

# **CONSERVATION AND PEOPLE'S LIVELIHOOD RIGHTS IN INDIA**

**Final Report of a Research Project Conducted Under the UNESCO  
Small Grants Programme**

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## **Abstract**

This study, entitled “Conservation And People’ Livelihood Rights In India”, is an attempt towards understanding the impact of some of India’s conservation policies on the livelihoods of communities living within areas protected for wildlife (national parks and wildlife sanctuaries). This study places itself within the context of United Nation’s Millennium Development Goal (MDG) of halving extreme poverty by 2015. It adopts the ”capability approach”, that views poverty as a multi-dimensional concept entailing loss of ‘entitlements’, which in turn may lead to negative impacts on the ‘functioning’ of people and communities. It places itself within UNESCO’s perspective that freedom from poverty is an issue basic to ensuring the protection of human rights.

In this study we attempted to look at the situation within protected areas from three perspectives. Firstly, we tried to understand if the causes of poverty of communities within protected areas had historically deep roots. Secondly we tried to understand if some conservation policies and judicial strictures had posed a threat to the livelihood options of communities within the protected areas and whether this threat had actually materialized in terms of further impoverishing these communities. Lastly, we tried to explore the extent to which it was possible through conservation policy initiatives (eg. Ecodevelopment) to secure livelihoods or otherwise alleviate the situation of poverty of communities living within protected areas. Our research included site visits to study the actual on-ground impacts of conservation policies and programmes on people (Orissa and Madhya Pradesh) as also site visit to study government response to the problems arising from PA policy and practices in the form of ecodevelopment efforts (Himachal Pradesh).

Our studies show that poverty has indeed been a significant feature of the communities living within protected areas. Apart from a colonial legacy, it has also been perpetuated due to adopting by the state of an exclusionary conservation model, enforcing restrictions on access to natural resources through judicial stricture, inadequate or non settlement of rights, inadequate rehabilitation, inadequate developmental activities, and non-participation of affected people in planning and decision making process that affect their life. This has resulted in loss or inadequacy of basic entitlements that are necessary components of poverty alleviation. On the other hand there have definitely been some sincere official attempts at providing alternative sources of livelihood as in the case of Great Himalayan National Park in Himachal Pradesh, but these have also been inadequate. Similarly though there have been some negative impacts of displacement on communities in Madhya Pradesh, there have also been sincere attempts at rehabilitation. Thus causes for poverty within protected areas cannot be simplistically located by referring to terms like ‘official apathy’ or ‘political corruption’; there are more systemic causes. The study attempted to gain a better understanding on these causes, and steps to tackle them.

We conclude by making a set of recommendations that would help address lacunae within the current conservation policies that result in loss of basic entitlements, and

aid policy-makers in making conservation policies that also address the issue of poverty within a human rights framework.

## Table of Contents

1.	Introduction / Overview	6
	1.1 Summary	6
	1.2 Key facts	7
2.	Context and Issue	8
	2.1 Context	8
	2.2 Issue	8
3.	Policies and Programmes	24
	3.1 Current framework	24
4.	Research results	28
	4.1 Methodology	28
	4.2 Key findings	30
5.	Recommendations	52
	5.1 Change initiative(s)	52
6.	References	67

### Annexures

#### Annexure I: Case Study 1 (Orissa)

Appendix I: Provisions regarding Palli Sabha in Orissa Gram Panchayat Act 1964 amended till 1994

Appendix II: English/Botanical names of various NTFP collected and crops that are cultivated by people in the villages of the Satkosia Sanctuary region

Appendix III: Discussions with DFO, Satkosia Wildlife Division and Personal Impressions

#### Annexure II: Case Study 2 (Himachal Pradesh)

#### Annexure III: Case Study 3 (Madhya Pradesh)

Appendix I: Official response from and communication with the Forest Department of Madhya Pradesh Government

