

PROTECTED AREA UPDATE

News and Information from protected areas in India and South Asia

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EDITORIAL

'Boxing in' our PAs

This issue of the *PA Update* has a very significant set of indicative reports: they are all about threats 'near' or 'in the vicinity' of PAs. Ship breaking unit near Coringa WLS in Andhra Pradesh; cement plant in the vicinity of Barda WLS in Gujarat; a science city adjoining Bannerghata NP

in Karnataka; dereservation of land bordering Mumbai's Sanjay Gandhi NP for a housing colony and a full blown car rally through the fragile wetlands of Ladakh. Some of these projects might eventually (and fortunately) not go through. In others, as you will read in this issue, better sense might prevail, but that's more the exception, rather than the rule.

In any case these reports are but the tip of what is happening across the length and breadth of the country. We know there are many more proposed port projects in the vicinity of sensitive coastal and turtle habitats; mining projects near innumerable PAs, many dam projects that will affect the entire hydrology of the region but located 'outside' the PA; and there are roads, highways and canals that are ripping significant animal corridors between PAs and/or good forest areas. Our PAs are getting increasingly 'boxed in' in this manner, and it's an issue of increasing concern.

While our legal framework provides for many measures for protection of wildlife and habitats within the boundaries of a protected area, what is 'just' outside remains extremely vulnerable. Because, in the final analysis, the ecological system that will be devastated by the dam, mining or port project does not respect the boundaries that we put on the map under the Wildlife (Protection) Act. So, even if the development is 'outside the PA', impacts are not limited to being just outside.

We also need to bear in mind that a few million people live in these regions surrounding our PAs and any activity taken up or any prohibition put in place needs to keep their needs in mind as well. There are certain legal provisions that could provide the way out. The one with most promise, perhaps, is the Ecologically Sensitive Area (ESA) under the Environment Protection Act that allows for larger landscape level planning with the involvement of local people. Some areas like Matheran and Mahabaleshwar in Maharashtra have recently been declared as ESAs as well. The National Wildlife Action Plan of 2002, too had recommended that areas within a 10 km radius of a protected area should be declared an ESA. The recommendations, however, largely

remain on paper and we've seen project after project being proposed and cleared near PAs.

More recently the National Board for Wildlife has created a special task force for what have been called 'Augmentation Areas'. Here too the proposal is for working with people in areas adjoining PAs and other forest areas too, to ensure livelihood security and at the same time ensure habitat integrity. What will result, is something that we have to wait and watch.

There are a number of other efforts as well. The World Wide Fund for Nature (WWF) - India, for instance, has been working on Landscape level projects like in the Terai and Satpuda regions. The Bombay Natural History Society (BNHS) has just published its compilation of Important Bird Areas (IBAs), nearly half of which are actually outside the official protected area network of the country. The idea of Community Conserved Areas (CCAs) too has caught on and Kalpavriksh is in the process of finalising a directory that lists nearly 300 of these from across the country. Most of these are outside the PA network, but there are significant examples from within PAs too.

Considering, however, the magnitude and speed with which development projects are boxing in our PAs, something far more urgent and significant will have to be done. We have to certainly look at what's happening inside our PAs, but lets look as urgently and seriously at what's happening around them as well.

NEWS FROM INDIAN STATES

ANDHRA PRADESH

Ship breaking unit proposed near Coringa

Permissions have been sought for the creation of a ship-breaking unit on the Upalla - Vakalapudi stretch close to the Coringa Wildlife Sanctuary near Kakinada. Officials in the Environment Department (ED) have said that an industrial group, engaged in clandestine ship-breaking activity in Kakinada, is lobbying for clearance of the project, for handling of 300 ships annually.

A Minister is also said to be backing the proposal. The proposal is being pushed inspite of its environmental implications and also, the rejection of a similar project earlier, by the fishing community and the ED. The previous project at Vodarevu by Andhra Sea Ports in 2001 came a cropper with the ED rejecting it under the provisions of the Coastal Regulation Zone (CRZ) notification.

Lobbying to get clearance for the new project is now being made on technical grounds that ship-breaking requires waterfront and foreshore facilities and hence it should be considered under "permissible" and not "prohibited" activities of the CRZ notification.

Environmentalists have also pointed out that ship breaking is fraught with dangers as is evident from one of the world's largest sites at Alang in Bhavnagar district of Gujarat. A Greenpeace study found that 15 years of ship-breaking activity there had left a huge trail of destruction. The study said one in four workers risked contracting cancer because of handling, disposal and exposure to large quantities of carcinogenic asbestos fibre, hazardous chemicals and metals like lead, arsenic, chromium, nickel, mercury and dioxins.

It has also been argued that developed countries are turning South Asian countries like India to "a soft target" to export their decommissioned ships laden with toxic substances, as the environmental laws are lax here and labour is cheap. Profit margins are huge and the annual turnover at Alang, handling about 350 ships, is estimated to be over Rs. 6,000 crores. Ships are normally decommissioned and disposed for scrapping, after an average service life of about 25 to 30 years at sea. The main purpose of dismantling or scrapping a ship is to recover the steel, as the ocean-going ship consists of high quality steel, which forms about 95 % of its mass.

Source: K Venkateshwarlu. 'Moves afoot to set up ship-breaking unit near Kakinada', *The Hindu*, 10/10/04.

Contact: **PCCF (WL)**, Govt. of Andhra Pradesh, Aranya Bhavan, Hyderabad, Andhra Pradesh.

ARUNACHAL PRADESH

52 Lisu families to be relocated from Namdapha

The Arunachal Forest Department (FD) has taken a decision to move out all the 52 Lisu families who are said to have encroached in the forests of the Namdapha National Park in Changlang District. Steps were being taken to remove all the people settled at Burma Nallah area along the Miao-Vijaynagar Road and suitable land for their relocation was being identified in the Vijaynagar area. These decisions were taken at a recent meeting of the State Wildlife Board and the Changlang DC had been issued orders to complete the proceedings.

The work for the relocation could not be started, first, due to parliamentary elections and then because road communication was disrupted following flash floods in the area. It has been pointed out, that the 'encroachers' had moved into this area from across the international border before 1972 and were now also in the possession of citizenship certificates.

In another development nearly 500 Chakma families have shifted to reserved forest areas of Manabhum, Tengapani and Diyun Anchal, following the recent floods in areas inhabited by them. The FD has expressed concern over this development and said that notices would be served for the land to be vacated. If that did not work, they have added, they would go in for an eviction drive.

Source: 'Arunachal Forest Dept. to evict NNP encroachers', *The Sentinel*, 05/09/04.

ASSAM

Elephants from Ripu-Chirang Elephant Reserve raid neighbouring villages

The recent floods in Assam inundated large areas of the forests comprising the Ripu-Chirang Elephant Reserve in the Kokrajhar district. Consequently, a number of elephants in these forests moved into neighbouring areas and raided crops in several villages including Khalashi,

Jharbari Genduguri under the Jharbari range of Haltugaon division.

For the villagers, who were themselves suffering from the impacts of the severe floods, these raids by the elephants created additional problems. Not only were the fields raided, but houses were also destroyed and there were reports of loss of human life as well. The villagers have expressed their inability to tackle this menace and urged the concerned authority and the conservation NGO working here GreenHeart Nature Club to suggest suitable measures to deal with these problems. (Also see *PA Update* 39).

Source: 'Elephants raid flood hit reserve forests', *The Assam Tribune*, 28/09/04.

Contact: **Green Hearts Nature Club**, Ward No. 6, Kokrajhar, - 783370 Assam, Tel: 03661 – 70970 Fax: 70694. Email: ghnc@rediffmail.com

US NGO offers to help Gibbon WLS

The Wildlife Service International Affairs (WSIA), an US-based non-government organisation, has offered to fund projects for the protection of the endangered Hollock Gibbon in the Gibbon Wildlife Sanctuary in Assam's Jorhat district. The NGO has asked the Assam Forest Department to develop a project keeping in mind the eco-development and protection of the natural habitat of the gibbon. The offer came after the head of the NGO, Fred M. Bagleigh, visited the sanctuary recently.

The WSIA has been funding several projects in Assam for the past four years for the protection of the rhino, tiger and elephant. This is the first time that the NGO has shown interest in protecting the gibbon.

The Gibbon Wildlife Sanctuary is the only one in India where seven species of primates are found. The census conducted in the sanctuary earlier this year, reported at total of 65 gibbons spread over 17 families. (Also see *PA Updates* 50, 47 & 38).

Source: 'US group extends help to gibbons', *The Telegraph*, 25/09/04.

Rhinos to be relocated to Dibru-Saikhowa NP

The Assam Forest Department is reported to be considering a proposal for the relocation of rhinos from the Kaziranga National Park and the Pobitora Wildlife Sanctuary to the Dibru-Saikhowa National Park in Tinsukia district.

The proposal was mooted after Chief Conservator of Forests (Wildlife) MC Malakar and Kaziranga National Park Director, NK Vasu recently visited Dibru-Saikhowa and reported that there was good habitat for the rhino here.

Forest officials have said that the rhino relocation will not be possible till the staff strength in the park is increased from the present 44 personnel and the two villages in the park are relocated. A Rs. Five crore relocation package has been proposed for the relocation and rehabilitation of these two villages but the process has not yet been initiated.

Source: Ripunjoy Das. 'A new home for the rhino - Plan to shift some Kaziranga denizens to Dibru-Saikhowa', *The Telegraph*, 25/09/04.

Guerrilla training school in Kaziranga

The Indian Army proposes to raise a guerrilla training school in the Kaziranga National Park for imparting special jungle warfare training and anti-terrorist operation skills to junior and middle-level officers. The army also intends to impart capsule courses for senior officers who are already in counter-insurgency operations or expecting tenure in J&K and the North East.

The training school is likely to hire foreign experts to teach new technologies in communication and logistics, besides warfare expertise. The school will start functioning from 2007 and the Ministry of Defence is reported to have consulted the finance ministry for special fund allocations for the school.

This will be the second such school in North East India after the Counter Insurgency and Jungle Warfare School at Vairengte in Mizoram, which was established in 1970.

