

***Legislation Brief***

**Recognition of Rights and Relocation in relation to  
Critical Tiger Habitats (CTHs)**

*Status under* The Scheduled Tribes and Other Traditional Forest Dwellers  
(Recognition of Forest Rights) Act (**FRA**), 2006, and Wild Life (Protection)  
Amendment Act (**WLPA**), 2006

## Introduction<sup>1</sup>

- Continuing conflicts between Forest Departments in charge of protecting and managing protected areas (**PAs**), on the one hand, and the local communities living in and around these PAs, on the other, are well known. PA management policy in India draws upon the western model of creating pristine zones by excluding local communities from such areas. By doing so, it aims to shield wildlife and other natural resources from any human 'disturbances'.
- Around 3 million people in India (a large part being the tribal population) live inside PAs and depend on them for their resources. Exclusion of people living inside or adjacent to PAs from PA management has led to erosion of traditional practices which aid in conservation. This has meant economic impoverishment of the already marginalized communities; and other hardships through loss of access to livelihood resources, physical displacement, harassment, etc. In this scenario, use of coercion to protect PAs from human intervention has often led to hostile attitudes of local people towards wildlife management and forestry staff, and sometimes even to open conflict.
- According to one estimate, around 65,000 families need to be relocated from both the core and buffer areas of Tiger Reserves<sup>2</sup>.
- Given that relocation has hardly been successful across the country, and that substantial populations will continue to thrive in the core and buffer areas of PAs, there is an urgent need to draw up strategies for co-existence even while laying down basic principles and strategies for relocation.

## What are Critical Tiger Habitats (CTHs)?

As per 38 V(4) of WLPA, 2006, a **“tiger reserve”** includes-

- (i) core or Critical Tiger Habitat (CTH) areas of National Parks and sanctuaries,
  - where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation,
  - without affecting the rights of the Scheduled Tribes or such other forest dwellers,
  - and notified as such by the State Government in consultation with an Expert Committee constituted for the purpose;
- (ii) buffer or peripheral area consisting of the area peripheral to critical tiger habitat or core area, identified and established in accordance with the provisions contained in explanation (i) of section 38V(4),
  - Where lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species,
  - and which aim at promoting co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people,
  - wherein the limits of such areas are determined on the basis of scientific and objective criteria in consultation with the concerned Gram Sabha and an Expert Committee constituted for the purpose.

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1. This legislation brief is based on analysis and interpretation of those provisions of Wild Life (Protection) Amendment Act (WLPA), 2006 and The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA), 2006 which deal with relocation from Tiger Reserves and Critical Wildlife Habitats; Data was obtained from field visits to Melghat and Sariska Tiger Reserves; from the NGO KHOJ, Melghat (Maharashtra) and the NGO KRAPAVIS, Alwar (Rajasthan), respectively. Also referred to was a December 2010 report entitled *Land Rights Violations at Achanakmar Wildlife Sanctuary (Chattisgarh)* by Nadi Ghati Morcha, Baiga Mahapanchayat, and Equations, and other documents obtained from National Tiger Conservation Authority (NTCA) using the Right to Information (RTI) Act.

2. Data from the report of the Tiger Task Force, *Joining the Dots*, 2005.

## How is a CTH declared?

A set of Guidelines for the purpose of identification and notification of core or critical habitats in Tiger Reserves as per 38 (V) of the WLPA were issued by the NTCA on November 16, 2007.

Declaration of a CTH involves three distinct steps:

- ❖ Identification/delineation of core or CTHs as per scientific/ objective criteria and involving an Expert Committee.
- ❖ Identification/ delineation of buffer or peripheral area in consultation with the specific Gram Sabha and the Expert Committee.
- ❖ Creation of inviolate area on the basis of identified core or CTH through relocation as per the statutory process.

## Creating inviolate zones through relocation - Legislative Provisions

The WLPA, 2006 and the FRA, 2006 - both emphasize co-existence and require the following steps to be completed before relocation, for creating human free habitats for wildlife.