## **1. INTRODUCTION / OVERVIEW**

### **1.1 Summary: Structure of the report**

- In section 2 , we elaborate on the subject of our research, in terms of how the study places itself within the human rights framework, vis-à-vis the extent of forest peoples' dependency on forest and other natural resources, development work, access to health, access to information, and other factors. We also states the key hypotheses on the basis of which this research was conducted, and establishe a connection of the same with the 'capability approach' towards meeting the MDG of halving world poverty by 2015.
- Section 3, elaborates upon why this research topic was chosen and how it is tackled through the human rights framework. It provides a justification of the study vis-a-vis the serious exacerbation of the conflict between wildlife conservation and people's livelihoods, due to recent judicial and executive orders resulting in prohibitions of collection of forest produce by forest communities and how this becomes a case for human rights. This section also elaborates on how Kalpavriksh as an environmental action group places the issue of conservation and livelihood within the framework of human rights.
- In section 4, we elaborate on the methodology that was followed while conducting this report, and the key results obtained. We explain the different approaches that we undertook to make our research as comprehensive as possible within the available time and resources. In one sub-section, we present very briefly some recommendations from already existing documents that are relevant to our topic. We also present a summary of our key findings with respect to the effect of the prohibitions/curtailments imposed by legal measures and judicial strictures on the collection and trade of forest produce, as well as the impact of dislocation and inadequate rehabilitation of communities. We then show how this has resulted in violation/denial of certain freedoms and entitlements that are basic to the protection of human rights.
- In section 5, we provide policy recommendations for tackling the problem, with a rights-based approach. We hope that these recommendations, provided in terms of addressing lacunas within the current conservation policies that result in loss of basic entitlements, will help to provide guidelines to policy-makers to address the issue of poverty (within a rights based approach ), in order to enable "functionings" of people within protected areas. We also briefly indicate our plans to better disseminate the results of our findings. This would be with the intention of making them available to relevant government agencies, policy makers and the civil society, for the

purpose of changing conservation policy and law, and to better address the issue of poverty alleviation of communities within protected areas.

## 1.2 Key facts

- The provisions of India's conservation policy and law, and in particular the Wild Life (Protection) Act (1972), directly or indirectly affect the life of **3 to 4 million indigenous and other communities living within 600 protected areas** spread across the country.
- The 1983 report, "Eliciting public support for wildlife conservation"<sup>1</sup>, by a government appointed task force headed by Madhavrao Scindia, while focusing on the dependence of the rural people on forest acknowledges the fact that, "In their precarious existence, enforcement of **restrictions in wildlife reserves triggers antagonism**".
- The 2005, report of the Tiger Task Force, "Joining the Dots" for the Government of India, acknowledges that, "The protection of the tiger is inseparable from the protection of the forests it roams in. But the **protection of these forests is itself inseparable from the fortunes of people** who in India, inhabit forest areas"<sup>2</sup>
- The **150 poorest districts in India** are also constitutionally designated Schedule V areas<sup>3</sup>. The scheduled Tribes constitute about 8.4 per cent of India's population<sup>4</sup>.
- 65 per cent of the forest cover is in 187 tribal-dominated districts and of the 50 districts where there is dense forest cover, 49 are tribal districts<sup>5</sup>.
- In many parts of the country, the rights<sup>6</sup> of the local people in forests remain unrecorded<sup>7</sup>.
- The law provides that people living in and around protected areas can collect and remove forest produce for "bona fide needs" but there is no definition of what the phrase means.

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<sup>1</sup> This report wanted development programmes and funds for villages located in the periphery of protected areas. But this will be much more relevant for villages located *within* protected areas where dependence on forest and other natural produce for economic and domestic subsistence is almost total.

<sup>2</sup> See: A paradigm change, pg 21-26, of this report.

<sup>3</sup> Areas primarily inhabited by tribals; these are also prime "tiger districts"; see for ref. "Executive Summary" (<http://projecttiger.nic.in/>)

<sup>4</sup> Prasad 2007

<sup>5</sup> Quoted from "Fatwa raj is over", Interview with Brinda Karat, CPI(M) leader and Member of the Rajya Sabha, *Frontline*, January 12, 2007.

