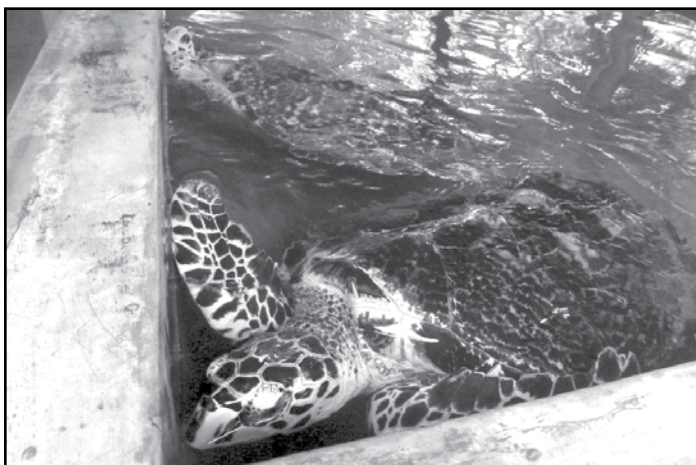


People in Conservation

Biodiversity Conservation and Livelihood Security



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- COPTAM deliberates on tribal issues
- Arunachal to have own forest laws soon: PCCF
- Wild Life (Protection) Act: Cabinet says consult gram sabha
- Critical wildlife habitats to become legal entities: Natarajan
- Forests protected by indigenous communities may get recognition under CBD
- Wildlife buffer zone: SC seeks govt response
- Forest clearances out of National Green Tribunal ambit
- Bamboo trade may open up for tribals

2. Debates, Perspectives, Reflections and Analysis

- Tiger Vs Tourism debate
- CoP 11: A perspective
- NIB- Reflections on depleting spaces for environmental justice
- Conservation and Community Reserves - Analysing ground reality and challenges

3. Workshop and Conference

- National Consultation on Forest Rights Act and Protected Areas

4. Case Studies

- Blackbuck protection in Bhetanoi-Balipadar region
- Pakidi - A heaven for Peafowl
- Of coconuts and conservation
- Seven dwarfs - Bhorgad Conservation Reserve



INDEX

Editorial

1. News and Events

- UN awards for four community-based conservation efforts
- Tribal affairs minister Kishore Deo to apprise governors of right to cancel mines

Special Issue on Community Reserves and Conservation Reserves

Editorial

According to a statement¹ issued by the Indian civil society and community-based organizations participating in Convention on Biological Diversity - 11th Conference of Parties (CBD-COP11) at Hyderabad, "India's economic policies are destroying biodiversity and livelihoods on an unprecedented scale. The blind pursuit of economic growth is coming at massive costs, both to natural ecosystems and to hundreds of millions of ecosystem-dependent people who are being affected by mining, dams, power plants, ports, industries, and other such projects. Such growth has also not solved the chronic problems of poverty, hunger and malnourishment, and social exclusion that affect more than half of India's population". Major culprits identified are India's growth fetish, a systematic weakening of the environmental governance framework and violation of laws and guidelines that mandate environmental and livelihood safeguards.

In this scenario, it has become increasingly difficult to believe in the possibility of justice. And yet, the **National Green Tribunal (NGT)** is seen by many justice seekers as a panacea. The Supreme Court(SC) has ordered that all environmental cases — save those related to wildlife — including those pending before high courts and all future litigation - be transferred to the NGT. Will this move actually render justice? Justice Swatanter Kumar's decision² will enhance the profile of the NGT. The Supreme Court's order has wide-ranging and deep implications on people's access to environmental justice. While it is easy to see that the Supreme Court has the best of intentions, that it has taken a decision to subject all environmental litigation to the NGT raises serious legal and operational concerns. The NGT is not fully operational even though a year has passed since it was set up. The Benches aren't functioning across much of the country. This has made access to the tribunal an extremely difficult and expensive affair for poor people from distant / remote areas in this large country. While these operational problems may be fixed in due course of time, other doubts have been raised by social activists. High Courts and subordinate courts have often ably dealt with environmental matters, and provided the distinctive advantage of access to a judicial forum at one's own geographic location. Besides, this process has sensitized many Judges to the complex nature of environmental impacts and jurisprudence, which is a positive development. Litigants have not been constrained to demonstrate expertise, thus allowing wider public concern on environmental degradation to become a topic of focus in courts across India. Is the tribunal the only judicial forum that should adjudicate environmental matters? If this was not bad enough, a loophole³ in the law that set up the quasi-judicial panel could now leave forest clearances out of its purview. The NGT law has provisions only for a review of the state government's final handing over of the land to the project proponent. It does not clearly mention that the Centre's

decisions too would come under the purview of the panel. So much for environmental justice!

It will not do for activists to pin all their hopes on such tribunals. They will need to keep preemptively pushing for implementation of legal spaces already provided for by various Acts like the Wild Life Protection Act, (1972) (WLPA) etc. Two such spaces, for instance, have been made available through the provisions of the WLPA on Community Reserves (CmR) and Conservation Reserves (CR).

In India a network of 668 Protected Areas (PAs), extending over 1, 61,221.57 sq km (4.90% of total geographic area), comprising 102 National Parks, 515 Wildlife Sanctuaries, 47 Conservation Reserves and 4 Community Reserves⁴, has been established. Of the 47 Conservation Reserves 34 are located in Jammu and Kashmir alone (i.e. more than 70% of the total number); 3 are in Rajasthan; the states of Haryana, Karnataka and Uttarakhand have 2 sites each; while Gujarat, Maharashtra, Punjab and Tamilnadu have one conservation reserve each. All conservation reserves in Jammu and Kashmir were constituted before 2002 and the rest were constituted after 2002. The location of Community Reserves is as follows: Punjab has 2, while Karnataka and Kerala have one site each.

It is unfortunate that in the 10 years since the provisions for Conservation Reserves and Community Reserves came into force, only 47 conservation reserves and 4 community reserves have been notified so far.⁵

Apart from the WLPA, space for community participation has also been articulated in the Forest Right Act, 2006 (FRA) and the Biodiversity Act, 2002 (BDA). Under rules framed by various states too, some space has been accorded for community participation in conservation. Some of these are the provisions for eco-development committees, Conservation and Community Reserve Management Committees mentioned under the WLPA, Forest Rights the Committee (FRC) mentioned under the FRA, Biodiversity Management Committee (BMC) and the Village Forest Committee (VFC) mentioned under BDA. These spaces need to be explored.

The CBD, through the Aichi Targets, aspires to conserve 17 per cent of terrestrial and 10 per cent of coastal and marine areas of significant biodiversity value, by declaring them as "protected areas" and / or by initiating other effective area-based conservation measures" by 2020. While governments across the world report to the CBD on the work done in officially recognized protected areas, there is no such provision for Indigenous Community Conserved Areas (ICCAs). Non-profit groups working for the rights of indigenous and local communities have been claiming that such areas, if recognized and supported, have the potential to enable the government achieve the Aichi Targets. The provisions for Conservation Reserves and Community Reserves included in the Wild Life Protection Act, 1972 (WLPA), and Community Forest Rights described in the Forest Rights Act, 2006 (FRA), along with provisions of the Biodiversity Act, 2002, provide legal spaces through which the Aichi targets can be met.