## Provisions of the WLPA, 2006

Section 38V(5) states that -

“Save as for voluntary relocation on mutually agreed terms and conditions, provided that such terms and conditions satisfy the requirements laid down in this sub-section, no Scheduled Tribes or other forest dwellers shall be resettled or have their rights adversely affected for the purpose of creating inviolate areas for tiger conservation unless -

- (i) the process of recognition and determination of rights and acquisition of land or forest rights of the Scheduled Tribes and such other forest dwelling persons is complete;



Community leaders undergoing training on conservation and rights, Bakhtpura village, Sariska (Rajasthan)

- (ii) the concerned agencies of the State Government, in exercise of their powers under this Act establishes with the consent of the Scheduled Tribes and such other forest dwellers in the area, and in consultation with an ecological and social scientist familiar with the area, that the activities of the Scheduled Tribes and other forest dwellers or the impact of their presence upon wild animals is sufficient to cause irreversible damage and shall threaten the existence of tigers and their habitat;
- (iii) the State Government, after obtaining the consent of the Scheduled Tribes and other forest dwellers inhabiting the area, and in consultation with an independent ecological and social scientist familiar with the area, has come to a conclusion that other reasonable options of co-existence, are not available;
- (iv) resettlement or alternative package has been prepared providing for livelihood for the affected individuals and communities and fulfils the requirements given in the National Relief and Rehabilitation Policy;
- (v) the informed consent of the Gram Sabhas concerned, and of the persons affected, to the resettlement programme has been obtained;
- (vi) the facilities and land allocation at the resettlement location are provided under the said programme, otherwise their existing rights shall not be interfered with.”

## Provisions of the FRA, 2006

Section 4(2) states that -

“The forest rights recognized under this Act in critical wildlife habitats of National Parks and Sanctuaries may subsequently be modified or resettled, provided that no forest rights holders shall be resettled or have their rights in any manner affected for the purposes of creating inviolate areas for wildlife conservation except in case all the following conditions are satisfied, namely -

- (a) the process of recognition and vesting of rights as specified in section 6 is complete in all the areas under consideration;
- (b) it has been established by the concerned agencies of the State Government, in exercise of their powers under the Wild Life (Protection) Act 1972 (53 of 1972) that the activities or impact of the presence of holders of rights upon wild animals is sufficient to cause irreversible damage and threaten the existence of said species and their habitat;
- (c) the State Government has concluded that other reasonable options, such as, co-existence are not available;
- (d) a resettlement or alternatives package has been prepared and communicated that provides a secure livelihood for the affected individuals and communities and fulfils the requirements of such affected individuals and communities given in the relevant laws and the policy of the Central Government;
- (e) the free informed consent of the Gram Sabhas in the areas concerned to the proposed resettlement and to the package has been obtained in writing;
- (f) no resettlement shall take place until facilities and land allocation at the resettlement location are complete as per the promised package.”

**Section 4(5) of the FRA requires that “...no member of a forest dwelling Scheduled tribe or other traditional forest dweller shall be evicted or removed from the forest land under his occupation till the recognition and verification procedure is complete”**

- In September 2008 the NTCA issued a guideline stating that relocation of villages from core / CTHs should be carried out keeping in view the overall interest of FRA 2006.
- The September 2008 guideline states that the identification of core/ CTHs in new tiger reserves would involve actions as contained in section 38(V) of WLPA to be read in conjunction with the provisions under Section 4(2) and Section 4(5) of the FRA.

## Current Status

Notification of CTHs has been undertaken in 38 Tiger Reserves. Out of these 31 CTHs were notified in December 2007 alone. There has been an attempt to identify these areas as inviolate zones (i.e. to be rendered free from all human activity).

762 villages located in CTHs are scheduled for relocation in phases.

Total number of families who are to be relocated is 48,549<sup>3</sup>.

## NTCA guidelines on Relocation

Both, the WLPA, 2006 as well as the FRA, 2006, require that rights of people (Scheduled Tribes and other traditional forest dwellers) be recognized in forest areas within core/critical tiger/wildlife habitats of tiger reserves/protected areas, and that these (rights) may be modified, or people resettled after paying compensation for providing inviolate spaces to tiger/wild animals.

3. Data obtained using the RTI from NTCA.

“This requires payment of compensation (rights settlement in addition to the relocation package) offered under the Centrally Sponsored Scheme of Project Tiger “.

The proposed package for the communities who choose to be relocated has two options:

**Option I** – Payment of the entire package-amount of Rs.10 lakh (per family) in case the family opts so, and not involving any rehabilitation / relocation process by the Forest Department.

**Option II** – Carrying out relocation / rehabilitation of village from protected area / tiger reserve by the Forest Department.