Source: 'New anti-terror school in Kaziranga', *The Northeast Tribune*, 14/10/04.

International Guwahati Trade Fair to promote Kaziranga

The Industries and Trade Fair Association of Assam (ITFAA) has announced that the 12th International Guwahati Trade Fair will be held from Feb. 20 to Mar. 4, 2005 with the theme to promote the Kaziranga National Park on the occasion of its centenary (see *PA Update* 50).

The Forest Department too has promised full support to the forthcoming trade fair which would be held immediately after the conclusion of the KNP centenary celebrations on February 17, 2005.

Dignitaries from the UK, US, Australia, Thailand, Malaysia and African countries are expected to take part in the centenary celebrations of the park and to formulate a comprehensive plan to address problems such as floods and poaching at the world heritage site.

Source: 'Kaziranga to be theme of city trade fair', *The Sentinel*, 12/11/04.

Kaziranga centenary celebrations to be part of the 'Incredible India' campaign

The Kaziranga National Park centenary celebrations will now be part of the Union Tourism Ministry's 'Incredible India' campaign. The decision was taken after a series of meetings held recently between the Assam Forest Minister Pradyut Bordoloi and officials of the Union Tourism Ministry.

'Incredible India' is New Delhi's global campaign to market India as one of the best tourist destinations. The ministry spent around Rs 50 crore on the campaign last year. This year the budgetary allocation has gone up to Rs 90 crore. Some resources will also become available to the Assam FD to publicise the Kaziranga centenary celebrations.

In another development, the Wildlife Trust of India, in collaboration with the Assam Forest Department, is preparing a programme that will see international experts participate in a workshop on wildlife rehabilitation.

Source: 'Delhi philip to Kaziranga', *The Telegraph*, 17/10/04.

Contact: **Director**, Kaziranga NP, PO Bokakhat, Dist. Golaghat – 785612, Assam.
Chief Wildlife Warden – Assam, Rehabari, Guwahati – 781008, Assam.

GOA

FD to acquire land in Galgibag and Morjim to declare community reserves

The Goa Forest Department (FD) is planning to acquire about 16 hectares of land adjacent to two prominent turtle nesting beaches of Galgibag (14 hectares) and Morjim (two hectares) to declare them as 'community reserves' for turtle protection with the help and participation of the local communities. The FD is also planning to set up an interpretation centre at Morjim beach in north Goa to give detailed information about the lifecycle of the sea turtles.

The most prominent threat to nesting turtles in Goa is from increased tourism activity and in some cases developmental projects as well. There has been increased human movement on the Morjim beach, for example, after the commissioning of the Siolim Bridge across the Chapora last year. The Tourism Department too has given licences to open five shacks (temporary shops) on the beach.

(Eds. Note: There seems to be continued misconception that the category of Community Reserves under the Wild Life Act is available for all such situations where communities are already conserving wildlife, or have the potential to do so. THIS IS NOT THE CASE.

Indeed, the way the category is laid out in the Act, it is so restricted as to be almost meaningless in the case of most community conservation initiatives. For one thing, it cannot be declared on govt. lands, thereby leaving out of its purview most coastal areas, especially since many (most?) stretches of beach are unlikely to be community or privately owned.

Indeed, the move of the Goa FD is a bit strange, for if the govt. were to indeed 'acquire' land, and if this means ownership of these is transferred to govt. hands, the provisions of the

WLPA will not allow the government to declare community reserves here. Also please see PA Update 47 for a detailed analysis of the provisions of the Community Reserve and Conservation Reserves, the new categories of PAs introduced after the Amendment of the Wildlife Protection Act in 2002)

Source: Anil Sastry. 'Community reserves to protect Olive Ridley', *The Hindu*. 07/11/04.

Contact: **Chief Wildlife Warden**, Wildlife Wing, Junta House, Panaji 403001, Goa. Tel: 0832 – 224747 / 223508 / 278891. Fax: 224747

GUJARAT

World Heritage site proposal for Gir

The Gujarat State Government has sent a proposal to the Central Government to lobby for a World Natural Heritage Site status for the Gir WLS and National Park. The proposal was submitted during wildlife week. It follows and was encouraged by the recent recognition accorded by UNESCO to Champaner-Pavagadh as a World Cultural Heritage Site.

State government officials have said that the decision to send the Gir proposal was part of the massive efforts being made by the state government to develop eco-tourism in the state. An estimated 1,00,000 tourists visit Gir every year and it is hoped that declaration as a World Natural Heritage site will see this number increasing substantially.

Source: Anil Pathak. 'Proposal to declare Gir as World Natural Heritage site', *Times News Network*, 11/10/04.

Contact: CF (Wildlife) Junagadh, Sardar Baug, Junagadh, Gujarat. Tel: 0285 - 631678/630051. Fax: 631211.

Mid-winter waterfowl census counts over 13 lakh birds in Gujarat

The mid-winter water fowl census conducted in early 2004 under the auspices of the Asian Wetland Bureau reported more than 13 lakh water birds in Gujarat. The census was carried

out by the Forest Department along with local volunteers in all the 25 districts of the state. A total of 154 bird species were recorded. The census figures place Gujarat 2nd in the country after Orissa in number of birds counted.

The highest number of birds (1.9 lakh) in the state were counted in the Nal Sarovar Wildlife Sanctuary. Wetlands that recorded more than 20,000 birds included Nani Karad in Navsari (25,840), Kanewal in Anand (24,748) and Amipur in Porbandar (52,958). The Thol Bird Sanctuary recorded 18,000 birds. Other places like Antaria and Pariyej in Navsari, Medha Khadi and Kuchdi in Porbandar, Vadvana and Timbi in Vadodara and Subapura in Patan also recorded more than 10,000 birds each.

Among districts, Jamnagar recorded the highest number of birds at 3.24 lakh.

Source: 'Gujarat records the second highest number of water fowls', *The Times of India*, 03/09/04.

Rise in Sarus Crane numbers in Gujarat

A count conducted in the month of June, earlier this year, has revealed that the number of Sarus cranes in Gujarat has risen from 1380 as reported in the 2001 census, to 1657 birds now. The census was conducted by the Gujarat FD along with GEER and 40 other local NGOs.

It was found that the districts of Kheda, Ahmedabad and Anand were home to 57 % of the state's crane population. The birds were also sighted for the first time ever, in the Dantiwada and Dharoi dam areas of Banaskantha and Sabarkantha districts.

Source: 'Census shows rise in sarus crane numbers', *The Asian Age*, 10/07/04.

Contact: **GEER Foundation**, Indroda Park, Sector 9, Gandhinagar – 382009, Gujarat. Tel: 02712-21385. Fax: 41128. Email: geerindia@sify.com

Environmental clearance to cement plant expansion in vicinity of Barda WLS

The Union Ministry of Environment and Forests (MoEF) is reported to have granted clearance to M/s Saurashtra Cement Co. Limited for the

expansion of a cement plant from 1.24 million tons per annum (mtpa) capacity to 4.13 mtpa in the vicinity of the Barda Wildlife Sanctuary. The State Chief Wildlife Warden too is said to have allowed for the expansion of the plant via a letter issued in March, earlier this year.

The plant is located only about 1.5 kms from the boundary of the sanctuary, which is, in fact, being considered for development as the 2nd home of the endangered lions. A program for the captive breeding of cheetal is also said to have initiated here for this purpose.

Concern regarding the clearance has been expressed to the Supreme Court appointed Central Empowered Committee by the Amreli based Gir Nature Youth Club. The letter to the CEC has pointed out that the National Wildlife Action Plan - 2002 had recommended that lands falling within 10kms of the boundaries of national parks and wildlife sanctuaries should be declared as eco-fragile zones as per the Environment Protection Act.

Contact: **Amit Jethava**, Gir Nature Youth Club, At Khamba, Dist Amreli, Gujarat. Tel: 02797 - 260121/260182. Fax: 02797-260182. Email: amitjethava@hotmail.com; amitjethava@rediffmail.com

Proposal for community reserves for Pariyej and Kaneval Lakes in Central Gujarat

The Gujarat FD has proposed to declare Pariyej Lake in Kheda district and Kaneval Lake in Anand District as community reserves. The lakes support a large number of resident and migratory waterfowl. The 2002 census, for instance, recorded a total of 39,234 birds of 89 species at Pariyej and over 22,000 birds were counted here in the 2003 census.

The lakes are owned by the Irrigation Department and according to the Forest Department, the major threats faced include encroachments, spreading of aquatic weeds, poaching, use of land for cultivation by local people during summer and the lack of maintenance of tank boundaries.

(Eds. Note: As has been pointed out earlier in the case of a similar proposal for the Vadvana lake near Vadodara (see Pa Update 47) and for

turtle conservation in Goa (see above in this issue of the PA Update), Forest Departments seem to be unaware of the provisions of the law.

According to the amended wildlife act, community reserves cannot be declared on lands that are under the ownership of the government. Areas such as Pariyej and Kaneval can only be declared as conservation reserves).

Source: Richa Bansal. 'Wetlands to be developed to support wildlife', *The Times of India*, 21/08/04.

Contact: **Chief Wildlife Warden** - Gujarat, Block 14, Dr. Jivraj Mehta Bhavan, Old Sachivalaya, Gandhinagar, Gujarat. Tel: 02712-30007. Fax: 21097.

HARYANA

No water supply to Sultanpur NP

The Haryana Urban Development Authority (HUDA) has taken a decision not to supply water to the Sultanpur National Park because bills amounting to about Rs. 22 lakhs have not been paid by the Forest Department (FD). HUDA says that the bills are for a period from January 1, 2000 to April 30, 2003.

The FD meanwhile has said that HUDA supplies far less water than they are supposed to and that they have written to the Financial Commission of the state government to look into the matter.

It is feared that this development is bound to drastically reduce the number of migratory birds visiting Sultanpur this year.

Source: Payal Saxena. 'HUDA shuts off water flow to bird sanctuary', *Times News Network*, 29/10/04.

HIMACHAL PRADESH

Union Government clears Rs. Three crore project for PA management in state

The Union Government has approved a Rs. Three crore project of the state government for the improvement and management of 27 sanctuaries

in the state. 70% of the money has already reached the State Forest Department.