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1. See **India's Economic Policies are Destroying Biodiversity and Livelihoods; Commitments Under CBD are Not Being Met**, <http://iccaconsortium.wordpress.com/2012/11/08/indias-economic-policies-are-destroying-biodiversity-and-livelihoods-cbd-commitments-not-being-met/>
2. See **Tribunal to hear all green cases**, Nitin Sethi <http://timesofindia.indiatimes.com/home/environment/wild-wacky/Tribunal-to-hear-all-green-cases/articleshow/15455169.cms#write>
3. See **Forest clearances out of National Green Tribunal ambit: Government**, Nitin Sethi, http://articles.timesofindia.indiatimes.com/2012-10-25/developmental-issues/34728758_1_project-proponent-forest-clearances-forest-advisory-committee

4. Source: <http://envfor.nic.in/downloads/public-information/protected-area-network.pdf>
5. Source: <http://envfor.nic.in/downloads/public-information/protected-area-network.pdf>

1. News and Events

UN awards for four community-based conservation efforts

Odisha's Pir Jahania Jungle Suraksha Committee, along with three other communities from across the country, won the India Biodiversity Awards for good work done in the conservation of forests. The 1999 super-cyclone in Odisha destroyed their houses and livelihoods, but a group of women from Gundalba village in the state took charge of rebuilding their lives by taking measures to conserve mangrove forests and marine species. The UN held up their model of conservation as worthy of emulation across the world.

The United Nations Development Project (UNDP) report 'Conservation Across Landscapes: Indian Approaches to Biodiversity Governance', says that the next generation of biodiversity governance models across the world can emerge from the knowledge of existing approaches in India. It explains India's extraordinary biological diversity and the variety of resource-use patterns which it has given rise to.

"We focused on conserving mangrove forests and managing nesting grounds of Olive Ridley turtles... In the last 12 years, forest cover has gone up by 63 percent. Fish catch has increased from one kg to five kg per family. Migration has declined and coastal erosion has been controlled by mangrove regeneration...", said Chathu Devi, who is a member of the committee.

The experience of Udaipur-based Van Utthan Sansthan, which protects and manages 67,000 hectares of forest lands in 240 villages, was also similar. "We have been working in several villages to address the issues of overgrazing, mining and illegal privatization of forestlands. Conservation efforts have increased vegetative cover, important floral species and population of animals," said Kirtan Kumar of the community, whose efforts found recognition by the UN.

The other conservation efforts to have won the UN award were the eco-development committee in Periyar Tiger Reserve, Thekkady, Kerala; and the Joint Forest Management Committee at Shankarpur village of Gadchiroli district, Maharashtra.

Source: http://twocircles.net/2012oct18/un_awards_four_communitybased_conservation_efforts.html

Tribal affairs minister Kishore Deo to apprise governors of right to cancel mines

Union tribal affairs and panchayati raj minister V Kishore Chandra Deo says his ministry will take a closer look at mineral resource projects, such as those mining bauxite, iron ore or any other mineral, in areas where the rights of tribals are protected by the Constitution. The minister said he would write to governors of nine states that have Schedule V areas, apprising them of their right to revoke mining leases signed, if they violate the constitutional safeguards for Scheduled Tribes.

Deo directed Andhra Pradesh to cancel bauxite mining leases in Visakhapatnam, a district with most of the state's bauxite deposits, where Andhra Pradesh Mineral Development Corporation was to mine through joint ventures with Jindal SW and UAE-based Ras Al Khaimah corporations for their planned downstream alumina refineries.

Also Referring to Vedanta, which has claimed that its refinery in Lanjigarh faces closure because of bauxite shortage, Deo said, "That's a fait accompli. Tomorrow someone sets up a big plant outside of Delhi, and then you discover you have diamond or gold deposits under the India Gate or the lawns of Rashtrapati Bhavan, will you start mining them? Apart from the fact that Forest Rights Act, public hearings and provisions of Panchayat (Extension to Scheduled Areas) Act 1996 have not been implemented, the threat of mining is one of the main reasons for the growth of Left-wing extremism in these areas...We can't afford to fritter away resources without a mineral road map, projections of domestic needs over the next 25 or 50 years," he added.

Source: <http://economictimes.indiatimes.com/news/news-by-industry/indl-goods/svs/metals-mining/tribal-affairs-minister-kishore-deo-to-apprise-governors-of-right-to-cancel-mines/articleshow/16661777.cms>

COPTAM deliberates on tribal issues

The Committee for the Protection of Tribal Areas, Manipur (COPTAM) met at Constitution Club, Rafi Marg in New Delhi on September 9 2012. The COPTAM, in its 3rd Intellectual Conclave-2012 in New Delhi under the theme, "Protection of Indigenous Tribal Land Rights" deliberated upon various issues pertaining to the tribal people and their land in Manipur. It was attended by many tribal leaders and intellectuals and discussed the 'threats' posed to the tribal land and the possible means to redress such problems.

Participants expressed concern over the indifference of the State Government to COPTAM's numerous petitions, protests and democratic agitations to address their grievances in Manipur. They also appealed to the Union Government for immediate intervention in the matter and to initiate steps for protection of Manipur tribal areas under existing Constitutional provisions.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 per se may not be applied in the Hill areas of Manipur State. Reserved and Protected Forests declared without the knowledge and consent of the land owners who are members of the scheduled tribe should be returned to the rightful owners, the New Delhi meeting deliberated.

"Government should rather provide Statutory Constitutional Protection of Tribal land, culture, customs, values and traditional institutions such as Chieftainship rather than piecemeal Amendments to the Manipur (Village Authority in Hill Areas) Act, 1956, and Manipur

(Hill Areas) District Council Act, 1971," the participants said.

Source: The Sangai Express / Newmai News Network, <http://e-pao.net/GP.asp?src=5..110912.sep12>

Arunachal to have own forest laws soon: PCCF

Arunachal Pradesh Principal Chief Conservator of Forests B S Sajwan on Oct 8, 2012 informed that the state government will soon enact its own forest laws to protect the virgin forests besides various floral and faunal species in the state.

"We are serious about framing our own forest laws to protect the state's biodiversity," he said, while responding to queries during a press conference. Arunachal Pradesh at present is following the Assam Forest Regulation Act, (AFRA) 1891.

Replying to another query regarding the impact of various hydro-power projects in the state on the local environment, Sajwan said that the union ministry of environment and forests conducts an environmental impact assessment before giving approval to any project.

On the Forest Protection Force (FPF) and the Special Tiger Protection Force (STPF), which were approved of by the state assembly recently, he said: "The Centre has sanctioned a STPF company, especially for Pakke Tiger Reserve in East Kameng district. We are also going to submit a similar proposal soon for Namdapha Tiger Reserve in Changlang district."

Source: http://articles.timesofindia.indiatimes.com/2012-10-08/guwahati/34322132_1_forest-laws-changlang-district-hydro-power-projects

Wild Life (Protection) Act: Cabinet says consult gram sabha

Village councils will have to be consulted before declaring any area as a wildlife park or a sanctuary.

The Union Cabinet, at a meeting chaired by Prime Minister Manmohan Singh, approved amendments to the Wild Life (Protection) Act, 1972, which make consultations with the gram sabhas (village councils) mandatory before a scheduled area is declared as a sanctuary.

