

Hostility and anger against authoritarian, conflict-generating conservation is growing amongst lakhs of people across India. Responding in a knee-jerk manner to the tiger crisis, government has facilitated the notification of a spate of new tiger reserves without any consultation with local communities that have shared the habitat with the tiger for centuries, writes [Ashish Kothari](#)



When Jairam Ramesh took over as Minister of State for Environment and Forests, some of us had a discussion with him on the need to change India's outmoded model of wildlife conservation. We pointed him to the worldwide evolution of more democratic, knowledge-based models that dozens of countries were trying out, and which were finding much greater public support. The basic thrust of the new approaches was not to compromise on conservation priorities, but to strengthen them by winning over millions of supporters, while also meeting basic welfare needs and rights of those people who live in wildlife-rich habitats.

Ramesh said there could not be any compromise on the protection of endangered species like the tiger, to which we agreed. We argued however that this protection would only be strengthened by more people-friendly and community-based approaches. This could in fact reverse the current cycle of conflict, hostility, inefficiency and failure that characterise wildlife conservation in India. The minister agreed, and promised to examine the country's conservation laws and programmes, including the Wild Life Act.

Two years later, the Ministry of Environment and Forests (MoEF) continues to push authoritarian, conflict-generating conservation. Responding in a knee-jerk manner to the tiger crisis, it has facilitated the notification of a spate of new tiger reserves without any consultation with local communities that have shared the habitat with the tiger for centuries. Faced with lack of action on the part of state governments to notify critical wildlife habitats, it has issued new guidelines that will inevitably lead to violations of people's rights and greater displacement. Meanwhile, forced displacement from protected areas, thinly disguised as 'voluntary

relocation', continues in several parts of India.

A handful of bureaucrats and wildlifers in India continue their stranglehold on conservation policy, ignoring the very visible signs of how their approach is tragically short-sighted. Hostility and anger is growing amongst lakhs of people. In February this year, gram sabhas unanimously resolved to reject the proposal for a new wildlife sanctuary in the Katthivara Reserve Forest of Madhya Pradesh, and the state government had to withdraw. In October 2010, Soliga adivasis protested the notification of the Biligiri Rangaswamy Temple Wildlife Sanctuary in Karnataka as a tiger reserve, and in January this year proposed an alternative, community-based conservation model. Villages around Kaziranga National Park have for over a year protested its proposed notification as a tiger reserve, demanding that any conservation strategy be based on the recognition of their land and resource rights. In its travels across 17 states over eight months, a committee set up by the MoEF and the Ministry of Tribal Affairs (MoTA) to assess implementation of the Forest Rights Act (FRA) recorded widespread resentment against protected area officials who were obstructing the FRA process, and imposing all kinds of restrictions on their traditional activities (see Ch.7 of its report, at <https://sites.google.com/site/fracommittee>). At dozens of sites, officials are sitting on a powder keg, ready to explode to the detriment of both people and wildlife. Even the most committed of officials, and there are many holding crucial wildlife posts, would find it impossible to hold out much longer.

Tiger conservation: Growling up the wrong tree?

In January this year the central government gave in principle approval for five more tiger reserves (TRs), proposed by relevant state forest departments. Since 2008, the number of such reserves has shot up from 28 to 39, and another nine are on the anvil. Simultaneously the central government has promised funds to states to expedite relocation from core areas of such reserves, declared as Critical Tiger Habitats under the Wild Life (Protection) Act. On the face of it, all this sounds very welcome, for any measure to save the tiger should be applauded. But from both scientific and social perspectives, there are serious question marks on whether this approach will work.

Firstly, many conservationists feel that rather than keep declaring new TRs, spreading already thin resources, it is more important to secure the areas where viable populations still exist. Secondly, all such reserves are being notified with little public outreach, no consultation with local communities who live in tiger habitats, and no consideration for their livelihood and cultural rights. Instead, such rights are likely to be further curtailed or denied. Several thousand families have been given the signal that they will need to move out, though in theory they have the choice to refuse.