The scheme of the state government includes improvement of habitats for wildlife, ecodevelopment activities and providing training to the wildlife staff for anti-poaching activities. New equipment like revolvers and tranquilisers will be procured and guard huts are also to be constructed.

Additionally, the communities living around the sanctuaries would also be given training to deal with wildlife and to build check dams to prevent soil erosion.

Source: Suresh Khatta. 'Centre clears Himachal plan to improve 27 sanctuaries', *Indian Express*, 04/08/04.

JAMMU & KASHMIR

Car rally through Ladakh's wetland areas prevented

'Raid de Himalayas 2004', a car rally proposed to pass through Tsokar, Staklung and other important wetlands in Ladakh in October was forced to change its route due to efforts of NGOs, the Indian Army and the government.

Those involved in the effort included World Wide Fund for Nature (WWF)-India's Leh Field Office, tour operators, the Forest and Tourism Department, the Leh District Administration, the Ladakh Autonomous Hill Development Council and the Indian Army.

The first major opposition to this rally was expressed during the Army Officers Ecology workshop, jointly organised by the WWF-India, the Field Research Laboratory and the Department of Wildlife Protection (J&K) in September. A motion opposing the route of the rally around Tsokar, Staklung and Chushul was passed and this was also circulated to all concerned, including the organisers.

There was, however, no positive response from the organisers. Following this State Cabinet Minister, Nawang Rigzin Johra; the regional wildlife warden of Ladakh, Jigmets Takpa; the district administration of Leh and the Ladakh Autonomous Hill Development

Council sent out letters to the organisers informing their decision on preventing the rally from passing through the wetlands.

Subsequently a team comprising WWF-India, the Department of Wildlife Protection and the tour operators of Ladakh, along with the local media, decided to be present at the entry point at Tsokar to make sure that the rally did not enter the area and instead took the Leh-Manali Road.

As the rally reached the entry point on October 10, it faced a massive demonstration. The participants assured the demonstrators that they would change the route, keep to the tarred road and also that the wetland areas would never be used for rallies in the future.

The General Secretary of the Himalayan Motor Sports Association, Atul Honda, later said that it was sheer ignorance on their part that made them pick the rally route through the wetlands.

Source: 'Rallying to save the Himalayas',
www.thehindu.com/2004/10/19/stories/2004101901912000.htm

Militant activities benefiting wildlife in J&K

Militant activity in Jammu & Kashmir is reported to have been benefiting wildlife in the state as there are indications that wild populations are increasing in certain areas.

With terrorists keeping the hunters and poachers, who fear falling prey to the militant's bullets themselves, away from the state's jungles to a large extent, the Wildlife Department says there has been an increase in the number of animals in the border districts of Poonch and Rajouri. There are reports of a similar increase in animal numbers in Doda district, with the jungles along with the LoC literally being turned into a protected forest due to the high security presence.

The militants themselves don't kill the animals as a single shot exposes the area of their presence. The security forces, on the other hand, can't target animals as they are accountable for each round sanctioned to them.

The exact figures of the increase in wildlife are not known and the FD has planned a census in the near future for this. The endangered species whose populations are said to have

increased include the Musk Deer, Brown Bear, Markhor, Goral and leopard.

Source: Zorawar Singh Jamwal. 'Militancy breathes life into state's wildlife', *Hindustan Times*, 21/10/04.

JHARKHAND

Dos and don'ts posters help Jharkhand villagers protect themselves from elephants

In an effort to prevent instances of confrontation between wild elephants and human beings, the Jharkhand Forest Department has put up huge posters in rural areas with a list of dos and don'ts to avoid the elephants. The posters have been pasted in Dumka and Pakur district of Santhal Pargana, and Bero and Karra of Ranchi district where straying elephants have caused maximum damage to crops, houses and also human lives.

The posters advice villagers not to store *mahua*, the local brew, as elephants are very fond of it. It has been reported that in recent times, attacks by elephants in rural areas have increased due to the attraction to *mahua*. Villagers have also been asked not to worship elephants residing in forest areas considering them an incarnation of Lord Ganesha. Sometimes, during the worship, the elephants get angry and run amok, resulting in large scale damage to property and life.

Additionally, the villagers have been asked not to venture into the forests after sunset and if they have to, to do so only in groups equipped with torch light and drums to scare away the elephants if encountered. Forest officials have said that these posters have worked and instances of humans being killed by elephants have come down in recent months.

Earlier the Forest Department had tried various other measures, including getting *kunkis* from Assam to capture the rampaging tuskers, but it had proved futile. In the last four years more than 300 people have been killed by wild elephants in this region. It has been pointed out that the main reasons for this

include the loss of forest cover and increasing encroachment of elephant corridors.

Source: Nityanand Shukla. 'Dos' and don'ts posters help villagers to steer clear of tuskers', *The Pioneer*.

KARNATAKA

SC upholds order to close Kudremukh mining by 2005

The Supreme Court has reiterated that mining operations in Kudremukh would be permitted only till the end of 2005. The court was responding to an Interlocutory Application filed in the matter earlier this year by the Kudremukh Iron Ore Company Ltd. (KIOCL).

The company had requested for a review of the court's earlier order in the wake of the amendments to the Mineral Conservation and Development (Amendment) Rules under a notification dated April 10, 2003 and in particular to Rule 23-C relating to submission of the final mine closure plan.

The apex court also upheld its earlier ruling that its order and the recommendations of the CEC be worked out by the MoEF, the state government and the KIOCL under the supervision of the CEC.

(Also see *PA Updates* 34, 30 - 25, & 23-20).

Source: 'End Kudremukh mining by '05: SC', *The New Indian Express*, 24/08/04.

Rehabilitation plan for tribal people displaced from Bandipur NP

A meeting of officials was held in October in Mysore to discuss the rehabilitation plan for the 154 tribal families displaced in the HD Kote Taluk during the formation of the Bandipur National Park and construction of the Kabini reservoir at Beechanahalli.

The special rapporteur of the National Human Rights Commission (NHRC), Mr. Chaman Lal, who attended the meeting, provided certain guidelines for the rehabilitation scheme. He also held a review to look at work taken up under the project so far.

Rehabilitation works, including construction of roads, formation of layouts, identification of agricultural land, provision of drinking water, and sinking of bore wells with a hand pump attached to it were being taken up at an area coming under Solleपुरa Reserve Forests. Land for the tribal people had been identified in Chikkodahalli, Metikuppe and Boodanur. A committee has also been constituted under the Chairmanship of the Deputy Commissioner, Kumar Naik, to oversee the implementation of the rehabilitation programme.

Source: 'Steps initiated to rehabilitate tribal people', www.thehindu.com/2004/10/21/stories/2004102110270300.htm

Contact: **Deputy Director**, Bandipur National Park, Gundlupet, Chamrajnagar 571 111, Karnataka

Six held on charges of poaching in Nagarhole NP; jaw traps seized

Six persons, allegedly involved in the poaching of wild animals, were recently arrested by the Karnataka Forest Department. They have been charged with offences related to poaching of wild animals in the Nagarhole National Park. Four jaw traps were also seized from them.

One of the six was a local, while the others were from Katni district in Madhya Pradesh. Six accomplices were absconding and a manhunt was launched to arrest them.

The six arrested, were first noticed by a few villagers in the Naganapura Forest Range in Gundlupet taluk. They informed the Forest Department, who trailed the gang and carried out an elaborate operation for three days to know about them. They were found to be speaking a different language and were moving about in a suspicious manner.

When confronted, they opened fire on the forest guards, who retaliated and overpowered them and then handed them over to the Nanjangud rural police. It is suspected that the gang is part of a large and intricate mafia network involved in poaching of animals and trading in their parts. It may be recalled that a tiger was maimed by a jaw trap used by

poachers two years ago in Nagarahole and a three-day combing operation resulted in the arrest of the gang, which was also from Katni.

Source: 'Six held on poaching charge, jaw traps seized', <http://www.hindu.com/2004/10/04/stories/2004100403340300.htm>

NGOs oppose projects adjoining Bannerghata

The Wildlife Rescue and Rehabilitation Centre (WRRC) and the Wildlife Trust of India (WTI) have appealed to the Supreme Court appointed Central Empowered Committee to squash the orders of the Karnataka State Government allotting 100 acres of forest land in Uttarhalli, adjoining the Bannerghata National Park for the development of a science city and some other projects (see *PA Update* 45).

The forest area comprises an important elephant corridor, and it is feared that its destruction would increase the threat to wildlife and further intensify the human - wildlife conflict in the region here.

Source: 'NGOs join hands in defence of elephant habitats', *The New Indian Express*, 07/07/04.
Contact: **ACF (WL)**, Bannerghatta NP, Bangalore – 560083, Karnataka

Chief Wildlife Warden - Karnataka, 2nd Floor, 18th Cross, Malleshwaram, Bangalore – 560003, Karnataka. Tel: 080-3341993 / 3345846. Email: pccfwl@vsnl.com

KERALA

Four new fish species in Kerala rivers

Four new fish species have recently been reported from Kerala rivers by researchers of the School of Industrial Fisheries (SIF) at the Cochin University of Science and Technology.

These include a *mahaseer* variety from Chinnar WLS, *Tor remadevi* (named after famous ichthyologist Dr K Remadevi), *Homaloptera silasi* and *Garra travancoria* from Periyar Tiger Reserve, and *Garra nilamburensis* from the Nilambur forest range. These were identified as

part of the efforts for preparing a database on river-based biodiversity status of freshwater fish and its utilisation.

The researchers were of the view that 10 species, which are currently exploited for ornamental trade, have undergone stock depletion to the tune of 40 to 90 % during the past four years. They have also quantified the exploitable number of ornamental fish varieties from each river. They have further warned that eight of the 148 fish species in Kerala waters were facing extinction and suggested conservation measures for saving them.

Among the various river systems of Kerala, River Periyar houses 80 fish varieties. Of this, 37 have ornamental value and seven are endemic to the river system. About 70 fish varieties were identified from the Chalakkudy River followed by Bharathapuzha (68 species) and Kabani (51 species).