Briefing reporters on the cabinet decisions, Finance Minister P Chidambaram described the amendments as a "progressive" step which would ensure better protection of wildlife.

"The amendments propose to define gram sabha, panchayat and scheduled area, to provide for consultations with the gram sabha whenever an area is to be declared as a sanctuary," Chidambaram said. He said that consultations with the gram sabha have been made mandatory.

The amendments also propose to include a representative of the local tribal community in the management

committee of a reserve, which could be a tiger reserve, national park or sanctuary.

These suggestions were made by the Ministry of Panchayati Raj, Chidambaram said.

The amendments also seek to bring the Wild Life (Protection) Act in conformity with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). CITES is an international agreement between governments that aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

Source: <http://www.indianexpress.com/news/wildlife-protection-act-cabinet-says-consult-gram-sabha-on-land/1012013/>

Critical wildlife habitats to become legal entities: Natarajan

The union government is taking measures to amend laws to ensure that all critical wildlife habitats like elephant corridors become legal entities like national parks and sanctuaries, so that they can be protected, Environment Minister Jayanthi Natarajan said on October 5, 2012.

The minister said that there are critical wildlife habitats which are not notified, and the environment ministry is committed to taking steps to amend relevant laws to ensure that these become legally protected entities.

"We will seek amendments to the Wildlife Act so that critical wildlife habitats become legal entities and there is no scope of their destruction. I will make sure that habitats and corridors used by wildlife are well-protected and local people are part of the conservation," Natarajan said at a meeting to commemorate World Wildlife Week.

The efforts to declare critical wildlife habitats as legal entities hold importance, as this will ensure that no infrastructure projects can come up in these areas. The minister said that she will ensure that conservation becomes a mainstream agenda in economy, government and bureaucracy.

Source: http://twocircles.net/2012oct05/critical_wildlife_habitats_become_legal_entities_natarajan.html

Forests protected by indigenous communities may get recognition under CBD

Around 370 million ha offorests across the world are being conserved by communities with little support from governments. Patches of forest conserved and protected by local communities without much intervention of governments may soon get official recognition under the Convention of Biological Diversity (CBD).

In India alone there are around 15,000 to 20,000 community-protected sites. Such areas, however, do not have formal legal protection like the national parks and wildlife sanctuaries, making them, at times, vulnerable to exploitation by commercial and political entities.

India has policies on recognition of rights of communities to conserve and manage forest resources they have been traditionally protecting in consonance with the provisions of the CBD Program of Work on Protected Areas (PoWPA), but the on-ground implementation of such policies is very poor.

The Forest Rights Act of 2006 gives an assurance that no forest dweller is relocated from the forest unless his or her traditional rights have been recognized. Reports from various tiger reserves of the country, however, suggest that the forest dwellers are, in practice, being forced to move out without their rights being settled. Of the 2.8 million claims for rights under the FRA processed until July this year, only 0.5 per cent recognized were community rights over forest resources, which includes the right of the community to protect and manage forests, which they have been doing traditionally.

Source: for the entire article see <http://www.downtoearth.org.in/content/forests-protected-indigenous-communities-may-get-recognition-under-cbd>

Wildlife buffer zone: SC seeks govt response

The Supreme Court on Sept 21, 2012, sought a categorical stand of the Centre on a recommendation that there must be a mandatory buffer (safety) zone of 2 km for all the country's national parks and wildlife sanctuaries covering an area of 200 sq km or more.

Observing that the suggestion mooted was "justified" in the wake of the fact that the total dense forest cover in the country had been reduced to less than 2 percent; a Forest Bench led by Justice Aftab Alam asked the government to convey its response on making a 2-km safety zone mandatory for all parks and sanctuaries.

The suggestion was pitched by senior advocate Harish Salve, amicus curiae in a Public Interest Litigation (PIL) case on conservation of national parks and wildlife sanctuaries. Citing the report of the Central Empowered Committee, he told the court that the present guidelines define a buffer zone up to 2 km but it is necessary to make a uniform rule that no activity shall be allowed in a 20-km zone from the periphery of parks and sanctuaries.

"I would also request the court to pass an order to ensure there is no discretion with the central or the state governments to decide the limits of this zone on a case-to-case basis since such discretion usually frustrates the purpose. There must be a fiat that in a 2-km area, there cannot be any activity. The dense forest cover has already been reduced to 1.89%," said Salve. Expressing dismay at the revelation, the court remarked: "I thought that after our intervention (constituting the Forest Bench) the things have improved."

Meanwhile the Union Minister of Environment and Forests (MoEF), Jayanthi Natarajan, in the ministry's affidavit to the Supreme Court, has recommended a 10 km buffer

zone around wildlife sanctuaries and forests across India, and the Apex Court has accepted the affidavit.

Source: <http://www.indianexpress.com/news/wildlife-buffer-zone-sc-seeks-govt-response/1006213/0&http://www.goachronicle.com/goa/current-affairs/19691-moef-recommends-10kms-buffer-zone-to-sc>

Forest clearances out of National Green Tribunal ambit

The National Green Tribunal (NGT) was meant to be a one-stop shop to challenge government decisions about green clearances, but a loophole in the law that set up the quasi-judicial panel could now leave forest clearances out of its purview. Among the four approvals that the green ministry gives, forest clearance is the most contentious and hard-to-get.

Taking advantage of the loophole created while drafting the law, the ministry has informed the tribunal that forest clearances cannot be scrutinized by the bench. It has also claimed that Parliament never intended its decisions on forest clearance to be reviewed by the tribunal.

A 'smart' reading of the loophole in the Act could put forest clearances for more than 75,000 ha given since June, 2010, — when the tribunal was set up — out of the panel's scrutiny. The NGT Act says that anyone aggrieved by an order passed by the state government or other authority under Section 2 of the Forest Conservation Act, 1980, can approach the panel for a review of the decision. Section 2 of the Forest Conservation Act, 1980, pertains to the use or diversion of forestland for projects. But the key decision to hand over forestland for industrial or other project purposes lies with the Centre and not the state government. If a project developer requires forestland it has to approach the state government.

The state government, then, comes up with a proposal, which is sent to the Centre for its approval. The proposal is vetted by the Forest Advisory Committee (FAC) and then the central government gives what is legally called the 'in-principle' nod. Based on this clearance, the state government finally hands over the forestland to a project.

But the NGT law has provision only for review of the state government's final handing over of the land to the project proponent, and does not specifically mention that Centre's decisions too would come under the purview of the panel which has several technical experts and judicial members on board. The ministry has stated, "The approval from the Central government envisaged under Section 2 (of the Forest Conservation Act) is a precursor to passing an order or decision by the state government." It has come to mean that NGT's powers are limited to challenging "orders passed by state government and other authorities" under the forest law.

It has said, "Challenge to the same (stage I forest clearance by the centre) is outside the ambit and scope of NGT". If the ministry's stance is accepted by the Tribunal, it could ensure that forest clearances can only

be challenged through tedious and time-consuming PILs in high courts or the Supreme Court.

