applicable environmental laws, judicial directions and other statutory requirements.

The District Level Committee shall ensure proper maintenance and updating of the records relating to claims under the Forest Rights Act, 2006 and the record of forest rights, in accordance with the provisions of the Act and the rules made thereunder. The concerned Territorial Forest Division shall also maintain such records in coordination with the records maintained by the competent authorities, particularly with regard to unauthorized occupations, claims received under the Forest Rights Act, 2006, claims recognized or rejected and pending, areas in respect of which rights have been duly vested, and action taken for prevention or removal of unauthorized occupation. The status of claims recognized, rejected or pending and the areas in respect of which rights have been duly vested shall be recorded by the Territorial Forest Divisions on the basis of, and in conformity with, the decisions/orders of the competent authorities under the Forest Rights Act, 2006. Such records shall, wherever necessary, be reconciled with the records maintained by the Revenue and other concerned departments.

It is, therefore, reiterated that all action relating to forest land, encroachment and forest rights shall strictly conform to the ***Indian Forest Act, 1927 (16 of 1927), as applicable to the Union territory of Jammu and Kashmir, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the rules made thereunder, the Wild Life (Protection) Act, 1972 and the applicable environmental laws, judicial directions and instructions issued by the competent authorities from time to time.***

All concerned shall ensure strict compliance with these instructions in letter and spirit so as to ensure that forest conservation and protection are duly safeguarded while legitimate rights of forest-dwelling Scheduled Tribes and other traditional forest dwellers are dealt with strictly in accordance with the statutory framework ***and the procedure prescribed under the Forest Rights Act, 2006 and the rules made thereunder.***

By order of Government of Jammu and Kashmir.

Sd/-
Sheetal Nanda, IAS
Commissioner/Secretary to the Government

No. FST-GEN/156/2026-02 (7780321)

Dated: 11.08.2026.

Copy to the:-

1. All Administrative Secretaries.
2. Principal Chief Conservator of Forests & HoFF, J&K.
3. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
4. Joint Secretary (Jammu, Kashmir & Ladakh), Ministry of Home Affairs, GoI.
5. Divisional Commissioner, Jammu/Kashmir.
6. Director, Archives, Archeology and Museums, J&K.
7. All Deputy Commissioners, J&K.
8. OSD with Hon'ble Minister for Forest, Ecology and Environment Department.
9. PS to Commissioner/Secretary to Government, Forest, Ecology & Environment Department.
10. P.A. to Secretary in the Department of Forest, Ecology & Environment Department.
11. I/c Website, Forest, Ecology & Environment Department.
12. Government Order file.

(Ambika Bali) JKAS
Under Secretary to the Government