The study also pointed out that the freshwater fishery wealth of the state was on the decline due to habitat destruction, destructive fishing methods and over-exploitation of ornamental species.

Source: 'Four new species of fish spotted in Kerala rivers', www.thehindubusinessline.com/2004/11/16/stories/2004111600601100.htm

CBI told to produce case diary regarding Muthanga incidents

In a hearing in October, earlier this year, the Kerala High Court directed the Central Bureau of Investigation (CBI) to produce the case diary relating to the investigations into the Muthanga incidents in the Wayanad Wildlife Sanctuary.

The directive was issued by Justice A.K. Basheer in response to a writ petition filed by the Adivasi Gothra Mahasabha leader, C.K. Janu, seeking a CBI probe into the police atrocities against the tribals.

The CBI, meanwhile has filed charge-sheets against as many as 184 persons, including C.K. Janu and Geethanandan, in three separate cases before the Chief Judicial Magistrate Court. As many as 239 persons were deleted from the array of the accused. The

charges against the accused were that they had attacked the police personnel and caused the death of a police constable.

The Muthanga incidents took place on February 17 and 19, 2003 in the Muthanga Wildlife Sanctuary (See *PA Updates* 41). According to an affidavit, the CBI had said that though the agitation was peaceful initially, the agitators led by the petitioner had started placing impediments in the normal functioning of Forest officials by erecting check-posts and not allowing Forest officials entry into the forest. The resistance staged by the illegal occupants of Muthanga Wild Life Sanctuary resulted in the use of force, including firing, on February 19, 2003 at Thagarapadi and Koundanvayal. The inquiry also revealed that the restricted use of force by the police on February 19 was done after observing all legal formalities, the affidavit said.

Source: 'Muthanga: CBI told to produce case diary',
www.thehindu.com/2004/10/19/stories/2004101906320400.htm

Anti-poaching drive triggers tension in Wayanad

A crackdown by the Forest Department on poachers who killed a mouse-deer in the Wayanad Wildlife Sanctuary and a gang allegedly involved in smuggling cinnamon bark out of the State triggered tension in Chethalayam, near Sulthan Bathery, in Wayanad. The forest range office at Kurichiad was attacked by an irate mob and three tribal forest guards who were injured in the attack had to be hospitalised.

The Assistant Wildlife Warden in Kurichiad Range, P. Dhaneshkumar, is also reported to have received threats to his life. Forest and police personnel had to be deployed in and around the forest office after the attack. A round of discussions was held later at the initiative of the local MLA, ND Appachan, in a bid to defuse the tension.

The Wayanad Prakriti Samrakshana Samiti, has, in a statement demanded stringent action against poachers and urgent steps to prevent looting of cinnamon bark from Wayanad.

Source: 'Anti-poaching drive triggers tension in Wayanad',
www.thehindu.com/2004/10/26/stories/2004102604880300.htm

MADHYA PRADESH

Sanctuary proposed in Dumma in Jabalpur

The MP Forest Department has proposed to declare 1800 hectares of forest in Dumma in Jabalpur district as a wildlife sanctuary. A meeting to discuss this was recently held at the office of the Divisional Commissioner.

The move has been appreciated by speaker of the legislative assembly Ishwardas Rohani, who also announced a Rs. One lakh contribution for the sanctuary.

Source: 'Wildlife sanctuary in Dumma mooted',
Central Chronicle, 23/09/04.

Three PAs proposed in submergence area of Indira Sagar Dam project

The Madhya Pradesh State Government is reported to have now chalked out plans for protecting wildlife in the forests of the catchment area of the Indira Sagar Dam project.

The action plan has been prepared on the basis of recommendations made by the Dehradun based Forest Research Institute (FRI). It envisages the setting up of a national park over an area of 250 sq. kms and two sanctuaries spread over 174 sq. kms and 66 sq. kms respectively.

Further details are however not known.

Source: 'MP wildlife plan for dam area', *The Tribune*, 02/08/04.
Contact: **CWLW**, MP, Van Bhawan, Tulsi Nagar, Bhopal 462003, Madhya Pradesh. Tel: 0755-2557371/ 2550391.

MAHARASHTRA

New residential zone proposed adjoining Sanjay Gandhi National Park in Mumbai

The Maharashtra government has proposed the conversion of a large tract of no-development zone (NDZ) land adjoining the Sanjay Gandhi National Park into a residential area. The land in question measures 1.2 lakh square metres and is located in the P- North Ward, Malad village. It comprises two plots of land that are sandwiched between the national park and the Dadasaheb Phalke Chitranagari (Film City).

The State Urban Development Department has directed the Civic Administration to modify the status of the land in view of the increasing population here. The proposal is presently before the Brihanmumbai Municipal Corporation's (BMC) Improvements Committee.

The larger plot of land (10 hectares) is not accessible by any municipal or private road, actual or proposed. The other plot (1.8 hectares) adjoins two proposed roads. The government has sought the change in reservation as the population growth in the area has outstripped the projected population in the revised development plan. The current population in the area is around five lakh.

It has been alleged that a well-known builder is keen on undertaking a housing project on the land, and the dereservation was being planned to facilitate the same. It is feared that this development will increase pressure on the forest ecosystem of the national park and would also lead to a situation of increased conflict between humans and wildlife.

(Also see *PA Updates* 50, 45 & 43).

Source: Clara Lewis. 'New homes may squeeze national park', *Times News Network*, 08/11/04
Contact: **DFO, SGNP**, Borivali (E), Mumbai – 400066, Maharashtra.

Chief Wildlife Warden – Maharashtra, Jaika Building, Civil Lines, Nagpur – 440001, Maharashtra. Tel: 0712 – 526758 / 530126.

ORISSA

Karlapat WLS threatened by road construction for mining project

Congress legislator in Orissa, Mr. LB Mohapatra has recently made allegations that the Kalahandi district administration had granted permission to a private company for laying of a road related to a mining project in the region inside the forests of the Karlapat Wildlife Sanctuary.

Quoting extensively from official records, he pointed out that the district administration had asked Block Development Officers of Lanjigarh and Thumul Rampur to ask concerned gram panchayats not to incur any expenditure on the new road project as it will be done by the private company. The official communications had also stated that wherever the road passes through forest areas, permission from the respective forest officers should be obtained.

Mr Mohapatra, has charged that the local forest officers were not competent to accord any such permission as Karlapat was a sanctuary and no construction, including a road, could be undertaken here.

Seven MLAs of the Congress Party have also submitted a memorandum to the SC appointed Central Empowered Committee to conduct an inquiry into the matter, alleging that a permission had been granted to Sulakshmi Mines and Minerals Ltd to develop roads in and around Karlapat sanctuary, under the guise of peripheral development of the sanctuary and this was done without obtaining any clearance from the Ministry of Environment and Forests.

The signatories to the memorandum, included Mr Debasis Patnaik, Mr Naren Palei, Mr Trinath Behera, Mr Chiranjib Biswal, Mr Anantram Majhi, Mr Sadan Nayak and Mr Nimai Chandra Sarkar.

Source: 'Karlapat in the eye of storm', *The Statesman*, 28/10/04.

'Opp urges probe into forest law violation', *The Statesman*, 04/11/04

Bird population in Nalban Sanctuary reported to be decreasing; conservation reserve proposed in adjoining areas

Recent surveys by Ajit Bharthuar and Dr. Sudhakar Kar have reported that migratory birds sighted in the Nalban-sanctuary area in Chilka Lake has decreased over the years from more than eight lakhs in 1999 to about 2.3 lakhs in 2002 and 1.4 lakh in 2004

It has been suggested that this fall in numbers is happening because of the opening of the mouth of the lake in 2000 to increase the lake's salinity level (see *PA Updates* 30 & 26).

More than 200 species of birds have been sighted inside Chilka, of which only 91 are migratory. These species have been further categorized into birds preferring a) fresh water habitat (70 species); b) brackish water habitat (17 species) and; c) sea water habitat (four species). While some birds exhibit wide adaptability to different salinity levels, others are more selective. A majority (77%) of the migratory species here preferred less salinity.

It has been reported that bird congregations are more where the salinity level was less. However the relationship between the changing salinity level and availability of food for the birds inside Chilka has not been studied systematically. It has also been reported that while the bird population inside the sanctuary area has fallen, there has been an almost equal rise in the peripheral areas in the western part of the lake.

The FD has already initiated moves for the protection of these bird populations as well. Meetings have been held in the peripheral villages and villagers who were hesitant initially have now come forward to support the FD initiative to declare the area as a Conservation Reserve under provisions of the newly amended Wildlife Protection Act. Demarcation of areas with bird congregations is now being taken up with the help of concerned villagers.

Source: Anup Nayak. Email to nathist dated 14/10/04.
Contact: **Anup Nayak**. Email:
bravo_123@satyam.net.in

DFO (WL) Chilka, 1865/66 Nuasahi
Nayapalli (near Sub PO), Bhubaneswar –
751012. Orissa.

AK Patnaik. Chilka Development
Authority, BJ-45, BJB Nagar,
Bhubaneswar, Orissa. Fax: 0674 –
434485. Email: ajitpatnaik@hotmail.com
Website: www.chilka.com

Dolphin Conservation Day celebrated in Chilka

The Dolphin Motor Boat Association of Satapada of Chilka Lake celebrated Dolphin Conservation Day on 8th September for the first time to create awareness on the plight of the Irrawaddy Dolphins of Chilka. The motor boat operators of Satpada who ferry tourists to show them the endangered and rare dolphins took a pledge to protect them and not cause disturbance by chasing them in the lake. The association that has more than 180 members also unanimously decided to celebrate this day every year in the future as well.

The Chief Executive of Chilka Development Authority and the Chief Wildlife Warden of Orissa also attended the function and promised all help and support in the efforts of the association to save the dolphins.

The March 2004 census had reported a total of 129 dolphins in Chilka. Dolphin related tourism has become very popular in Chilka in recent years. It is also a good source of income for the local fishermen who operate tourist boats in the season from October to February.

This has however, also resulted in increased accidents involving dolphins, and in the past two years more than 15 dolphins have been killed due to injuries inflicted by the propellers of these tourist boats (see *PA Updates* 36 & 29).

