

Date: 17th June 2026

To
The Chief Secretary,
Government of Assam
Dispur, Assam

Subject: Eviction notices issued to residents of Taungya Villages under the Taungya system in Lutumari Longjap Reserve Forest is a clear violation of Scheduled Tribes and Other Forest Dwellers (Recognition of the Forest Rights) Act, 2006(Forest Rights Act, 2006)

Respected Sir,

We are a national level trade union working to safeguard and protect the constitutional rights and forest rights of the forest dwelling communities. We work to ensure the implementation of Scheduled Tribes and Other Forest Dwellers (Recognition of the Forest Rights) Act, 2006. It is almost 20 years now that the Forest Rights Act, 2006 (FRA) still awaits effective implementation in the state of Assam in its true spirit.

On behalf of the All India Union of Forest Working People (AIUFWP), we would like to put forward our humble submission regarding the eviction notices being served to the four Taungya villages namely; Kandapara, Longjap Padumoni Taungya, Hatijur Taungya and 9 No. Kheroni Taungya of Nagaon Forest Division in Nagaon District, Assam.

In 2012, during the UPA II Government, on behalf of National Committee formed to review the implementation of FRA, 2006, I along with my fellow committee members Arup Jyoti Saikia (renowned historian of Assam), Jarjum Ete (Ex Women commission Chairperson, Arunanchal Pradesh), Vasavi Kiro(Famous writer on Adivasi and women rights, Jharkhand) had visited Assam and met the then Chief Secretary of the state of Assam regarding the poor implementation of the FRA, 2006.

We were shocked to hear Chief Secretary mentioning that FRA, 2006 does not apply in the state of Assam. However, he later said that they will do the needful. But, till date the state has not shown political will to successfully implement the important special Act in its true spirit. Even the present regime in the Centre has vouched for effective implementation of FRA, 2006 across the nation, for acknowledging and implementing the forest rights of traditional and other traditional-forest dweller communities of India. We welcome this positive posture of the present regime.

We came to know from our fellow organisation, the All Assam Forum for Forest Working People (AAFFWP), few days ago that 4 forest taungya villages namely; Kandapara Longjap Taungya, Padumoni Taungya, Hatijur Taungya and 9 No. Kheroni Taungya of Nagaon Forest Division in Nagaon District was served eviction notices on the ground that they are "encroachers". It is quite unfortunate that the landless workers who have cultivated and preserved the rich biodiversity of the reserved forest since the British period are being served with eviction notices and are termed as encroachers by the Forest Department (FD) rather they are the protector of the forest.

The FRA, 2006 is in force since last 20 years and it has specifically mentioned about the rights of Taungya villages in 'section 2 (f)':

"Forest villages mean the settlements which have been established inside the forests by the forest department of any State Government for forestry operations or which were converted into forest villages through the forest reservation process and includes forest settlement villages, fixed demand holdings, all types of taungya settlements, by whatever name called, for such villages and includes lands for cultivation and other uses permitted by the Government".

Also, in

"Sec 3(1)(h) of the Act says "rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages".

The act also clearly mentions in its preamble that,

"AND WHEREAS the forest rights on ancestral lands and their habitat were not adequately recognised in the consolidation of State forests during the colonial period as well as in independent India resulting in **historical injustice to the forest dwelling Scheduled Tribes and Other Traditional Forest Dwellers who are integral to the very survival and sustainability of the forest ecosystem**". The act has clearly specified that it will undo the historical injustice committed on forest people during the colonial and post-colonial time. It is for the first time, after 59 years of India's independence, the Taungya system found its mention in FRA, 2006. It is this very historical injustice on the Taungya people that the Act talks about, that is being inflicted on the legal residents of these four villages.

The Taungya system was established by the British across India to grow timber and convert barren wasteland into taxable agricultural lands by using cheap and indentured labour, who were landless brought from the neighbouring areas. As is their nature, the taungya people did not have permanent settlement. With this purpose hundreds of Taungya settlements were settled by British in Assam also to fulfil the supply of timber for their colonial interest. Taungya residents were only an instrument of ensuring assured supply of labour for the Forest Department under the British Government for their "only for-profit" policies of "loot" in Assam such as;

1. The Ryotwari System & Land Revenue Framework (Post-1826)
2. The Wasteland Grant Rules (1835 & 1854)
3. The Colonisation Scheme (1928)
4. Land Development Scheme (1940-41)
5. Grow More Food Programme (1942-45)