- (i) In case of option I, a monitoring process involving the District Magistrate of concerned District(s) should be put in place so that villagers learn to rehabilitate themselves with the package money provided to them. In such cases, a mechanism for handholding should also be put in place - preferably involving external agencies - for helping the beneficiaries to deposit a considerable portion of

their compensation amount in a nationalized bank so that income generated through the accumulation of interest generated can be used by them for years to come.

- (ii) In case of option II, the following package (per family) is proposed, at the rate of Rs.10 lakhs per family<sup>4</sup>:-

(a)	Agricultural land procurement (2 hectare) and development	35% of the total package
(b)	Settlement of rights	30% of the total package
(c)	Homestead land and house construction	20% of the total package
(d)	Incentive	5% of the total package
(e)	Community facilities commuted by the family (access road, irrigation, drinking water, sanitation, electricity, tele-communication, community center, religious places of worship, burial/cremation ground)	10% of the total package

#### Definition of family as per revised guidelines by NTCA on March 19, 2008

“Family includes a person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes “nuclear family” consisting of a person, his or her spouse and minor children” .

#### NTCA guidelines on Relocation (contd.)...

- (iii) The relocation process would be monitored / implemented by the following two Committees

##### State level Monitoring Committee

- |  |   |                  |
|--|---|------------------|
| (a) Chief Secretary of the State                                     | - | Chairman         |
| (b) Secretaries of related departments                               | - | Members          |
| (c) State Principal Chief Conservator of Forest                      | - | Member           |
| (d) Non-official members of respective Tiger Conservation Foundation | - | Members          |
| (e) Chief Wildlife Warden  | - | Member-Secretary |

##### District level Implementing Committee for ensuring convergence of other sectors

- |   |   |                  |
|---|---|------------------|
| (a) District Collector  | - | Chairman         |
| (b) CEO   | - | Member           |
| (c) Representative officials from - PWD, Social Welfare, Tribal Department, Health Department, Agriculture Department, Education Department, Power and Irrigation Departments | - | Members          |
| (d) Deputy Director of the Tiger Reserve/PA   | - | Member Secretary |

4. Data from the revised guidelines for the ongoing Centrally Sponsored Scheme of Project Tiger, February 2008, NTCA.

## Checklist of steps that must be taken before carrying out relocation from a Tiger Reserve

This checklist has been formulated based on the steps which are compulsory under the WLPA, 2006 and the FRA, 2006.

As per the WLPA, unless the relocation is voluntary and on mutually agreed terms & conditions, and provided that such terms and conditions satisfy the legal requirements laid down in both the Acts, no Scheduled Tribe or other forest dwellers shall be resettled or have their rights adversely affected for the purpose of creating inviolate areas for tiger conservation. As per the FRA, the forest rights recognized within Critical Wildlife Habitats of National Parks and Sanctuaries, may subsequently be modified or resettled, provided that no forest rights holders shall be resettled or have their rights in any manner affected for the purposes of creating inviolate areas for wildlife conservation except in cases where all the conditions laid out in the Act are satisfied.

As per both these Acts, the following conditions must be satisfied before any relocation can take place. (This means that if all the following steps have not been completed then the relocation is not as per the law).

- The process of recognition and determination of rights and acquisition of land or forest rights of the Scheduled Tribes and other forest dwelling persons has been completed;
- The concerned agencies of the State Government, with the consent of the Scheduled Tribes and other forest dwellers in the area, and in consultation with an ecological and social scientist familiar with the area, have established that the activities of the Scheduled Tribes and other forest dwellers and their presence in the area is sufficient to cause irreversible damage to wildlife and shall threaten the existence of tigers and their habitat;
- The State Government, after obtaining the consent of the Scheduled Tribes and other forest dwellers inhabiting the area, and in consultation with an independent ecological and social scientist familiar with the area, has come to a conclusion that other reasonable options of co-existence are not available;
- The resettlement (or an alternative package) has been prepared and it provides for livelihood for the affected individuals and communities and fulfils the requirements given in the National Relief and Rehabilitation Policy;
- Free informed consent of the Gram Sabha concerned, and of the persons affected, for the resettlement programme, has been obtained in writing;
- The facilities and land allocation at the resettlement location have been provided under the said programme (If not then their existing rights shall not be interfered with).