It is now hoped that the self-regulatory measures being adopted by the dolphin boat operators will result in better protection for the dolphins and casualties will be reduced to nil. Environmentalists have also suggested that only non mechanized boats powered with oars should be used for tourism to avoid disturbance to the dolphins and the birds.

Source: Biswajit Mohanty. Email to nathist dated 02/10/04.

Contact: **Biswajit Mohanty**, Wildlife Society of Orissa, Shantikunj, Link Road, Cuttack – 753012, Orissa. Tel: 0671 – 334625. Fax: 610980. Email: biswajit@cal.vsnl.net.in; bmwildlife@hotmail.com
Chairman, CDA, see above.

Tribals from Jharkhand clearing Simlipal forests

It has been reported that hundreds of tribals from the state of Jharkhand have encroached upon the forests of the Simlipal Tiger Reserve and have been clearing forests for the purpose of agriculture and settlements. Forest officials said that local inhabitants were helping the encroachers and therefore it was impossible to control the situation.

However, with the help of the local forest protection committees, four intruders were arrested in the last week of September. The four arrested are originally from the Dolkara area of West Singhbhum district of Jharkhand.

Earlier, in the first week of August, an estimated 50-60 tribals from the Chaibasa area of West Singhbhum district were reported to have entered Compartment No 5 of Barheipani Section of Manada Range. They however soon fled, when they realised that the forest department had found out about their activities.

In view of this development, forest department officials had discussions with the forest protection committees of Allapani, Budhamara, Gadaripahadi, Talbandha, Kesham and Rengalbeda and it was decided that all such efforts to clear forests and establish settlements should be resisted with all efforts and the culprits should also be caught.

Further inquiries have revealed that these tribals who had moved into the forests in Orissa are in fact those displaced due to mining and development projects in their homelands in the West Singhbhum district of Jharkhand.

Source: 'Simlipal Tiger Reserve being cleared by tribals from Jharkhand for settlement', *The Samaj*, 04/10/04.
Biswajit Mohanty, Email communication.

Contact: **Biswajit Mohanty**, see above.

Contact: **CWLW– Orissa**, Plot No. 8, Shahid Nagar, Bhubaneshwar – 751007, Orissa.
Tel: 0674-513134 / 515840. Fax: 512502

TAMIL NADU

Camp for domestic elephants from Nov. 18 at Mudumalai

The 2nd rejuvenation camp for domestic elephants has been planned at the Mudumalai Wildlife Sanctuary from November 18, 2004 to January 4, 2005. The camp is being organised by the Hindu Religious and Charitable Endowments Board (HRCEB) and is expected to be attended by 69 elephants owned by temples and private individuals in the state.

The camp is being set up over 4.9 hectares of land near Theppakadu and is being supported by the Forest and Animal Husbandry departments. The elephant specialist, KC Panicker of Thrissur, who, along with a team of veterinarians, had attended to the needs of the elephants last year, is to oversee the camp.

Source: D Radhakrishnan. 'Mudumalai getting ready for second camp', www.thehindu.com/2004/11/14/stories/2004111405100600.htm

Migratory birds arrive in bird sanctuaries in state

The Vedanthangal and Karkili Bird Sanctuaries in Chengalpattu district were opened for tourists in the first week of November. The number of birds in Vedanthangal was estimated to be 10,000 and mainly included egrets, herons, cormorants, pelicans and ibis. Migratory waterfowl were, however, not reported in significant numbers.

Earlier in the year, wildlife authorities at Vedanthangal had taken up the work of linking various tanks and cleaning the channels at a cost of Rs. six lakhs. Vedanthangal gets water from four channels in nearby paddy fields and one from Valayapudur tank, one km from Vedanthangal. All these channels were

cleaned, as also the channel connecting Madhagu to Valayapudhur.

With the region experiencing incessant rains in the earlier part of November, the Madhagu tank had filled up and the excess water has entered the Valayapudhur tank, which in turn filled up the water body at Vedanthangal.

A large number of birds have also been reported from the Vettangudi Sanctuary in Sivaganga district, and the Chitrakudi, Kanjirankulam and Melaselvanur Sanctuaries in Ramanathapuram district.

The Tamil Nadu government is reported to have allotted Rs. Nine lakh for improving infrastructure in Vettangudi and another Rs. Six lakh for the three sanctuaries in the Ramanathapuram district.

Reports in the middle of November indicated that a large number of migratory birds were also being seen at Point Calimere on the Vedaranyam coast in Nagapattinam district.

Source: 'Migratory birds arrive, Vendanthangal opens', www.thehindu.com/2004/11/13/stories/200411311940600.htm

C Jaishankar. 'Migratory birds flock to Vettangudi Sanctuary', www.thehindu.com/2004/11/09/stories/200410912380500.htm

'Birds arriving at Point Calimere', www.thehindu.com/2004/11/19/stories/200411908880500.htm

WEST BENGAL

3500 birds perish in Raiganj WLS perish in storm

Nearly 3,500 birds, along with their hatchlings, were reportedly killed in a storm that hit the Raiganj WLS in early October. Officials of the Forest Department who had just started on a census of the birds arriving at the sanctuary this season had to suspend work and start a count of the dead instead.

The casualties were mainly reported to be of the open-bill stork.

Source: Marcus Dam. 'Over 3500 birds perish in storm', *The Hindu*, 15/10/04.

PAAs in North Bengal closed to tourists for census

The protected areas in the North Bengal region: Gorumara NP and the Jaldapara, Mahananda and Chapramari Wildlife Sanctuaries were closed for tourists for a fortnight starting the mid-November, for the purpose of an animal census that was to start from November 23.

It was not clear why the parks were closed so many days in advance and the state forest minister too did not have an answer when he was asked about this. Concern was expressed, particularly by tour operators, that this would adversely affect tourism operations as a substantial number of people visit these parks in this season.

While there one opinion that census operations should be conducted during the rainy (non-tourist) season, others suggested that even if the census was on there was no reason to prevent tourists from entering the parks.

Source: 'Animal census may affect tourism', *The Statesman*, 16/11/04.

Contact: **DFO, Wildlife (II)**, Aranya Bhawan (Near Court), Jalpaiguri, West Bengal. Tel: 03561-24907(O) / 30383 (R).
E-mail: wild2@dte.vsnl.net.in
CWLW, Government of West Bengal, Vikas Bhawan, North Block, Salt Lake, Calcutta 700 091, West Bengal. Tel: 033-3346900/3583208. Fax: 3345946. Email: wildlife@cal.vsnl.net.in

NATIONAL NEWS FROM INDIA

Gangetic dolphin numbers on the rise

Surveys conducted from May to June earlier this year by Dr. RK Sinha, Patna University, has put the number of Gangetic dolphins at 473. Of these 281 were adults, 71 were sub-adults, 41 were neonate and 59 were calves.

An earlier upstream survey in over 500 kms. along Manihari (bordering West Bengal) to Buxar (bordering UP), the total dolphin

sightings were 777. These surveys have indicated that dolphin numbers are increasing and Dr. Sinha expressed satisfaction that he was now getting cooperation from district administrations and the wildlife departments in his effort to protect these rare creatures.

In an effort to save them from poachers, Sinha has developed fish scraps as substitutes for dolphin oil that fishermen use for catching fish. It is hoped that the scraps which are made of peritoneal extracts of three fish species will help fishermen improve their catch and in turn save the dolphins from being killed.

Source: Surojit Mahalanobis. 'Conservation gives new lease of life to Gangetic dolphins', *The Times of India*, 25/09/04.

Coordinating agencies identified for Biosphere Reserve Management

Six lead and coordinating institutions have been identified for facilitating research and in-situ and ex-situ conservation in the existing Biosphere Reserves in the country. They are - TBGRI, Trivandrum for the Nilgiri and Gulf of Mannar BRs; Regional Plant Resource Centre, Bhubaneswar for Simlipal BR; GB Pant Institute for Himalayan Environment & Development, Almora for Nanda Devi BR, Manas, Dibru-Saikhowa and Dehang Debang BRs; Botanical Survey of India, Kolkata for Sunderbans and Nokrek; Zoological Survey of India, Port Blair for Great Nicobar BR; and EPCO, Bhopal for Pachmarhi BR.

Presently there are 13 BRs in the country and another 13 have been identified for which concrete proposals and concurrence of the concerned state governments are awaited. State governments have been also asked to ensure that each BR has an effective management policy and an appropriate authority or mechanism to implement it.

Three of the 13 existing BRs have also been recognised by UNESCO. These are the Nilgiri BR located in the forests along the Tamil Nadu-Karnataka-Kerala border, the Nanda Devi BR in Uttaranchal and the Gulf of Mannar BR in Tamil Nadu.

Source: Ashok Sharma. 'States should cooperate in preserving biosphere reserves', http://www.financialexpress.com/fe_full_story.php?content_id=72281; 25/10/04.

GoI-UNDP Endogenous Tourism Project for development of Rural Tourism

The Union Ministry of Tourism in collaboration with the United Nations Development Program (UNDP) has launched an Endogenous Tourism Project linked to the existing rural tourism scheme of the government. The UNDP has committed 2.5 million US \$ for the project and will help in areas of capacity building, involvement of NGOs, local communities and artisans, and help forge strong community-private and public sector partnerships.

31 villages from across the country have been identified so far for the implementation of this project. These are - Pochampalli in Nalgonda district and Srikalahasti in Chittoor district in Andhra Pradesh, Durgapur in Golaghat district and Sualkuchi in Kamrup district in Assam, Nepura in Nalanda district in Bihar, Chitrakote and Nagarnar in Bastar district in Chhattisgarh, Hodka in Kachchh district in Gujarat, Jyotisar in Kurukshetra district in Haryana, Naggur in Kullu district in Himachal Pradesh, Banavasi in Uttara Kannada district in Karnataka, Aranmula in Pathanamthitta district and Kumbalangi in Kochi district in Kerala, Chaugan in Mandla district and Pranpur in Ashok Nagar district in Madhya Pradesh, Sulibhanjan-Khultabad in Aurangabad district in Maharashtra, Pipili and Raghurajpur in Puri district in Orissa, Rajasansi in Amritsar district in Punjab, Neemrana in Alwar district, Samode in Jaipur district and Haldighati in Rajsamand district in Rajasthan, Lachen in North District in Sikkim, Karaikudi in Sivaganga district and Kazhugumalai in Thoothukudi district in Tamil Nadu, Kamlasagar in West Tripura district in Tripura, Bhaguwala in Saharanpur district in Uttar Pradesh, Jageshwar in Almora district and Mana in Chamoli district in Uttaranchal, Ballabhpur Danga in Birbhum district and

Mukutmanipur in Bankura district in W. Bengal.