The latest example of this high-handed and short-sighted approach is the notification of Biligiri Rangaswamy Temple Sanctuary (BRTS) into a Tiger Reserve. The National Tiger Conservation Authority (NTCA) gave it (along with four other areas) 'in principle' approval in January. Strangely enough, this was done without calling a full meeting of the NTCA, and over-riding the objections of at least three of its members including tiger expert Ullas Karanth (who felt that Kudremukh in Karnataka was a better choice). More seriously, it happened despite strong protests by the Soliga tribal community, whose settlements dot the sanctuary. The Soligas have

co-existed with the tiger, elephant, wild dog, and other wildlife for centuries. Research carried out over a decade by the Ashoka Trust for Research in Ecology and the Environment (ATREE) has revealed that Soliga knowledge and practices related to the forest are second to none, and that on the contrary some forest department practices could be leading to the area's ecological decline.

What is most interesting is how BRTS has been shown by the Wildlife Institute of India to have a healthy tiger population (reportedly increasing), and yet some conservationists say that the tiger can live only in 'inviolable' (read: human-free) areas. Indeed virtually every tiger reserve set up in India has had tribal or other forest-dwelling communities living in it for centuries, and none of the advocates of "co-existence is not possible" seem to be able to explain why it is precisely these areas that were found good enough to declare as tiger reserves. It is of course true that in many areas resource use patterns and intensity have changed, that local people are not necessarily living in the same way as earlier, and that the poaching mafia is making powerful inroads. But to jump from this to the need for relocation in all such areas, rather than considering a site-specific, nuanced approach that could include various options, is unscientific and counter-productive. In places like BRTS, or Nagarjunsagar Srisailem Tiger Reserve where the Chenchu adivasis have lived for centuries, there is every reason to try co-existence options in which local people are the protectors, and appropriate resource use practices as also new livelihood options are negotiated.

Indeed, the Soliga adivasis along with several conservation and social action groups have proposed a 'community-based tiger conservation' model for BRTS. They are currently working out the details, but such an approach would get a chance only if the Tiger Reserve notification already issued by the Karnataka government is withdrawn. Many conservationists feel that if the government goes down the tiger reserve route, with curtailment of traditional uses and the threat of evictions hanging over the Soligas' heads, we may as well say bye-bye to the tigers currently roaming the forests there. These tigers are safe because the adivasis have never harmed them (or their prey), because they continue to feel a sense of belonging to the area, and indeed cooperated with the forest officials in conserving the habitat. In the midst of anger generated by dispossession and displacement, if the tiger reserve rules are applied, and the ecologically suspect management practices of the department continued, how safe will the tigers be?

Illegal relocation

The 'one model fits all' approach to tiger and wildlife conservation has meant that everywhere a 'core area' is identified, there is a move to relocate people. While over the last decade or so, brutally forced evictions have dwindled to virtually nil, the ongoing relocation taking place in several protected areas remains 'forced' in many ways. Communities are 'induced' to accept, or even ask for, relocation, because they are told they will never get development facilities in their current settlements, and their access to even basic survival resources will remain restricted and subject to daily harassment. On the other hand, they are told, the government is willing to give them a 'generous' package of Rs 10 lakh for their resettlement. Faced with this logic, many families and villages have indeed opted for 'voluntary' relocation.

However, as civil society groups have repeatedly pointed out, almost all ongoing relocation is

illegal. It is happening without first vesting the rights of such people and communities, due to them under the Forest Rights Act (FRA). This has been recorded from Sariska and Ranthambhor in Rajasthan, Simlipal in Orissa, Udanti in Chhattisgarh, amongst others. At many sites people are not even being told that they have the option of staying on with forest and development rights as part of their legal entitlements under the FRA; indeed Jairam Ramesh in a seminar last year even said that such a choice is not available in the case of core areas of tiger reserves!

This is not to deny that families (and especially their younger generations) at several sites may genuinely want to move out, even if offered the above choice. Nor is it to deny that at places the extension of development facilities like roads and transmission lines could be ecologically damaging. Human rights activists who rightly argue for the full implementation of the FRA often ignore the possible ecological consequences of such developments. However, this is still not a valid reason to deny the vesting of rights and the offer of all possible options; after having done this, various alternatives can be negotiated with villagers, to ensure that ecological damage is avoided or minimised. In this context it is interesting that many of us as conservationists use roads to view wildlife in protected areas, like having electricity when we are staying in tourist facilities inside, and in general take for granted most of the development facilities we want to deny to villagers.