**If any of the above steps has not been completed then the forest dwelling scheduled tribe or other traditional forest dweller shall not be evicted or removed from the forest land under his/her occupation.**

### Data<sup>5</sup> from 4 of the PAs where relocation is currently under way

Name of Tiger Reserve	Total villages in the Core to be relocated or in the process of relocation ( from 2009 onwards)	Number of families
Simlipal Tiger Reserve, Orissa	4 villages (as per survey in 2009)	122
Achanakmar, Chhattisgarh	25 villages (6 villages relocated in 2009)	1774
Melghat, Maharashtra	28 villages in the core (Proposal submitted for 16 villages)	2611(16 villages)
Sariska, Rajasthan	28 villages in the core (11 villages in the first Phase)	2254

5. Data obtained using the RTI from NTCA.

**Has the process of recognition and determination of rights and acquisition of land or forest rights of the Scheduled Tribes and other forest dwelling persons been completed?**

**Forest Departments' Claim**

- In Sariska the Forest Department has certified to NTCA that rights recognition process has been completed for villages that are to be relocated.
- In Melghat the relocation will start once the Claims Process is completed. In Melghat the Forest Department has also claimed that 5 villages were scheduled to be relocated in the first stage as no claims have come from them under the FRA.
- Relocation is underway in Simlipal and Achanakmar.

**Observations from the field**

- In Sariska, the FRA has not been implemented at all.
- In Simlipal, claims have been submitted, decision is pending, but relocation has continued.
- In Melghat, though Forest Right Committees have been formed, nothing has happened beyond that. Some villagers are aware of the FRA provision on granting individual *pattas* (sub-section 3(1)a), most are unaware of any other provision, particularly those related to claiming rights over community resources (sub-section 3(1)i), and those regarding rights relating to diversion of forestland for governments developmental facilities (sub-section 3(2)).
- In Achanakmar, only individual claims have been filed and granted. There has been no recognition of community rights at all. Where people have received such rights, it is being seen as the first step towards starting the relocation process rather than giving people an option of continuing to stay if they so wished. Such households are therefore being seen as households who can now be legitimately relocated.

**Are studies available for each of the tiger reserves which show that presence of communities has led to irreversible damage. How has the state concluded that co-existence is not possible?**

**Forest Departments' Claim**

The core areas have to be inviolate so villages have to be relocated. Co-existence is not an option in the Critical Tiger Habitat.

**Observations from the field**

- The communities have been living in this landscape for generations. In areas such as Sariska, Simlipal, Achanakmar there is evidence to show that communities have co-existed with wildlife and have practices that aid conservation.
- There might be practices that are not completely in harmony with tiger conservation. However, this issue can be resolved through mutual understanding, constant dialogue, involvement of communities in decision-making processes, research & other wildlife related activities. Interaction with communities has shown that they would prefer to continue in their current location if their basic livelihood requirements are allowed to be met with from the forest. Communities have expressed willingness in being **partners in conservation**. This creates a scope for collaborative management in most of the regions and opens up options of co-existence and sustainable management.



Neema Pathak Broome

Village Meeting at Melghat (Maharashtra)

**The claim that co-existence is not possible is not based on any supporting evidence. A provision of the Act has been misinterpreted as stating that under no circumstances can people continue to stay in the core area of a tiger reserve. The FRA also mentions modification of rights. There is no evidence that this option is being exercised anywhere. Through mutual dialogue and negotiation certain harmful activities could be modified/ stopped, but this option has not been shared with the communities. However, this is not to say that those who are willing to move should not be allowed to do so.**

**Has the resettlement or alternative package been prepared? And does it provide for livelihood for the affected individuals and communities and fulfill the requirements listed in the National Relief and Rehabilitation (R & R) Policy?**

**Forest Departments' Claim**

Relocation plans for villages in Sariska, Melghat, Simlipal and Achanakmar have been submitted to NTCA by the state Forest Department.

**Observations from the field**

- There is no evidence to show that these plans were placed in the local Gram Sabhas for discussion. As per the Central government, 30% of the Rs.10 lakh package has to be given for settlement of rights. However, recorded minutes of one meeting (on the compensation to be paid), that was obtained from Umri village of Sariska does not mention that 30% of the amount (Rs 3 lakh) is to be paid for settlement of rights. It is mentioned in the letter that rights have been settled by Collectors order in 1999, but it is not at all clear from the document whether this means that 30% compensation will not be paid to the relocated families.
- In Sariska, a cut-off date was set by the Forest Department for villages to choose from option I or II (without giving any option of saying no to relocation itself). People were told that those who do not express their choice of package by the cut-off date would be automatically considered to have opted for the cash package, instead of it being considered as a "no" to relocation.
- In Melghat people were made to sign on the consent forms without knowing whether it was for cash or a land package.