Source: <http://timesofindia.indiatimes.com/home/environment/developmental-issues/Forest-clearances-out-of-National-Green-Tribunal-ambit-Government/articleshow/16945911.cms>

Bamboo trade may open up for tribals

Environment minister Jayanthi Natarajan overruled objections from her officials to break the forest bureaucracy's monopoly over the annual Rs.10,000 crore bamboo trade, and declared it a 'minor forest produce' instead of a 'tree' under forest laws. This will allow tribals, instead of forest departments, to harvest and auction bamboo, which is one of the major raw materials for the paper, pulp and board industry, from their community and private lands.

The forest ministry had for long classified bamboo as a tree despite its scientific description as a grass. The classification ensured that under the Indian Forest Act, 1927, fallen bamboo got classified as timber and remained under the firm control of the forest bureaucracy which harvested and sold it to the industry. The tribals got a pittance on some occasions even as the industry got bamboo at low rates over long lease periods.

With the introduction of UPA's flagship Forest Rights Act, the tribal affairs ministry pushed to get the fast-growing species of grass out of the control of forest officials, with the law providing that the right to harvest minor forest produce (products not classified as timber) grown on traditional forest lands would lie with the tribals.

But the forest bureaucracy refused to alter its regulations and classification of the species and put up hurdles in various states, based on the Indian Forest Act and its existing rules. Environment minister Jayanthi Natarajan then stepped in and overruled objections from her officials and put on record that bamboo would be classified as a minor forest produce under the Indian Forest Act, 1927 as well.

Source: http://articles.timesofindia.indiatimes.com/2012-09-03/india/33562268_1_bamboo-trade-tribal-affairs-ministry-minor-forest



2. Debates, Perspectives, Reflections and Analysis

Tiger Vs Tourism debate

On July 24, 2012, the Supreme Court (SC) had imposed an absolute ban on tourism in the core areas of 41 tiger reserves (TRs). While the ban was lifted three months later, it churned out two strong debates. The first focused on the effects of tourism within tiger reserves and the second concentrated on the status of rights of traditional forest dwellers.

The Debates

The first debate revolves around whether allowing tourism within the core areas of TRs improves or adversely affects tiger populations. One set of tiger conservationists⁶ state that a vigilant tourism industry is essential for tigers as TRs with higher levels of tourists, like Kanha and Bandhavgarh, saw significant rises in tiger populations while TRs with low levels of tourism, like Sariska and Panna, which depended on "ineffective" Forest Departments and governance mechanisms, ultimately saw tiger populations vanish into oblivion. The counter-argument was that tourism comes up in reserves that already have large tiger populations, and this makes it difficult to credit strong tiger populations to the tourism industry. If tourism were indeed capable of saving tigers, then their population at Sariska might not have been wiped out! Moreover the debate excludes the traditionally excluded – the communities themselves. Communities of forest dwellers have to be brought to the center of the eco-tourism⁷ debate. Furthermore, it would be unfair to singularly label government mechanisms as incompetent, as it was the state-led and people-supported Project Tiger campaign which began in the 1970s that had rescued tigers from the brink of extinction⁸.

The ban on tourism in core areas bolstered the notion that tiger reserves need to be 'free from human activity' and pushed forward the idea that local people who have traditionally lived in tiger reserves must be moved out of the reserves. This brings us to the second component of the debate – the rights of local forest dwellers.

In April 2012, prior to the ban, the SC had directed state governments to notify buffer zones⁹ around core areas in critical tiger habitats (CTH), setting a time limit of three

6. See **Tourism did not kill the tiger**, Valmik Thapar, <http://www.indianexpress.com/news/tourism-did-not-kill-the-tiger/994472/>

7. See **Tourists don't kill or save tigers**, Jay Mazoomdaar, http://www.tehelka.com/story_main54.asp?filename=Ws150912TOURISM.asp.

8. See **A Tiger in the Drawing Room**, Ullaas Karanth, Kirthi Karanth, *Economic and Political Weekly*, Vol XLVII No 38

9. A buffer zone is the area around the core of a tiger reserve, which is meant to increase the space for tiger dispersal while also enhancing human-wildlife co-existence.

months.¹⁰ In their rush to notify buffer areas, procedures which are required to be carried out over three months were (unjustifiably) compressed by the states into weeks and, in some cases, even a few days¹¹. It has been argued that this narrow time limit induced state governments to bypass and violate the processes laid out in both - the Wild Life (Protection) Amendment Act, 2006, and the Forest Rights Act, 2006. Many Reserves have significant human populations, and the law mandates that:

1. FD should consult with Gram Sabhas and an expert committee,
2. The buffers should be 'aimed at promoting co-existence between wildlife and human activities',
3. There should be 'due recognition of the livelihood, developmental, social and cultural rights', and
4. The rights of people, guaranteed under the Forest Rights Act, 2006, must be recognized prior to their relocation out of tiger reserves.

These are goals that cannot be achieved in a few months, let alone a few days.

Problems with the NTCA Guidelines

A committee had been constituted to frame a comprehensive set of guidelines for tiger tourism¹² and the setting up of core/buffer areas including their use for welfare and religious tourism. The Committee was mandated to consider the provisions of various acts including the FRA, 2006, and take cognizance of the views of expert bodies and all other stakeholders. However, when a dispute did arise regarding the recommendations¹³ and a note of dissent was submitted to the NTCA by two members of the panel, this was not submitted along with the guidelines¹⁴.

The main concerns raised in the note were:

- the inadequacy of the time frame stipulated,
- the violation of both, the FRA, 2006, and the WLP, 2006,

- the fact that concerns related to demarcation of core and buffer areas were not mentioned, and
- that while these rulings would affect traditional forest dwellers, there was no mention of the impact on them.

The two dissenting members were also concerned about the fact that the tourism industry has been unjustifiably given a special role in the allocation of funds collected from tourism facilities, suggesting that a specific group having a say in decision-making in the utilization of funds would lead to an undue influence on the decision of the Foundation and the use of funds.¹⁵

A crucial issue that this entire debate brought to the fore is the kind of tourism being promoted in Tiger Reserves and other ecologically fragile ecosystems. Tourism does not necessarily have to be luxury resorts. It needs to be low impact and responsible with adequate standards that need to be monitored on a regular basis. Importantly, it should either be community-based and managed or with the active participation of the local community¹⁶.

On October 16, 2012, the Supreme Court lifted its interim ban on tourism in core areas of tiger reserves across the country only a day after NTCA notified fresh guidelines thus allowing tourism in twenty percent of the core areas. The effect that this will have on the tiger population is still under discussion; however what is missing is a strong statement of support for the traditional forest dwellers, whose lives have been significantly altered by the rapid declaration of CTHs.

Commentary by Persis Taraporevala (email: persis.taraporevala@gmail.com). She works with Kalpavriksh on Conservation and Livelihood related issues.