This pilot project on endogenous tourism has been conceived with the involvement of the central and state governments along with the concerned district administration and local NGOs. The Central Government has pledged assistance to the states amounting to Rs 0.5 million for developing a site for rural tourism.

The project intends to establish common facility centres for craft persons and village 'Kala Kendras' (arts & craft centres) to showcase the arts and crafts, history and culture, nature and heritage of the identified sites. The project will facilitate construction of 'Vishram Sthals' (rest houses for tourists). These 'Vishram Sthals' will be made using locally available materials and traditional skills and knowledge of building and construction. With a view to provide services of global standards, local communities will be trained in different aspects of hospitality, lodging and cuisine.

Some state governments have by their own initiatives also begun promoting rural tourism. For instance the forest department of the Uttaranchal government has set up 'Centre for Ecotourism and Sustainable Livelihoods', which aims at capacity building of local communities and promotion of rural tourism.

(Also see *PA Update* 44).

Source: Ashok Sharma. 'Rural Tourism: It's a niche that India can offer',
http://www.financialexpress.com/fe_full_story.php?content_id=66650, 23/08/04

Contact: **UNDP**, 55 Lodi Institutional Area, New Delhi - 110003. Tel: 011-24628877.

Study identifies NE India as one of six important (eco) tourism destinations

A study conducted by AF Ferguson & Co for the Federation of Indian Chambers of Commerce and Industry (FICCI) has identified the country's north eastern region as one of the six important circuits for eco-tourism. Another survey done by YES Bank, also for FICCI, has revealed immense investment opportunities for this region in the field of eco-tourism.

The Assam State Government is also reported to be preparing a tourism master plan

and policy and would invite joint ventures in ropeway projects, floating hotels and restaurants on river Brahmaputra, hovercraft and speed boat services, resorts and tourist accommodations, convention centre and star hotels, recreational parks, hot-air ballooning, transport and golf courses upgradation. The specific areas that have been identified include the national parks of Kaziranga, Manas, Nameri, Orang and Dibru-Saikhowa as also the forests at Joypur, Dihing-Patkai and Bhalukpong.

The Mizoram Government too has identified a number of possibilities for tourism promotion and these include many of the state's wildlife sanctuaries and national parks.

Source: Ashok Sharma. 'Blue Mountain Trails: No, Not The Nilgiris, It's The North-East That Promises Adventure Minus Militants'
http://www.financialexpress.com/fe_full_story.php?content_id=67897, 05/09/04.

SOUTH ASIA

Tigers found in Medog region of Tibet

Recent reports have indicated that at least eight tigers inhabit the remote Medog region of Tibet. The total number of tigers in Tibet is said to be 20 and they are known to mainly move around at low altitude areas on the eastern slopes of the Himalayas.

Medog is the only place without highway access in China.

Source: 'Rare tigers found in remote county',
Xinhua, 29/10/04.

Animal skins seized in Tibet; death sentence for two of the guilty

A Chinese court sentenced two people to death and another to life in jail after they were convicted of smuggling the skins of nearly 1,400 endangered animals into Tibet (*PA Update* 46).

Among the pelts confiscated were those of tigers, leopards, otter and lynx, all classified by China as endangered species. Officials valued the haul at 63 million yuan (7.6 million dollars), saying it was the largest single seizure of endangered animal products here since 1951.

The leader of the group, Wang Jie, was sentenced to death by the Lhasa intermediate court. Gongbu, a native Tibetan, was sentenced to death with a two-year reprieve, which could mean he serves the rest of his life in prison. Another Tibetan, Laba Ciren, was given a life sentence in prison. The three were arrested with the skins in October 2003 in Tibet's Ngamring County, along the border with Nepal.

Earlier reports had valued the haul at only 6.52 million yuan and its not clear how the value has risen so drastically.

Source: 'China sentences two to death for smuggling endangered species',
<http://www.terraily.com/2004/041006073315.3z56j1lw.html>

NEPAL

Local communities to manage Kanchanjunga Conservation Area

The local communities of Kanchanjunga Conservation Area (KCA) will soon start conserving and managing the area on their own. This decision was taken at a recent meeting of the Department of National Parks and Wildlife Conservation (DNPWC). The Kanchanjunga Conservation Area Management Committee (KCAMC), which is a body representing local communities, has already submitted the management plan of KCA.

DNPWC, with the financial support of World Wildlife Fund (WWF) Nepal Program was managing KCA since its establishment in 1997. Now, the conservation and management of KCA will be done solely by the local communities with the financial support of the WWF Nepal Program. According to DNPWC, WWF Nepal Program has agreed to provide Rs 7.5 million to the KCAMC for the management of KCA for a period of five years. Following the hand over, the DNPWC will provide five of its staff for

monitoring purposes and providing technical and legal support.

Source: 'Local communities to manage KCA soon',
The Kathmandu Post, 25/09/04.

Contact: **WWF Nepal Program**, PO Box 7660, Baluwatar, Kathmandu, Nepal. Tel: 0977 - 1 - 410942 / 434820 / 434970. Fax: 438458. Email: mns@wwf.mos.com.np
Director, Dept. of National Parks and Wildlife Conservation, PO Box 860, Babarmahal, Kathmandu, Nepal. Tel: +977-1-227675./ 220912 / 221231 Fax: 250850 / 227374 / 227675

INTERNATIONAL NEWS

WWF releases list of 10 'most-wanted' species

The World Wide Fund for Nature (WWF) recently released its latest biennial list of 10 of the world's most in-demand species; bought, sold, smuggled, killed or captured for the global marketplace. This year's 10 'most wanted' species, based on threats from unsustainable trade and consumer demand, are all native to the Asian continent.

Animals and plants on the list include:

- **Tiger** (*Panthera tigris*): In the past century, the tiger's numbers have declined by 95% with perhaps fewer than 5,000 tigers left in the wild. Among the biggest threats to the tiger are poaching for the trade in tiger skins and bone and poaching of prey species.
- **Great white shark** (*Carcharodon carcharias*): The largest of the predatory sharks, the great white shark is poached for its jaws, teeth and fins which command a high price and are in demand world over.
- **Irrawaddy dolphin** (*Orcaella brevirostris*): The biggest threat to this rare Asian dolphin is from fishing nets, in which they become entangled, and injury from explosives used for dynamite fishing. There is also a demand for dolphins by zoos and aquariums. This species is so rare that even limited trade is detrimental to its survival.

- **Asian elephant** (*Elephas maximus*): The poaching of elephants for ivory and meat remains a serious problem in many Asian countries, as does habitat loss. Illegal ivory seizures have been increasing since 1995, led by high demand in China. There are between 35,000 and 50,000 Asian elephants in the wild, with an additional 15,000 in captivity.
- **Pig-nosed turtle** (*Carettochelys insculpta*): Even with its bizarre protruding snout, this giant freshwater turtle found only in Papua New Guinea, northern Australia and Indonesia is a popular pet worldwide. Turtle nests are often robbed of their eggs, which are either eaten or sold.
- **Yellow-crested cockatoo** (*Cacatua sulphurea*): Highly prized by the international pet trade there are fewer than 10,000 of these exotic-looking birds left. At the CITES meet this year, Indonesia, where the birds are found, is proposing an end to all international commercial trade.
- **Leaf-tailed gecko** (*Uroplatus* spp): These lizards, found in Madagascar, are sold at an alarming rate for the international pet trade. They are also threatened by habitat loss and fragmentation.
- **Asian yew tree** (*Taxus chinensis*, *Taxus cuspidata*, *Taxus fuana*, *Taxus sumatrana*): Yew trees all over Asia are unsustainably harvested for their bark and needles, which contain a chemical used in the cancer medication Taxol. If the harvesting continues at current levels, the species may no longer be available for wide use as a medicine.

Source: www.worldwildlife.org, panda.org, September 2004

Request for information from PA Managers

RARE, a US-based, international NGO, committed to protecting wild-lands of globally significant biological diversity by enabling local people to benefit from their preservation is launching a new 'business planning' training program. This is being done in association with NPCA's Center for Park Management and help

has been sought from Park Directors and managers from around the world.

The online survey can be found at <http://www.surveymonkey.com/s.asp?u=90859687219>

Contact: **Paul Butler and Brad Nahill.**

Email: bnahill@rareconservation.org

Website: www.rareconservation.org

Thai national parks to provide tourist insurance

The Thai National Park, Wildlife and Plant Conservation Department will be offering travel insurance to tourists to help cope with the 2,000-odd visitors to national parks each year who meet with accidents. These include drowning, falling down mountain sides, and knocked on the head by tree branches.

Under the insurance scheme tourists would be required to pay an extra 10 percent on the price of national park admission tickets, which would give them insurance coverage of up to Bt100,000 each. At present Thai citizens pay Bt20 for national park entrance, while foreigners are required to pay USD5. The scheme was set to be introduced in Nov. 2004.

Source: Nirmal Ghosh. Email to nathist dated 20/09/04.

WHAT'S AVAILABLE

- **Important Bird Areas in India: Priority sites for conservation**

Compiled and edited by Dr. M. Zafar-ul Islam and Dr. Asad R. Rahmani of the Bombay Natural History Society (BNHS), The Indian Important Bird Areas (IBA) Inventory is the result of five years of exhaustive work.

It is the most detailed publication ever produced on the subject of birds or conservation in the country and it uncovers, analyses and assesses all the evidence, presenting it together with all the sources.

The Inventory has a section on the national situation followed by information from states with maps, analysis, and an avifauna section with tables of threatened species present in the IBAs and brief description of the threatened birds.