The illegalities of the relocation process have been repeatedly brought to the notice of MoEF, NTCA and state agencies. They don't seem to care. In fact, documents made available to Kalpavriksh through RTI applications show that NTCA does not even check whether the relocation it funds meets the requirements of law. Both the FRA and the Wild Life (Protection) Act (WLPA) require, before relocation, the following: (a) recognition and vesting of rights to be completed, (b) evidence that local people are causing "irreversible damage", and (c) evidence that options of co-existence are not possible. Further, MoEF guidelines of 2007 require state governments to provide resolutions from gram sabhas that the rights under FRA have been vested, and that they have been given full details of the proposed CWH. Yet when asked in an RTI application, NTCA said it did not have these documents (see <http://www.downtoearth.org.in/node/2269>). Either it is lying, which is a gross violation of the RTI Act, or it actually does not have them, which means it is funding relocation without ensuring that legal requirements are being met.

In June 2010, MoEF was pressurised to issue a letter to states reminding them that the FRA process had to be completed before relocation is attempted. As complaints of non-compliance continued to come in, MoTA issued another letter in September 2010 reminding states of this requirement. On the ground, however, ongoing relocation continues to take place without the FRA process having been completed... in some instances such as Sariska, without even having been initiated.

To clarify, this is not a plea against relocation per se. But illegalities committed in the name of conservation simply cannot be condoned, just as much as fresh encroachments into forests in the name of adivasi rights is unacceptable. Additionally, most previous relocations from protected areas (for which information is available) have led to impoverishment and social disruption (see <http://www.kalpavriksh.org/images/CLN/Mediav.pdf>). Successful relocation which improves the lives of people is possible, as shown by a couple of examples in Karnataka

where NGOs have been involved. But this takes the kind of care, commitment and sincerity that state agencies simply do not seem to possess, at least not for the scale of displacement being proposed (100,000 families from tiger reserves alone, according to a statement by Ramesh). Considering all possible options for co-existence (as is required by the law) will considerably reduce this scale, enabling quality inputs to the few cases where relocation may still be required and people consent, or where people are themselves genuinely desiring it.

Critical wildlife habitats

In contrast to the conflict-generating approach so far followed, the FRA in fact offers conservationists a good option to balance conservation and rights. This includes the declaration of Critical Wildlife Habitats (CWHs) in protected areas, in which after full vesting of rights, such rights can be modified and relocation carried out with community consent. CWHs from where such relocation has taken place can then not be diverted for any other purpose, the *strongest conservation provision of any law in India*.

But here too, MoEF's high-handed approach portends conflicts and failure. In February 2011, it issued a new set of guidelines on CWH (<http://moef.nic.in/downloads/.pdf>), replacing a set issued in 2007 (<http://moef.nic.in/divisions/wildlife.pdf>). The earlier guidelines had specified steps to ensure due democratic and knowledge-based process. Additional guidance was provided in 2008-09 by several conservation and social action groups as part of Future of Conservation Network (see <http://www.kalpavriksh.org/networks/>). Most recently the Committee on the FRA, set up by MoEF and the Ministry of Tribal Affairs (MoTA), had also recommended proper process for CWHs (see Ch. 7 of its report, at <https://sites.google.com/site/fracommittee/>). The new guidelines, however, ignore all this. They require local forest officials to identify and propose CWHs within 60 days, ignoring the fact that the ecological understanding required to identify habitat critical for wildlife does not exist for most protected areas....and in most cases officials do not have the means or the inclination to invite independent expertise.

The earlier guidelines required gram sabha consultations during the process of determination of CWH, even specifying that all relevant information must be provided to the people in local languages. This provided the possibility of local community knowledge and expertise being plugged into the determination of the CWH extent and boundaries. The new guidelines provide absolutely no space for community involvement in the identification or determination phase.