10. This was based on a directive issued in 2008 by the National Tiger Conservation Authority under the Wildlife Protection Act (WLP), 1972.
11. Source: Future of Conservation Network (Press release 13 August 2012)
12. Under section 380 (c) of the Wildlife (Protection) Act, 1972 and other laws in force, in compliance of the interim order dated 29.8.2012 from the Hon'ble Supreme Court of India in the Petition for Special Leave to Appeal (Civil) No. 21339/2011.
13. See **New eco-tourism guidelines likely to favour tourism industry**, Kumar Sambhav, Sep 24, 2012 <http://www.downtoearth.org.in/content/new-eco-tourism-guidelines-likely-favour-tourism-industry>
14. See Statement Against the Guidelines on Tiger Reserves Submitted by the National Tiger, Conservation Authority (NTCA), Ministry of Environment and Forests (MoEF), Tushar Dash, (Vasundhara), Swathi Seshadri(EQUATIONS),October 2012 , <http://kalpavriksh.org/images/CLN/Statement%20on%20buffer%20and%20core%20zones.pdf>

15. See **Tourism rules in tiger reserves violate Wildlife & Forest Act: National Tiger Conservation Authority members**, Urmi Goswami, ET Bureau Oct 3, 2012.
16. We are grateful for this input from Ms. Seema Bhat, who apart from being on our editorial board, is also an independent environmental consultant with the United Nation Development Program (UNDP) among others. Lately she has been involved in compilation of case studies on access and benefit sharing for the National Biodiversity Authority (NBA).

CoP 11: A perspective

At the turn of the millennium, the Government of India launched the GEF/UNDP-assisted project to work towards preparing an **National Biodiversity Strategy and Action Plan (NBSAP)** for India in pursuance of the goals of the International Convention on Biological Diversity. It was with a mixture of optimistic enthusiasm and reluctance that i agreed to be a part of the national-level **Technical and Policy Core Group (TPCG)** that was chaired by Ashish Kothari of Kalpavriksh and which was to drive the planning process over a span of three years. The fact that the NDA government was in power at the centre fuelled the reluctance to associate with anything connected to the government for one who had, not long after the completion of a legal apprenticeship at the Supreme Court of India, formally joined the Indian National Congress party in 1998. The distinguished colleagues of the TPCG and the able and astute chairmanship of Ashish inspired the optimism.

India's NBSAP process, often described as the world's largest consultative processes outside of legislative processes, was a pioneering exercise in large-scale consultative planning. The instructive value of the process itself (which was extensively documented), has the potential to breathe meaning into current-day deliberations on tools for democratic planning and effective local governance.

Twelve years into the twenty-first century, it was India's turn, in October 2012, to host the eleventh Conference of Parties (CoP) of the Convention on Biological Diversity (CBD). The event took place in the city of Hyderabad, the capital city of my home state of Andhra Pradesh.

A mixed agenda of political work, public outreach and personal logistics took me to Hyderabad for two days during the COP 11. Most of the members of the erstwhile TPCG attended the CoP 11, and i met and spoke to some of them informally while in the city.

At the **People's Biodiversity Mela** at the exhibition grounds of Nampally, i interacted with people belonging to adivasi communities from all over Andhra, including friends from the **Adivasi Aikya Vedika**, with NGOs working on people's rights to natural resources such as **Yakshi**, **Samatha** and the **National Alliance of People's Movements**, networks of farmers practicing organic agriculture and collectives such as the **Timbuktu Collective**. At the Shilparamam Night Bazar, i reconnected with friends from the **Deccan Development Society** who promote the diversity of organically grown millets for food security.

As far as the **Nagoya Protocol** on access and benefit sharing is concerned, our tribal and other traditional forest-dwelling communities are concerned about

the implementation of the ST and OTFD (RFR) Act – i.e., the Forest Rights Act- by their respective state governments. It is now imperative for state governments to implement the Forest Rights Act with appropriate political will at the state level in each of the states. This would lay the foundation for the most appropriate conditions for the access to, and the benefit-sharing of, non-timber forest produce. The Biological Diversity Act which is already in existence since 2002, needs to be interpreted in harmony with the Forest Rights Act, as well as the state-level Panchayati Raj Acts including PESA, to arrive at constitutionally uphold-able and strong, democratic and durable systems of benefit-sharing of such natural resources.

Regarding the **Cartagena Protocol on Bio-safety**, the Government of India would be well-advised to take heed of the excellent suggestions of the 37th report of the standing committee on Agriculture that looked into the question of the cultivation of genetically modified crops.

In connection with the nature of allocation of natural resources (such as mineral resources), the recent opinion of the Supreme Court of India in response to a Presidential reference on the matter in the context of the allocation of Spectrum, has clarified that auctions are not the only manner in which natural resources are to be allocated. An appropriate law and policy framework for mining and land use is of utmost importance in order to achieve the goals of sustainable development.

It would be pertinent for the government to ruminate over the statement issued by Kalpavriksh and other civil society organizations and community based organizations who participated in CoP 11 of the CBD in Hyderabad, which says that India's economic policies are destroying biodiversity and livelihoods. A reality check on whether "inclusive growth" is, indeed, taking place needs to be carried out. The proposed bill for resettlement and rehabilitation and for land acquisition is not in consonance with some of the commitments made by the Prime Minister at the CoP in Hyderabad.

With increasing globalization, it is time for political parties to engage actively at international decision-making fora. Technically, there is nothing to stop political parties from claiming various spaces in the working of conventions such as the CBD. Doing so would enhance the national debate on issues going before international fora and thus help build consensus for implementation at the national level.

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NIB- Reflections on depleting spaces for environmental justice

The environment ministry is being blamed for delaying clearances for projects in forest or scheduled areas. Unfortunately, although the minister for environment herself acknowledges¹⁷ that the anthropogenic pressure on our forests and wildlife is far more than ever before (due to the thrust on economic growth and creation of more jobs) and while she pledges that she, as the environment minister, will stop at nothing to preserve wildlife, there are indications that even if she is sincere in her statements, her efforts are bound to come to nought. Why? Because the creation of a **National Investment Board (NIB)** - a new initiative of the finance ministry to hasten environmental and forest clearances for projects, is in the offing despite her valiant protestations¹⁸ - will render the environment minister completely powerless, and the environment ministry superfluous. The minister had written to the Prime Minister (PM), expressing her "very serious concern" at the setting up of a NIB to provide fast-track clearances for major infrastructure projects, saying the "concept is unacceptable". Ms. Natarajan explained that the proposed institution would upturn established procedures of government business, place corporate interests above those of citizens and violate environmental protection mandates imposed by the Supreme Court. The letter states that the proposal to set up the NIB gives industrialists and project proponents especially in large investments of over 1,000 crore or more a route for fast-track appeal, but it does not contemplate giving a hearing to citizens, stakeholders, or NGOs, who may be aggrieved by the impact of the project and that the "NIB will not only take over powers of the Minister, in specific cases of failure (as judged by the NIB) but also that these powers will be used for the benefit ONLY of large investors, but not ordinary people, local citizens and stakeholders dedicated to preserving environmental integrity." It points out that there is a conflict of interest between investment promotion board and the mandate of the Ministry of Environment and Forests (MoEF), which exists "to protect the integrity of the environment, to ensure that our forests and wildlife, and by extension, forest dwellers, are protected." And therefore "it would be utterly against the spirit of the Environment Protection Act to allow an Investment Board, or the Finance Ministry, to overrule, or decide upon environmental concerns."

On the other hand, she affirms that in contradistinction to the assumption that the MoEF stalls projects by delaying

Environmental clearances, the MoEF actually awarded clearances "far beyond that has been targeted in the current and future plans." In fact, notwithstanding Ms. Natarajan's angry response to the NIB proposal, Mr. K. C. Deo who is in charge of the Ministry for Tribal Affairs (MoTA) has, through a very strong letter¹⁹, put the Ministry of Environment and Forest (MoEF) itself in the cross-wire of criticism, by objecting to the practice of illegally diverting forest land for projects in violation of the Forest Rights Act²⁰ (FRA) - thus pointing to the MoEF's own culpability.