Each of the 465 sites identified as an IBA have a detailed account on site description, avifauna, vegetation, international criteria, list of globally threatened birds, restricted range birds, biome, and congregatory birds. The site account also has other key fauna, threats and conservation issues. Of these 465 IBAs in India, 191 wildlife sanctuaries, 52 are national parks, 23 are tiger reserves, while 198 are not officially protected.

The book has a total of nearly 600 colour pictures and 525 maps, including each site altitudinal maps, 32 states vegetation maps and national IBA protection maps, Endemic Bird Areas map, and Biome related maps.

The book is priced at Rs. 3000/-

Contact: M. Zafar-ul Islam, Projects Manager, IBA Programme & Indian Bird Conservation Network, BNHS, Hornbill House, SB Sing Rd., Mumbai-400023. Tel: 022-22821811 / 09820516270. Fax: 22837615. Email: ibabnhs@vsnl.net. website: www.ibcnetwork.org

Indian Ocean Turtle Newsletter

A new 'Indian Ocean Turtle Newsletter' (IOTN) is being started from January 2005.

The objectives of the IOTN are

- To provide a mechanism through which awareness about the status of sea turtles and their habitats can be disseminated widely;
- To serve as a forum for discussing issues regarding the conservation and management of sea turtles and their habitats in south Asia and the Indian ocean;
- To disseminate information in a timely manner about sea turtles and their habitats to Government Departments and other involved government agencies, voluntary organizations, NGOs, Fisheries cooperatives, community groups, universities and students as well as other institutions and individuals

involved with the conservation and management of sea turtles and their habitats;

- To communicate with the international community (researchers, conservation organisations, and other interested parties outside the region of study) about sea turtle related activity in south Asia and the Indian Ocean.

The newsletter welcomes articles (which will be reviewed) notes, letters and announcements. Casual notes, anecdotal accounts and snippets of information are also invited.

Contact: **Dr. Kartik Shanker**, Editor, IOTN, ATREE, 659, 5th A Main Road, Hebbal, Bangalore 560024. Tel: 080-23533942 / 23530069. Fax: 23530070. Email: kartik@atree.org Homepage: <http://www.atree.org/kartikshanker.html>

OPPORTUNITIES

WWF: Head of Coasts and Oceans Program

The World Wide Fund for Nature (WWF) - India has advertised a position for a **Head** of its **Oceans and Coasts Programs**.

The incumbent should be a post-graduate, preferably a PhD, with seven years of experience in coastal and marine conservation. The candidate selected will initially be based in New Delhi and subsequently relocated to any of the country's coastal cities.

Contact: Head - Human Resources, WWF-India, 172-B, Lodi Estate, New Delhi - 110 003. Tel: 011 - 51504815-19. Email: personnel@wwfindia.net

READER'S RESPOND

Eds. Note: There have been a large number of responses to the edit 'Forced displacement from PAs: The spectre looms large' (*PA Update* 50 & 51, October 2004)

Following are excerpts from a set of exchanges and discussions that took place on the nathist egroup on the subject:

18/10/04

Karnataka government not serious about protecting wildlife

With respect to the editorial, there was a mention of the fact that the Government of Karnataka has taken a decision not to have any more protected areas because of "displacement of local people and the problems of resettlement" (stated in an Affidavit before the CEC).

One wonders if it is really a genuine concern or an excuse not to conserve wildlife. I really feel it is nothing more than a politically correct way of saying no to wildlife conservation. Karnataka Government has not decided to abandon construction of dams, irrigation projects, highways, nuclear power plants, and ports, despite the fact that they are equally, if not much more, serious issues than those of resettlement and forced displacement.

The Karnataka government's response was in reply to a case concerning the protection of the habitat of the Wroughton's Free Tailed bat located in the Belgaum District of Karnataka. There was a proposal to declare the area as a wildlife sanctuary comprising of 550 sq. kms of pristine Western Ghats Forests. The proposal has been dropped. The real reason is that the Government plans to construct series of dams under the Mahadayi Dam Project and declaring the area as a sanctuary will seal the government's developmental (read destruction) plan.

The very same government forgets its concern for people when it comes to dams. This is just one example. I can quote many more. For the Government, the resettlement and

displacement issues are just an eyewash. Lets be careful and look at the real picture.

- **Ritwick Dutta**, 69, Lawyers Chamber Supreme Court, New Delhi-110001. Tel: 09810044660. Email: ritwick1@vsnl.com

21/10/04

Its an eyewash...

I completely agree with Ritwick. Its an eyewash. In Maharashtra, villagers as well as MLAs are pushing the demand of resettlement after seeing the resettlement of three villages in Melghat Tiger Reserve. The village has got more than what they were demanding in the past 20 years inside the sanctuary.

No Indian village has all these facilities; like every family having agricultural land, a well constructed house, electricity, roads, school, hospital and so on. In fact now even the villages outside the sanctuaries are demanding the benefit of the resettlement package (which is not possible), and the government has realised the financial burden.

The Karnataka Government seems to be smarter. They are using the old sword for saying no to sanctuaries so that they can continue constructing dams, mines etc in wildlife habitats.

- **Kishor Rithe**, Satpuda Foundation, 1st Floor, "Pratishtha", Bharat Nagar, Akoli Road, Near Sainagar, Amravati - 444607, Maharashtra. Tel: 0721- 2511966 / 09422157123. Email: kishorrithe@yahoo.com

21/10/04

Its working against wildlife and local people

I agree that State Governments are not declaring sanctuaries (or for that matter even denotifying existing sanctuaries) to allow dams, mines etc. in critical wildlife habitats. But I think the issue needs to be looked at in context of the argument the editorial makes.

A few years back during the peak of the 'Settlement of Rights' process across the country, State Governments were arguing that certain PAs need to be denotified for 'peoples

rights'. Many of us argued that at least in the case of sanctuaries, the Wildlife (Protection) Act (WLPA) does provide space for rights to continue (the National Park provisions have always been more restrictive, although certain provisions allowed access to resources in some situations).

Since the WLPA did provide space for rights in sanctuaries, we argued that there is no need to have an approach wherein: a) portions of sanctuaries are denotified using the argument that 'peoples rights cannot continue in a sanctuary' and b) people are forcibly displaced using the same argument.

So, at that time we had some basis to say that the 'denotification for peoples rights' argument made by governments was not really justified and that the law does not require 'forced displacement' of people from sanctuaries. Even if the denotification was actually being proposed to allow a dam or a mine, it was important to be able to effectively counter the reasons they were citing for their denotification proposal.

However, the 'space' available for rights of local communities in sanctuaries has since been disabled by a series of recent developments mentioned in the *PA Update* edit.

The message is clear: "rights and concessions cannot be enjoyed in the protected areas." (quoting MoEF directive). This means two things: a) forced displacement of people from sanctuaries (Yes, there are some people who really want to move out and they should be supported to do so.....). What the edit is saying is that those who do not want to move out are also being 'forced' to move out by denying them access to their basic survival resources and b) a major impact on declaration of new sanctuaries.

As per the current situation, irrespective of the specifics of the area proposed to be declared a sanctuary, it has been said that no rights can be allowed. Obviously State Governments will be reluctant to declare new sanctuaries. We cannot stop at asking: "is it really a genuine concern (for peoples rights) or an excuse not to conserve wildlife?"

In the present circumstances the likely impacts of recent directives are such that 'not declaring a sanctuary because of its impact on people' will qualify well as a 'genuine' reason.

The current situation works against both wildlife and people.

- **Neeraj Vagholikar**, C/o Kalpavriksh. Email: nvagho@vsnl.net

22/10/04

This is what is happening in Sariska...

Just pitching into the relocation debate...

From our preliminary work on villages to be relocated in Sariska, it appears that there is a lot of dissonance amongst villagers themselves regarding relocation. The general trend is that poorer sections that are further from the road and cut off, tend to want relocation while more empowered and vocal sections, with more assets, want to stay inside and take advantage of both the 'outside world' as well as forest resources. This is actually ironical! Then there is somewhat of a divide between the older generation and the younger people.

The whole relocation package is simplistic in its linearity and completely ignores the fact that you are talking about changing a whole way of life, a culture, an entire well-established and secure economy without offering any help or guarantees at all. Basically leading people from a safe haven into an absolutely insecure area of darkness.

Of course these are very preliminary findings but we would be happy to share with any one who wants to know more.

If one questions the very idea of whether the WLPA should be imposed (which leads to hardships for local people), then of course, one cannot view these as voluntary relocations. Then one would go into the much deeper question of how PAs are established in the first place. Who decides the boundaries? Who decides the limits of forest use? Are locals consulted? Who decides what kind of tourism is to be undertaken?

The sad answer, according to my limited experience in Sariska, is that much of our PA network is based on highly inequitable decision-making processes. Even if initial PA boundary decisions were made without consultation, the FD could have made much

headway by settling rights right at the outset. The situation has worsened drastically due to lack of sufficient attention to this aspect after PA formation.

- **Dr. Ghazala Shahabuddin**, Fellow, Environmental Studies Group, Council for Social Development, C/o Mr. Jawed Ashraf, Embassy of India, P.O. Box 292, 336, Kapurdhara Marg, Kathmandu, Nepal. Tel: 00977-1-4422455 (R) Email: ghazalafarzin@yahoo.com

24/10/04

Wild animals get the rawest deal

It is correct that exclusionist policies regarding protected areas lead to the displacement and/or prevention of use of resources by people who traditionally inhabited that area - which is in itself not fair. However, the perspective that Ritwick provides is enlightening.

We do not lobby that these displaced people should have stakes and/or use of resources to the power generated by the dams that cover their traditional lands, nor do we say that the mega tourism ventures that come up close to protected areas do the same, or that mining companies do the same. It then seems to be double standards then, when we are campaigning for allowing people to use basic natural resources from wildlife sanctuaries/PA.

I am not saying that the local people should get a raw deal - all I am saying is that if they are allowed to access the resources from our protected areas then they should also obtain the same from any other use that their lands are put to. But the electricity got from their land goes to big cities, the money the big tourism projects gets goes to rich people, and the same with mining/quarrying etc.