**Has any member of a forest dwelling scheduled tribe or other traditional forest dweller been evicted or removed from the forest land under his occupation without ensuring that the recognition and verification procedure is complete?**

**Forest Departments' Claim**

Wherever relocation is taking place, the provisions under the FRA (Section 4(5)) have been complied with.

**Observations from the field**

- The process of recognition of rights has not been completed in the four tiger reserves under consideration.
- One of the villages in Melghat (Vairat), which is currently undergoing relocation, had claimed community rights. However, the local forest ranger has given in writing that rights cannot be claimed in a tiger reserve and he has also cited the pre-FRA Supreme Court order banning NTFP collection from PAs for commercial use.
- Most of the villagers are unaware of the option of being able to claim community rights under the FRA (Section 3(1)i) and therefore have not claimed community resource rights (CFRs). As a result, the forest department is assuming that there are no claims - and declaring that the rights recognition process is over without initiating any such process.
- In the villages already relocated, as in the case of Simlipal in Orissa and in Sariska in Rajasthan, no process of recognition of rights has taken place.



## Status of completion of the steps mentioned in the checklist (contd.)...

**Has an informed consent to the resettlement programme been obtained from the concerned Gram Sabhas and the affected people?**

### **Forest Departments' Claim**

The Forest Department has certified that consent for relocation has been obtained from the families in Sariska and Melghat, and that the rights processes stipulated under the FRA has been completed. Forest Department has also prepared relocation plans of villages in Melghat and Sariska.

### **Observations from the field**

- Consent had been sought only from individual families and not from the Gram Sabha. There are no documents available which prove that Gram Sabha consent has been sought. Two Panchayats in Sariska have given in writing that they do not want to be relocated. In Melghat, two Gram Sabhas have resolved that they do not want to be relocated. In both cases the Forest Department claims that they have opted for cash compensation.
- The consent has been an "informed consent" only to the extent of telling people about the two options available for relocation i.e. cash compensation, or land for land.
- People have also been "informed" that if they do not take one of the options, then they would have **missed the chance** of getting any compensation if they should want to relocate in future. Communities in Sariska were told that only cash compensation is available and no land option was available.
- Communities were also "informed" that staying in the tiger reserve will become increasingly difficult as they would not be allowed to use any resources. However, information about the option of claiming forest rights under section 3(1)i of the FRA was not shared.

**Have adequate facilities been provided and land allocation carried out at the resettlement location under the said programme? [If not then their existing rights shall not be interfered with].**

### **Forest Departments' Claim**

The relocation process is being carried out as per the provisions (laid down in) of WLPA and Relocation & Rehabilitation policy.

### **Observations from the field**

- In violation of sub-section 3(2) (provision) of the FRA, a document given to Umri village in Sariska says that facilities such as drinking water, road, and schools would be made available only after they move out. It also makes clear that villagers have to make their own arrangement for an irrigation facility.
- A report jointly prepared by Nadi Ghati Morcha, Baiga Mahapanchayat, and Equations for Achanakmar points out that no schools and Public Health Centers (PHCs) have yet been constructed in the rehabilitation sites. While there is one bore well that has been dug in each village (of the 3 villages visited), only one is in working order. The women of 2 villages have to walk approximately 1 km. to fetch all water for drinking, cooking and cleaning purposes.
- In Simlipal, one of the villages was relocated outside the reserve without any permanent facilities. They were provided temporary tin sheds in the peak of summer. The relocation process of Simlipal has drawn strong criticisms and has also been cited by the national committee - appointed by the government to investigate the implementation of the FRA - violating the same.

**Essentially, while the consent from individuals has been sought, no consent has been sought from the Gram Sabha and "informed consent" has often meant a combination of incomplete information, direct or indirect coercion, and misinformation.**