At another level, the PM also speaks²¹ of the need for proper utilization of natural resources by promotion and adoption of non-invasive livelihood options as a way of supporting socio-economic development of our forest-dependent communities (including tribal populations), and, stresses on the need for an 'inclusive' approach involving the local people, who are primary stakeholders. Contradictorily the PMO under him gives a nod²² to the finance ministry (headed by P Chidambaram) to set up the NIB (it is now called Cabinet Committee on Investment (CCI)). What is one to make of this?

How does one explain these contradictory signals - the announcement of the NIB-CCI by the Finance Ministry, the MoEF minister's angry letter to the PM, and the PM's avowal of concern for forest people? Is it simply true, as some feel, that these and other cases show the hypocrisy and doublespeak²³ that is characteristic of India's decision-makers? It may be tempting to think so since all those involved in this ménage à trois belong to the same regime. But that is to give too much agency to individuals over impersonal and objective systemic processes at work.

In this context, the Honorable environmental minister's observation that the process of project clearances cannot be reduced to being just an administrative exercise and that it is also a political exercise seems like an epiphany. Yes it indeed is a question of whether politics is to be in command or economics. Simply put, do India's natural resource systems have an intrinsic value worth sustainably conserving for its own sake and for the sake of people who directly depend on them for survival, or can it all be reduced to the calculus of profit-and-loss statements of development and investment policies in service of profit driven capitalist production processes?

17. See **Critical wildlife habitats to become legal entities: Natarajan**, <http://www.newstrackindia.com/newsdetails/2012/10/05/349--Critical-wildlife-habitats-to-become-legal-entities-Natarajan-.html>
18. See **Jayanthi Natarajan writes to PM against Chidambaram's proposal: Full letter** <http://www.ndtv.com/article/india/jayanthi-natarajan-writes-to-pm-against-chidambaram-s-proposal-full-letter-277651>

19. See **Green panel violating law: Deo Writes To Jayanthi, Says FAC Illegally Giving Forests To Industry**, Nitin Sethi, Times of India, Nov. 2012.
20. I.E. the Scheduled Tribes and Other Forest Dwellers (Recognition of Rights) Act, 2006.
21. See PM's speech at the meeting of the National Board for Wildlife, Press Information Bureau, Government of India, Prime Minister's Office, 05-Sep. 2012.
22. See **NIB gets PMO nod, green clearances for mines ease**, Indian Express, Nov. 2012.
23. See **The chasm between assurance and action**, Ashish Kothari, The Hindu, Nov. 17 2012.

India's development policies are based on a neoliberal agenda. Accounting for conservation is increasingly based on economic metrics without concern for the multiple dimensions²⁴ through which humans relate to the environment. This is truly disturbing. Is our claim - that economic concerns have a higher priority than political justice and ecological concerns - justified? The fact of the matter is that the finance ministry seems to be dictating the terms of this contest. It has appropriated to itself unilateral powers, through the NIB-CCI, to quash democratic processes and dissent. All this points to depleting spaces for securing environmental justice and portend bleak times ahead.

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Conservation and Community Reserves - Analysing ground reality and challenges

The role and participation of local communities in conservation has been at the heart of the concerns and debates regarding effective conservation and protection of wildlife and its habitats. In 2002, legal provisions for community participation were made through the Wild Life (Protection) Amendment Act (WLPA). WLPA, 2002, paved the way to establish **Conservation Reserves** (Section 36A (1)) and **Community Reserves** (Section 36C (1)) across the country. These categories of protected areas were added because of reduced protection in and around existing or proposed protected areas due to private ownership of land and land use²⁵. These reserves are to be located in the (extended) area contiguous to national parks, sanctuaries and reserved and protected forests. When these two categories were added to the protected area network, it was hoped by civil society groups and other institutions that long-standing demands for community space would now be met legally and this would bring more areas under protection. It was also expected that this would legitimize the community's role and stake in conservation. The role of communities would be ensured through participation in management committees of Community Reserves and Conservation Reserves. The new kinds of reserve mandated the formation of a **Community Management Committee(CMC)** responsible for conserving; maintaining and managing community reserve and its members are to be nominated from the local village panchayat or gram sabha.

Both, Conservation Reserves and Community Reserves²⁶ can be declared by the State Governments. Conservation Reserves can be constituted after having consultations with the local communities. These represent the area

owned by the Government, particularly areas adjacent to national parks and sanctuaries and those areas which link one such Protected Area with another. These are declared for the purpose of protecting landscapes, seascapes, flora and fauna and their habitat. Community Reserves can be declared by the State Government on any private or community land not comprised within a national park, sanctuary or a Conservation Reserve, where an individual or a community has volunteered to conserve wildlife and its habitat. These are declared for the purpose of protecting fauna, flora and traditional or cultural conservation values and practices. The rights of people living within conservation and community reserves are not affected.

Community Space under various laws related to Wildlife, Forest and Biodiversity

These two new categories don't mandate the right over the forest land for individual or community or both.

Conservation and community reserves are part of the protected area network. Governance of protected areas is very complex in the context of community participation in management and conservation of wildlife and wildlife habitats. Isolation of communities from management and conservation of forest areas is not a realistic approach. Although this has been realized by states, little has been done on ground under forest governance to ensure effective participation. When these two new categories were added through amendment to WLPA, various groups were very hopeful that communities will at last get their due in management and conservation. But they had doubts too - would the declaration of a CR provide the much-needed support and institutional backing? Or will State-dominated machinery impose on healthy, grassroots-style conservation? In this regard, some safeguards have been introduced (Dutt B, 2003)²⁷. A significant argument was made on the new categories of protected area. In the case of community reserve an argument was made that it would allow forest department to control private land which was not under their control earlier. Similarly in the case of conservation reserve, Community Reserve Management Committee will manage these areas. The community has virtually no say or power in this committee (Sekhsaria P, 2004)²⁸. The current figures on the number of conservation / community reserves across the country indicate that neither the states nor forest departments have been serious about bringing more areas under these categories. 10 years since the provision was made, only 47 Conservation Reserves and 4 Community Reserves have been established. State governments have the power to establish reserves under these categories in their jurisdiction, and the fact that they have not been

24. See **Worrisome Business of the National Investment Board**, Economic and Political Weekly, November 10, 2012.

25. Source: http://en.wikipedia.org/wiki/Conservation_reserves_and_community_reserves_of_India

26. Source: <http://envfor.nic.in/downloads/public-information/protected-area-network.pdf>

27. Source: <http://www.downtoearth.org.in/node/13275>

28. Source: <http://infochangeindia.org/environment/analysis/pitting-communities-against-conservation.html>

very enthusiastic about it so far, also shows that they do not view as important the role of the community in conservation and management of forest and wildlife. There would also be some other factors that have limited the numbers of conservation and community reserves established. There is a need to assess why states are not interested in establishing community and conservation reserves in their jurisdictions, and why groups and communities are not enthusiastic on these categories. Some of the issues stonewalling this process are:

- **Lack of recognition:** despite occasional and sporadic incidence of bestowing awards, a majority of community conservation efforts remain unrecognized. The conventional legal and administrative framework underestimates local knowledge and institutions in conservation and development programmes.
- **External influences:** various external factors like global forces and lopsided development, market driven forces and inappropriate external funding result in fading of many of these efforts.
- **Community's internal dynamics:** There is a need to address some of the inherent issues faced by communities like internal conflicts, inequities, weak institutions and changing social values, to ensure long-term sustenance of these efforts.
- **Over-exploitation of natural resources:** Due to detection of rich mineral resource deposits, most of these areas are targeted for commercial exploitation. The whole struggle and efforts of community become futile when an area conserved by people is leased out for logging or mining.
- **Non-implementations of other legal measures:** The Community Forest Resource Rights provision of the FRA needs to be implemented extensively. Doing so will go a long way in also ensuring that a the community's role in conservation is respected and guaranteed as required by provisions of both, the WLPA, 1972, and FRA, 2006.