Then we should leave the forests for the wild animals who appear to get the rawest deal in this human centric way of looking at things.

- **Vidya Athreya**. Email: phatrosie@vsnl.net

26/10/04

Sustainable use should be allowed

Further to what Vidya has said, it is of utmost relevance that the supporters of traditional inhabitants in PAs understand that they are, de facto, supporting sustainable use of wildlife resources (all of them, animal, vegetable, mineral) by these inhabitants.

Friends and colleagues, a number of them on this e-group, who are fundamentally against these basic and effectively used tools of conservation (for various well lubricated arguments that run the gambit from animal rights to lack of faith in the ability of the FD to control such use), really need to wake up now. They must help make sure that the sustainable use of wildlife they are rubber-stamping is quantified, monitored and operated with adequate scientific and bureaucratic support.

Sustainable use has become such a no-no in India that it barely even finds a mention in the National Environment Policy. Such blinkering may satisfy sentimental urbanites but again, we are in danger of hugging our wildlife to extinction with our preservation policies that are anti-people and that continue to bypass the situation on the ground.

On a personal note, I've been designing, assisting and implementing sustainable use projects since 1978 in a number of other countries. It is a matter of frustration that the only headway I ever achieved in sustainable use in my own country is the establishment of the Irula Cooperative Venom Centre in Tamil Nadu: passive utilization of venomous snakes to produce venom for the manufacture of antivenom serum. There is so much scope in the sustainable use approach to conservation; it is not a panacea nor applicable to all taxa but it is working in close to 100 other countries in the world to ensure the survival of thousands of species and habitats which would have otherwise disappeared long ago thanks to human pressure.

- **Rom Whitaker**, Draco Films, PO Box 21, Chengalpattu - 603001, Tamil Nadu. Email: draco@vsnl.com

IN THE SUPREME COURT - 3

- 1) The Centre for Environmental Law (CEL), WWF vs Union of India and ors (WP No 337 of 1995)
- 2) Interim Report of the Central Empowered Committee in I.A. 548 for Clarification/Modification of the Order of the Supreme Court dated 14.2.2000
- 3) Forest Compensation Order of 08/01/2001

CENTRE FOR ENVIRONMENTAL LAW (CEL) vs UNION OF INDIA AND ors (WP No. 337 of 1995

Perhaps the most significant case after the Godavarman case, in respect to forests is the case titled CEL, WWF India Vs Union of India (W.P 337 of 1995). It is essentially related to the implementation of the Wildlife (Protection) Act, 1972 and the number of Intervention Applications filed under it have also been limited. Yet the decisions in this case have had tremendous impact on forest management across the country. The most significant orders in the CEL case were the orders dated 22-8-1997 and 13-11-2000.

Excerpts from order dated 22-8-1997

On Settlement

“4. Even though notification in respect of sanctuaries/national parks have been issued under Section 18/35 in all the States/ Union Territories, further proceedings are required under the Act i.e. issue of proclamation under Section 21 and other steps as contemplated has not been taken. The concerned State Governments/ Union territories are directed to issue proclamation under Section 21 in respect of the sanctuaries/ national parks within two months and complete the process of determination of rights and acquisition of land or rights as contemplated by the Act within a period of one year...”

On Poaching

“6. In order to effectively control the growing increase of poaching in the Sanctuaries/National Parks the Central Government as well as the Government of the States/ UT’s are directed to ensure that the forest guards in the Sanctuaries/ National Parks are provided modern arms, communication facilities viz. wireless sets and

other necessary equipments in that regards. Necessary steps in this regards shall be taken within six months.”

On Denotification

“As regards denotification of any area which is included in a Sanctuary/national park, it is directed that before placing the proposal before the Legislative Assembly the concerned State Government shall refer the proposal to the Indian Board for Wildlife¹ for its opinion and the proposal shall be placed for consideration before the legislative Assembly along with the opinion of the Indian Board for Wildlife.”

[This direction of the SC will no longer be applicable as the 2002 amendment of the Wildlife (Protection) Act, 1972, has transferred the power to denotify PAs from the Legislative Assembly to the National Board for Wildlife.]

Order dated 13-11-2000

The order stated as follows: “this Court while directing to list the above application after five weeks doth order that pending further orders no dereservation of forest/Sanctuaries/National Parks shall be effected”

(By this single order, the Supreme Court divested the Central government (in respect to forests) and the State Legislature (in respect to National Parks and Sanctuaries) of all powers of dereservation/ denotification. Thus while the Godavarman case prohibited non forest use of forest land without Central Government approval, the CEL prohibited dereservation without Supreme Court approval)

¹ The Indian Board for Wildlife, an advisory body was replaced by the National Board for Wildlife with the 2002 amendment to the WLPA.

INTERIM REPORT OF THE CEC IN I.A. 548 FOR CLARIFICATION/MODIFICATION OF THE ORDER OF THE SUPREME COURT DATED 14.2.2000

I.A No 548 has been filed through the Amicus Curiae against commercial exploitation in National Parks and Sanctuaries. In the said I.A, by order dated 14-2-2000, the Supreme Court prohibited the removal of trees including dead, dying and diseased trees and grasses from National Parks and Sanctuaries.²

The recent interim report filed by the Central Empowered Committee (CEC) notes that the present Protected Area network has many serious inadequacies. Several biological regions, communities and species are not or only partially represented, because most of them are too small in size to give long term viability. The future of wildlife appears bleak due to fragmentation of the habitat with no proper corridors connecting them. This could lead to genetic isolation of small populations and result in inbreeding and render the population unviable. Therefore, unless the sanctity of the Protected Areas alongwith their conditions is preserved, India's rich biodiversity would be lost forever from indiscriminate exploitation by powerful economic forces. The report recognises that the Protected Areas give rise to as many as 300 streams and rivers of India.

The report also notes that there has been an unfortunate trend of indiscriminate diversion of lands falling within Protected Areas for all sorts of activities and projects which have a detrimental effect on wildlife and its habitat.

The CEC recommends that the SC may exclude activities such as the removal of weeds, clearing fire lines, maintenance of all weather roads, water holes, anti poaching camps, research and monitoring activities from the purview of order dated 14-2-2000 provided they are:

- undertaken as per the management plan approved by the competent authority
- consistent with the provision of the Wild Life (Protection) Act, 1972, and
- are consistent with the National Wildlife Action Plan.

The report lists out activities such as habitat improvement activities, fire protection measures, management of wet grassland habitats such as in Kaziranga and Manas National Parks in Assam, communication and protection measures.

Exemption of small Public Utility Projects of non commercial nature:

The CEC has recommended the exemption of the following from the purview of the order of 14-2-2000 provided no tree felling is involved and subject to approval being accorded under the Forest (Conservation) Act, 1980 and the Wild Life (Protection) Act, 1972.

- Laying of underground drinking water pipeline upto 4 inch diameter;
- Laying of 11 KV distribution lines for supply of electricity to rural areas.
- Laying of telephone lines or optical fibers providing communication facilities in rural areas; and
- Wells, hand pumps, small water tanks etc for providing drinking water facilities to villagers.

Additional Recommendation: Management Code for National Parks and Sanctuaries

The report notes that for a number of Protected Areas either the management plans are not prepared/ updated or are not up to desired technical standards. In order to maintain a uniform high standard it is desirable that a management code is formulated on the pattern of the working code plan by the Ministry of Environment and Forests (MoEF) within a period of one year. It states that it would be essential and desirable that a full fledged Technical Cell be establish at the Wildlife Institute of India (WII), Dehradun which will work in close coordination with the National Board for Wildlife and the MoEF. The cell will act as the nodal agency for vetting of the management plans.

² Also see editorial in *PA Update 50*

FOREST COMPENSATION ORDER OF 08/01/2001

An important aspect dealt by the Supreme Court in the Godavarman case was the issue of 'forest compensation'. In its order dated 08-01-2001, the court emphasized that certain areas where natural forests exist should be preserved and there should be no further depletion of forest cover in areas which have forest cover such as in Madhya Pradesh, the Western Ghats, the North Eastern Region and the Himalayas.

The court noted that "the political boundaries are drawn for various considerations but as far as the environment is concerned one has to take a holistic view". It noted that majority of states fall short of the national average (33%) as far as forest cover is concerned. It therefore felt that in order to ensure that the forest cover continues to exist in the above mentioned areas it is essential that the forest deficient states should be asked to contribute towards the preservation of forest by means of compensating the forest rich states so that they maintain their existing forest cover. The Court visualized that there should be a 'partnership' between the different states to ensure the maintenance and preservation of the forest cover. The suggestion of the court was to be considered by a committee constituting of the Finance Secretary and Secretary Ministry of Environment and Forest in consultation with the Chief Secretaries of all the States.

Following the directions, the committee constituted above held discussions with various state governments and the matter was heard on 08-01-2001. It was pointed out to the court that about twelve states that are deficient in forest cover have expressed their reservation in accepting the suggestion of the court. The States were Tamil Nadu, Bihar, Rajasthan, Karnataka, Maharashtra, Delhi, Haryana, Uttar Pradesh, Orissa, Gujarat, Punjab, West Bengal, and Andhra Pradesh. The Court after issuing notice to the Chief Secretaries of all the above states which had expressed reservation over the scheme also

issued notice to consider the suggestion that if in the Government of India's opinion the forest deficient state cannot be asked to compensate the forest rich states in such situation the Union of India should be able to bear the expenses of maintaining the natural forest cover in view of article 48-A of the Constitution of India

Article 48A- Protection and improvement of environment and safeguarding of forests and wild life: The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.

This section 'In the Supreme Court' is based on *Forest Case Update*, which is a web based initiative to provide information and updates on developments related to forests and wildlife in the Supreme Court (see *PA Update* 49). It is produced with the support of the Foundation for Ecological Security, Anand.

Forest Case Update Editors:

Ritwick Dutta (Court Office), 69, Lawyers Chambers, Supreme Court, New Delhi-110001.

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The *PA Update* can be accessed on the following websites as well
www.indianjungles.com; www.sanctuaryasia.com/resources/paupdate; www.wildlifeofindia.com

Ideas, comments, news and information may please be sent to the editorial address:

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