However, gradually, as the land available for shifting cultivation shrunk considerably, these lands turned into permanent habitats for the practitioners of shifting cultivation. As forest historian **Arupjyoti Saikia** mentions, "(T)he establishment of FVs was within the bureaucratic set-up of the existing Reserved Forests or, mostly, in new areas that were earmarked for creating FVs. An illustrative example of the establishment of FV was that of Kachugaon in Goalpara. This forest village was established in 1901 by making a new addition to the Reserved Forests to make way for a FV. This also meant that the FD was not willing to disturb any status quo inside the already acquired territorial rights. The department made sure that the newly added tracts did not contain any marketable timber. ...Two other FVs, that is, Panbari and Bamujhora, established in Goalpara in 1902, also turned to be similar in the nature of expropriation of labour services by the FD..." (2011: 101). For further reference pl see the article attached in the mail on : ([https://www.academia.edu/42907399/The Forest Dwellers and Forest Villages of Assam and the FRA 2006](https://www.academia.edu/42907399/The_Forest_Dwellers_and_Forest_Villages_of_Assam_and_the_FRA_2006)) and also the list of Taungya villages in Assam (<https://www.pib.gov.in/PressReleaselframePage.aspx?PRID=1514479®=48&lang=2>)

The situation of the concerned four Taungya villages of Nagaon Forest Division in Nagaon District clearly indicates that they were settled by the Forest Department but later termed them as encroachers. This is a gross violation of Article no. 21 A of the Constitution that grants "Right to Life" to its citizens and also violation of fundamental rights as granted to the citizens of this Country. All the residents (list attached) are the legal residents of the Taungya villages who have their Aadhar card, Voter ID card, Taungya allotment documents, the Burma Star, the 1939-1945 Star and annual khiraji pattas. Eviction notices were being served to the Taungya people of the concerned four Taungya villages by the Forest Department that is completely illegal and against the law of land. The District Level Committee (DLC) is not taking any proactive action against the Forest Department to protect and safeguard the constitutional rights of these Taungya people. Further, no process of implementing FRA, 2006 has been started by the district

authorities, which is again a gross violation of Constitutional principles protected under FRA, 2006 and other civil rights of the citizen.

Without taking in consideration the provision of FRA, 2006 the eviction order served to some residents on the basis of their religion is completely illegal. The Sec (4)(5) of the Act says “(5) Save as otherwise provided, no member of a forest dwelling Scheduled Tribe or other traditional forest dweller shall be evicted or removed from forest land under his occupation till the recognition and verification procedure is complete”. And **Sec .7** which says “ Where any authority or Committee or officer or member of such authority or Committee contravenes any provision of this Act or any rule made thereunder concerning recognition of forest rights, it, or they, shall be deemed to be guilty of an offence under this Act and shall be liable to be proceeded against and punished with fine which may extend to one thousand rupees”, of the said Act can be invoked against the concerned Forest Department officials and the police personnels. Legal action can also be taken against the DLC for not serving notification to start the process of implementing the FRA, 2006 to protect rights of forest people. Also, for your kind attention the honourable **Supreme Court of India has put a stay in 28th Feb 2019 regarding any eviction of forest dwelling communities of India. We as a Union are also intervenors in the said interim application no WRIT PETITION (CIVIL) NO. 109 OF 2008. Kindly find attachment.**

We wish to inform you that the government of Uttar Pradesh has granted revenue status to 38 forest villages, many of which fall in districts such as Gorakhpur, Mahrajganj, Saharanpur, Baharich, Lakhimpur Khiri and Shravasti. In these villages only OTFD resides, including forest dwelling communities of the Muslim community.

As the pressure of eviction is mounted on the marginalised forest dwelling in these villages on landless community in Nogaon Forest Division by the Forest Department and Police, we urge you to immediately stop this coercive action and instead start the process of formation of the village council and forest rights committee and then commence the process of filing the claims of all residents of these villages. Our union and affiliated forum in Assam will extend full cooperation to the authorities to implement the special Act of FRA, 2006 in these villages.

We urge you take immediate cognizance of this matter and order the forest authorities to stop evicting aggrieved families and grant them relief from eviction and direct DLC and SDLC to immediately start the process of implementing the FRA, 2006 in its true spirit in these villages.

Regards

Sokalo Gond (President)



Roma (Gen. Sect.)

Raja Rabbi Hussain (EC member AIUFWP, Assam & Representing All Assam Forum for Forest Working People)

Documents attached via email :

1. Khiraji Patta 1926
2. Letter of Tribal Affair Ministry dated 20th March 2019 on WRIT PETITION (CIVIL) NO. 109 OF 2008
3. Attached List of Residents
4. PDF of https://www.academia.edu/42907399/The_Forest_Dwellers_and_Forest_Villages_of_Assam_and_the_FRA_2006

Cc to

1. Tribal Affairs Ministry GOI, Shastri Bhavan
2. PMO office, New Parliament Annexe
3. Parliamentary Affairs Ministry Office, New Delhi
4. Tribal Department, Guwahati, Assam
5. District Collector, Nagaon, Assam

6. SDM kampur, Dist. Nagaon

7. Rahul Gandhi, (LOP) Jawahar Bhawan, New Delhi