There is also a need to recognize that Community Reserves and Conservation Reserves can play a seminal role in a good local governance regime as:

- ◆ They play a very crucial role in conservation of vital ecosystems, critical wildlife habitats and threatened species. They often function as corridors for wildlife and establish linkages between Protected Areas.
- ◆ Some of them are responsible for maintenance of essential ecological services, like soil conservation, water security, gene banks, etc.
- ◆ They synergize links between traditional agricultural system and forest ecosystems and thereby provide larger landscape level integration.

- ◆ They are crucial for sustenance of the local economy; thousands of people depend upon them for survival, and are socio-culturally attached to them.
- ◆ They can be seen as community-based models of development built on local ecological knowledge systems that offer integration of traditional knowledge with current advancements in conservation science. They are a part of the local community's resistance to destructive commercial activities, for e.g. community protected forests threatened by mining, dams and industries, over-exploitation of marine resources by illegal fishing activities, etc.

A long and continuous struggle by the various local tribes and other forest dwellers groups and individuals has led to the recognition of the rights and tenure of tribal and other traditional forest dwellers over forest resources, especially after Forest Right Act, 2006, (FRA) was enacted. This act has been considered crucial to the rights of millions of tribal and other forest dwellers across the country, as it ensures recognition of their forest rights, including individual rights to cultivated land in forest areas and community rights over common property resources²⁹. Community Forest Rights (CFR) are recognized under section 3(1)i and section 5 of the FRA, while Rule 4e authorizes the Gram Sabha to constitute committees for sustainable use and conservation of wildlife and biodiversity. Significantly, the FRA enables communities to file claims for community Forest Right as per process prescribed under FRA Rules, 2008. The CFR provision under the FRA and the provisions on Conservation Reserve and Community Reserves under WLPA offer communities with spaces for participation in conservation, albeit the approaches are different (as the FRA is exclusively community right centric whereas the WLPA is more focused on conservation of wildlife and its habitats).

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29. Source: <http://www.fra.org.in>

3. Workshop and Conference

National Consultation on Forest Rights Act and Protected Areas

A national consultation was organized by Future of Conservation Network On 12-13 August 2012 in New Delhi With support from Action Aid India. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act (more commonly referred to as the Forest Rights Act or FRA) was enacted in 2006 and came into force in 2008. To a certain extent the provisions of the FRA provide an opportunity to overcome some of the major problems facing forest governance if interpreted in its true spirit and implemented accordingly. However, reports on the status of implementation of FRA from Protected Areas (PAs) of various states indicate a mixed situation:

1. The relationship between the state and the people continues to be viewed as that of give and take; and forest use for livelihoods is still being considered by many as a contradiction to conservation objectives, especially since most of the earlier forest policies in National Parks, Wildlife Sanctuaries and Tiger Reserves have focused on conservation by exclusion.
2. While in some protected areas community forest rights are being recognized (e.g. Biligiri Rangaswamy Temple Sanctuary, Karnataka), in most others they have not yet been recognized. There are allegations that relocation is also being carried out without implementation of the FRA (especially recognition of community rights) at many sites, a situation that prompted both the MoEF and the Ministry of Tribal Affairs (MoTA) to issue circulars asking states to ensure the full and proper implementation of the FRA before undertaking relocation. The protocol for relocation from Critical Tiger Habitats (CTHs) of Tiger Reserves (TR) has been finalized without taking into account many concerns raised by civil society and conservationists.
3. The guidelines on Critical Wildlife Habitat have not yet been finalized, and it becomes important that such guidelines, when finalized, attempt to sufficiently reconcile the social and ecological issues.

Keeping these issues in mind 'Future of Conservation Network (FoC)' organized a 2-day meeting on the 12th and 13th of August at the WWF Auditorium, New Delhi. It was attended by some community representatives, academics, civil society organizations and conservationists. Some of the main issues that were discussed are Implementation of FRA in PAs; Violation of WLPA and FRA processes in creation of CTHs as 'inviolable' areas; Issues related to relocation in CTH and FRA; Voluntary vs. induced relocation; Post-CFR management; other policy related issues; and Other Implementation-related issues.

Recommendations for future course of action emerged from these deliberations.

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4. Case Studies

Blackbuck protection in Bhetanoi-Balipadar region

Blackbuck (*Antelope cervicapra*) conservation in the Bhetanoi-Balipadar-Buguda region of Ganjam district in Odisha is a famous example of community wildlife conservation. More than a thousand blackbuck are taking shelter in an assemblage of seventy villages, located in a drought-prone region of the State. These villagers sacrifice considerable amount of their agricultural produce because of depredation by the antelope population. Odisha's public learnt of this conservation initiative at Buguda when it was awarded the first Biju Pattnaik award for wildlife conservation. According to documentary evidence this protection initiative dates back at least as far back as 1918. However, in the last 50 years, protection measures have been further strengthened as the animal population began dwindling because of poaching and other reasons. As a result of the protection measures taken by the community the number has risen by five times. Reportedly, about 60% of the village land has been left fallow due to water scarcity and also due to the crop damage by the Blackbuck. Yet the villagers apprehend anyone found hunting the animal. They believe that these antelopes are devotees of Lord Rama and Lord Krishna and thus it is a sin to kill them.

Pakidi - A heaven for Peafowl

The Pakidi hill range, also of Ganjam district of Odisha, came to the notice of all Orissa when the "Peacock Protection Committee of Pakidi" won the prestigious "Biju Pattnaik Award for wildlife conservation" for the year 2006. This honor is further augmenting the aspiration of peafowl (*pavo cristatus*) conservation among the people at Pakidi. Villagers from seven villages of this region are actively protecting peacocks and everybody in the village is concerned about the safety, food and water requirements of the bird population. Peafowl freely grazing in the fields is a common sight at Pakidi. The attachment of villagers to the birds is intense and can be observed at its best when women and children provide water to the peafowl in pitchers, traveling several kilometers in the scorching heat of summer. This is done on a rotational basis, so every villager shares in the responsibility to protect the birds. The forest department

has also played an important role in the facilitation of this initiative.

Note: The two case studies given above have been presented courtesy Vasundhara, the Odisha-based NGO.