These guidelines would in fact lead to violations of the Forest Rights Act (FRA), as states will scramble to meet the deadline of six months. As recorded by the MoEF-MoTA Committee on the FRA, the process of recognising rights has made least headway in protected areas. States will now try to rush the process, cutting corners, not waiting for proper democratic procedures at the village level, and issuing titles that are faulty (as has already happened in states where artificial deadlines for the completion of the FRA process were imposed).

This reminds me of a situation created by a Supreme Court order in the 1990s, requiring all states to complete the process of settling people's rights within protected areas within one year. Ignoring the fact that existing records of people's customary and traditional uses of resources within such areas are extremely poor, and that in the short time provided communities would not be able to make their claims, the order resulted in mass chaos,

violations of human rights, and unscientific proposals for changing boundaries, none of which was conducive to conservation. The MoEF is aware of this history, but does not want to learn lessons from it.

Conclusion: There are alternatives

MoEF's recent steps on conservation will not only create social disruption and conflicts, they will create many more enemies of wildlife. But it does not have to be like this. These local people could be allies and frontrunner conservationists, if their rights, knowledge and practices are treated with respect, and if they are helped to create sustainable livelihoods based on conservation of nature and natural resources rather than having to turn to desperate acts of resource destruction.

CWHs, and protected areas in general, do not have to be arenas of conflict. The idea of community-based tiger conservation suggested by the Soliga adivasis for Biligiri Rangaswamy Temple Sanctuary, or the idea of Joint Protected Area Management suggested by several conservationists, are not flights of fancy. They are based on the fact that many local people continue to have substantial ecological knowledge, and the widespread experience that given the right conditions such people can be the strongest conservationists. This is shown by the thousands of community-based conservation initiatives across India that already exist, though mostly unrecognised and unheralded (see <http://www.kalpavriksh.org/community-conserved-areas>). These are not necessarily panaceas applicable to all situations, and have their own weaknesses, but they show the enormous potential of more democratic conservation. It is precisely this potential that several conservation organisations are now tapping to strengthen conservation of the snow leopard in Ladakh and Spiti, the golden langur in Assam, the olive ridley turtle in Orissa, wild ungulates in several states, wintering and nesting waterbirds in dozens of wetlands, and myriad other wildlife. This is a potential that has increased manifold with the community forest rights provisions of the FRA; already several hundred villages in Rajasthan, Gujarat, Karnataka, Orissa, Maharashtra and other states are claiming such rights and making plans on how to better conserve the forests once they get governance rights over them. Communities in at least two of Orissa's protected areas have proposed strong protection measures based on a community forest rights-based governance model.

Interestingly, some states were already following the earlier CWH guidelines and holding consultations. This happened for instance in Bhimashankar Sanctuary in Maharashtra, and the state government is reportedly preparing a proposal for declaring it a CWH but with no requirement for relocation of people. There is no reason why such processes cannot take place in all protected areas, ensuring that people are in the know from the beginning, are able to input their knowledge and their objections or assent, building in the long run much greater support for conservation.

While authoritarian conservationists (to use Ramachandra Guha's term) have to re-orient themselves, there is much to learn for human rights activists also. Local communities are not all-knowing, nor always caring about wildlife, as witnessed in the rampant, excessive hunting in parts of central and north-east India. As modernisation and markets penetrate even 'remote' areas, lifestyles and aspirations are rapidly changing, and ecological knowledge being lost.

Advocates of community rights often romanticise their unity and coherence, when in fact many communities can have strong internal divisions and inequities that can interfere with the sustainability of natural resource management. What is however interesting is that many of the community-based initiatives in India are trying to tackle these problems and weaknesses, often with success where facilitated by civil society groups. It is such support that communities need, not distrust and disdain about their abilities.

Democratic aspirations are rapidly spreading throughout India, and communities are no longer willing to meekly accept the state's diktat. Rather than allow these to be vented in the form of protests against conservation, deliberate sabotage, or other such acts, both conservationists and human rights activists would do well to change their spots. Models of conservation that are solidly based on all available knowledge (traditional and modern), that are transparent and democratic, geared to site-specific ecological needs, and enable a mosaic of different strategies across large landscapes, are the only ones that will survive. They may yet give some hope to the tiger and, never to forget, to the 130,000 other species that are currently known to us in India.

Infochange News & Features, March 2011