## In Conclusion

- Inviolable zones in all the above cited cases have been assumed to be “human free zones to be created through relocation” and the possibility of co-existence with modified rights (if need be) has not been explored at all.
- It is clear from the field explorations (in the 4 PAs) that the pre-conditions for the creation of inviolable zones have often been followed only partially, and in a few cases, not at all.
- The provisions of the FRA (dealing with all the rights (including individual and community)) have not been clearly communicated to the villages concerned. Villagers were not informed about the option of being able to continue to live where they were, and of the possibility of curtailment of rights (if need be) with mutual consent. Therefore it cannot be said that free informed consent has been obtained.
- In none of the villages has the process of claiming, determination and acquisition of rights been completed. At best, the first step of constituting the Forest Rights Committee and filing some individual claims has been carried out in a few of the villages. Where individual rights have been granted, it is being seen as a license to relocate communities without even considering the possibility of co-existence or curtailment of rights if need be.
- In PAs where relocation plans have been prepared by the Forest Department, there is no documentary evidence to prove that the relocation plan has been placed in the Gram Sabha for consent. There is no mention of the FRA and recognition of rights in the relocation plan.
- In all four PAs it was very clear that people were under much pressure from the Forest Department to decide on one of the relocation options. Additionally, people were also told that if these options are not availed of now, then they may not be able to do so in the future also.
- Consent has not been sought from Gram Sabhas for relocation. Even though in some cases meetings have been held with the entire village, only individual families have been made to sign on consent forms.

## Recommendations

- The Ministry of Environment and Forests (MoEF) and NTCA need to ensure that all the legal provisions specified for the creation of inviolable CTH through relocation are followed in their letter and spirit. A PA level monitoring committee needs to be set up and should include representatives of the Gram Sabha, including women.
- Implementation of the FRA in all PAs, including Tiger Reserves and Critical Wildlife Habitats, must be carried out immediately and in a transparent and appropriate manner. The process of implementation should be supported by all, through written agreements and authentic consents. A copy of all information and minutes of the meetings should be made available at the Gram Sabha level; including the consent for relocation or to continue to stay in the current location.

## Recommendations (contd.)...

- If a village is slated for relocation and no claims have come from such a village, then it should be considered the responsibility of the administration to find out why claims have not been filed and to ensure that the villagers are appropriately informed about all provisions of the Forest Right Act and also educated about the processes involved, with the help of experienced and credible groups. Certificates that recognition of rights under FRA has been completed must be obtained from the Gram Sabha before any relocation process is initiated.
- Trust building between the forest department and local communities is essentially the first step. This needs to be followed up by holding open democratic consultations on all issues concerning the PA and people, including relocation and coexistence. Considering the fact that there will always be more villages which cannot be relocated or do not want to be relocated than those which can be, maximum amount of resources and energies must be put into working out locale specific co-existence models to satisfactorily arrive at how conservation of the landscape can take place with minimum human activities in such critical areas. This is a long, engaging process that will be required to be carried out with the communities.
- In being able to achieve the objectives of co-existence and governance, it would be helpful to initiate some studies on the social, historic and ecological aspects of the areas concerned. In addition to the ecologists and researchers, local youth could be involved in such studies.
- Given the legal space that has been made available in Forest Rights Act and the provisions in Wildlife Protection Act, there is enough opportunity for participatory governance which aims for a more democratic and knowledge-based (both local and scientific) approach to Protected Area management.
- For those communities who are willing to relocate, efforts must be made to ensure that such people are relocated in the best possible way. The Ministry should come up with a clear set of guidelines on relocation, including specifying documentary evidence that must be produced to ensure that all the legal necessities have been complied with. A number of recommendations have emerged from the national workshops conducted by the Future of Conservation Network (FOC). Efforts should be made to implement them at the earliest. The package for relocation should not be time-bound and should be made available to those who may want to move out in future.
- The committees formed to monitor relocation processes should include members of the Gram Sabhas, local civil society groups with a social science and ecological background, including those working closely on tiger conservation along with villagers. Ecological assessment at both sites (original sites from which communities have been relocated, and the sites they have been rehabilitated to), both prior and after relocation - should be carried out.
- Social assessments of relocation must include the impact on, and the special needs of women.
- Social audit must be mandatory.
- The definition of "inviolable areas" needs to be re-assessed. It may be clarified to mean areas of 'no use' or 'minimal use' within which compatible uses that do not violate conservation objectives can continue. This would help in the overall protection of a larger area of wildlife habitat, given that in the Indian context, no-use areas would necessarily be few and mostly isolated fragments. It has to be understood by the implementers of law that communities have ancestral and legal rights to continue living in the forest area. Any pressure or coercion will lead to conflict and ultimately have a detrimental effect on conservation itself. Hence to aid conservation, locally affected people have to be at the centre of decision making, and at the same time, basic livelihood rights have to be ensured for them.

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