Of coconuts and conservation

Sri Lanka is an island-country known for its beautiful beaches, its religion and, unfortunately, in the recent past, terrorism. However, there is more to this country, which is separated from the Indian sub-continent by a thin strip of water. In the past decade, the country has been working towards conserving its diverse wildlife that included elephants, leopards, and sea turtles, to name a few. Conservation not only supports the animal population but also helps the local economy of the country.

There are seven recognized species of sea turtle in the world, out of which five are commonly found on the coasts of Sri Lanka. These are the Green turtle (*Chelonia mydas*), the Olive ridley (*Lepidochelys olivacea*), the Hawksbill turtle (*Eretmochelys imbricata*), the Loggerhead turtle (*Caretta caretta*) and the Leatherback turtle (*Dermochelys coriacea*). The main reasons for the decline in their populations are by-catch of fisheries, habitat loss caused by anthropogenic activities or natural calamities, and predation. I had the pleasure of experiencing turtle conservation first-hand while working for their conservation at a hatchery (ex-situ) and on a beach (in-situ).

Ex-situ or hatchery conservation gives refuge to disabled turtles and eggs whose survival might be threatened by natural or man-made conditions. The eggs are re-buried in the sand where the nests are similar to the natural ones. The portion of the hatchery where the eggs are buried is covered by a net and surrounded by trees to provide shade. These conditions contribute in creating an environment for optimum hatching success. The turtles – adults and hatchlings (after the eggs hatch) – are kept in tanks filled with sea water. They are fed fishes and sea weeds so that they grow significantly in size to ensure a better chance for survival after their release. A majority of hatchlings are released into the ocean after nightfall to avoid predation by birds.

Hatcheries also help spread awareness about turtle conservation among tourists from all over the world as well as locals. Hatcheries are a great source of income for local villagers because souvenir shops, set up by almost every hatchery, sell objects that showcase the local handicraft that represents the culture of Sri Lanka.

On the other hand, beach conservation is involved with protecting turtle nests in their natural state and at their natural sites. Nests on beaches are safeguarded through constant monitoring by local villagers who are called nest protectors. These guards patrol the beaches at night and observe nesting, at times ensuring proper nesting.

They note the location of the nest and guard them. They conduct a program called 'Turtle Watch' where tourists get to see turtles nesting on the beach. Turtle Watching is, however, conducted with the sole purpose of making money and has no conservation value.

Turtles are protected under the Fauna and Flora Protection Ordinance of Sri Lanka since 1938 (amended in 1972). Sri Lanka is also a member of the **International Convention on International Trade in Endangered Species (CITES)** of Wild Fauna and Flora - that bans trade of turtles or turtle products (Fisher, 1995). Despite this, the country is struggling to keep the turtle population safe. They are in dire need of financial and technical support from the Government and international conservation organization. With proper help, not only will Sri Lanka be a great tourist destination but will also be a good example for developing nations that are struggling with wildlife conservation.

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Seven dwarfs - Bhorgad Conservation Reserve

In the state of Maharashtra, Bhorgad Conservation Reserve (BCR) is the only conservation reserve (CR) declared so far. Covering an area of 349.277 ha (i.e. 3.49 sq km) of Reserved Forest in East Nasik Forest Division, it was notified in March 2008 for the purpose of protecting, propagating and developing wildlife and environment. The BCR is located in compartment number 622, 'Bhorgad Hills', in Rashegaon beat near Tungaldara village, Dindori tehsil of Nasik district. The specialty of this area is that it is an ecologically ideal wilderness niche, well endowed with a good matrix of forest, grassland and wetland habitat. It is part of the Trimbakeshwar hill range of the Western Ghats (Sahyadri), with many terraced tracts, grassy slopes, groves with good woodland patches and small minor irrigation downhill. BCR comprises of seven hills called *Makadshapa*, *Navara*, *Navari*, *Der Killa*, *Bhorkada/ Bhorgad*, *Ukhalia Dand* and two hillocks (together considered as one hill locally). Indian Air Force has set up a technical communication centre (Tropo centre) on 10 ha area at Bhorgad hilltop. There are no human settlements within the area.

The proposal for this conservation reserve was initiated by Biswaroop Raha of Nature Conservation Society (a non-government organization) of Nashik (NCSN), in the year 2007, for the conservation of the rich floral and faunal diversity of the Bhorgad area. Prior to this, NCSN had already undertaken a bio-diversity study and had had

discussions with local people for its better conservation and management. At first the forest department was not particularly keen on declaring this CR, stating that a CR cannot be declared in a Reserve Forest. But NCSN succeeded after pushing for it through discussions with higher forest officials. After a site visit and consultations with the villagers, B Majumdar, Principal Chief Conservator of Forests (PCCF), wildlife, Maharashtra, on October 3, 2007 recommended that the government declare it as CR.

Tungaldara, a small village near the BCR was the first village to accept the idea of creating this CR and is actively involved in the conservation and management of the same, along with the NCSN. Villagers prevent illegal activities like hunting, grazing and tree felling by outsiders. NCSN often brings school children here to educate them about the birds, mammals, reptiles, plants & Bio-diversity of BCR. Mr. Bhure (Ex-Forest officer, now a member of NCSN) said that "Earlier, other surrounding villages like *Nalachiwadi*, *Dherwadi*, *Pimpalnara*, *Govalwadi* and *Ashewadi* were not keen on declaring it a CR. But after some efforts, discussions and meetings, now some of them are ready to get involved in conserving it." With help and funding from Mahindra group of companies, NCSN has planted and is managing one lakh trees through the efforts of five men from Tungaldara village appointed for the purpose.

"This area has a large diversity of local flora and fauna. Here we can find the critically endangered 'Long Billed Vulture' and other birds like Malabar Whistling Thrush, Indian Roller, Common Peafowl, Eagle, Painted Francolin,

Owls, Falcons, Bulbuls, Bush Quail, Bee-eater, Harrier, Kite, Swift, Dove, Bush-lark, Myna, etc. It is also home to several mammals like Wolf, Hyena, Jungle Cat, Civet, Hare, Fox, Porcupine, Jackal and an occasional Leopard, and reptiles and amphibians like Snake, Frogs, Lizard, Gecko, Skink, etc." said Mr. Raha.

This area is part of the southern tropical dry deciduous forest and moist deciduous forest. The hill slopes and plateau support grasslands with sparse and stunted tree growth. Some of the major floral species are *Tectona grandis*, *Terminalia alata*, *terminalia chebula*, *terminalia belerica*, *Lagerstroemia parviflora*, *Butea monosperma*, *Diospyros melanoxylon*, *Cassia fistula*, *Bauhinia racemosa*, *Syzygium cumuni*, *Ficus bengalensis*, *Ficus racemosa*, *Bombax ceiba*, etc. Mr. Valu Chautha, a villager actively engaged in conservation of the BCR, told us that due to the protection of the BCR they are reaping benefits like increased grass production and higher ground water level. He also told us that BCR is part of the ancient Dandakaranya and has many valuable medicinal plants like. Villagers also collect a lot of wild vegetables, fruits and other Non Timber Forest Produce like *Kartule*, *Chaya*, *Gomethi*, *Mekh*, *Karvanda*, *Ganesh Kamal* and *Dhaman*, in addition to fuel wood, grass, etc. of which some small quantities are sold, thus earning cash for them.

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