<sup>6</sup> Till the 1991 amendment to the Wild Life (Protection) Act, 1972, a sanctuary could be notified without people's rights being determined. Despite the amendments of 1991 & 2003 which requires the state to make alternative arrangements for fuel, fodder and minor forest produce till the rights are settled; the fact of the matter is that in many places rights still remain unsettled.

<sup>7</sup> In a public hearing organized by the National Forum for Forest People and Forest Workers in April 2005, it transpired that inside the Buxa Tiger Reserve there were an estimated 37 forest villages and 5 hamlets, habitations set up by the colonial government in the late 19<sup>th</sup> century for labour in forest operations. When the Buxa reserve was declared, employment opportunities dried up. People still do not have legal ownerships over homesteads or agricultural land and are denied their customary rights to collect forest produce. (Bose 2005).

## 2. CONTEXT AND ISSUE

### 2.1 Context : The Small Grants Programme

This study comes under the aegis of UNESCO's Small Grants Programme in the context of UNESCO's focus on poverty eradication strategies within a human rights framework. The findings and recommendations of this study are expected to help in developing anti-poverty strategies and action plans based on the human rights framework. Most importantly, this study is expected to assist member countries like India achieve the United Nations Millennium Development Goal (MDG) of halving extreme poverty by 2015. The study has been conducted with an appreciation of UNESCO's perspective on poverty as an issue of social justice and hence of human rights.

### 2.2 Issue : Poverty, Human Rights, and Conservation

This study has placed itself within the human rights framework, where causes of poverty are multi-dimensional. Measurement in terms of income or loss of the same is but one indicator; poverty also needs to be viewed in terms of loss or denial of other entitlements like water and sanitation, health, access to secure sources of livelihood and educational opportunities, that are necessary for a dignified life. In our enquiry, we considered denial of access to natural resources, forced displacement or incomplete and unsatisfactory rehabilitation as factors perpetuating or causing poverty. Some of the criteria that were used to understand the current situation were

- the extent of dependency on forest and other natural resources for basic survival, household goods and services and income, and the loss of access to the same due to restrictions imposed by conservation policy;
- success or failure of developmental activities within areas designated for conservation;
- access to appropriate education;
- access to information;
- access to appropriate health services;
- awareness about compensation policies;
- availability of and awareness regarding alternative livelihood options.

The extent of dependence of India's rural poor on natural resources, for survival and livelihoods, is well-known. Around 70% of the Indian population depends on land-based occupations, forests, wetlands and marine habitats and are thus dependent on local ecosystems for their basic subsistence requirements with regard to water, food, fuel, housing, fodder and medicine<sup>8</sup>. Around 10,000 species of plants and a few hundred animal species are involved in this direct relationship of biodiversity and livelihood. Apart from this livelihood dependence for subsistence needs, there is livelihood dependence for seasonal or annual income derived from a wide range of terrestrial and aquatic wild resources. For example, there are estimated to be around 20 million person days per year involved in medicinal herb collection from the wild,

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<sup>8</sup> TPCG and Kalpavriksh 2005



for a net collection of around Rs. 112 crores per year<sup>9</sup>. 275 million people depend on non-timber forest products (NTFP) for their livelihood<sup>10</sup>. NTFP collection generates about 1063 million person days of employment in India<sup>11</sup> and about 60-70% of NTFP gatherers are women<sup>12</sup>. There are estimated to be 22 million fisher-folk who depend on aquatic habitats for their livelihood<sup>13</sup>. Over 200 castes, as much as 6% of the total Indian population is engaged in pastoral nomadism<sup>14</sup> 1982. The small and marginal farmers, who account for over 80% of the farming community in India, are directly dependent on agro-biodiversity for their livelihood. This dependence is widespread through much of India's territory, with very few areas (mostly some inaccessible reaches of the Himalayas, or some islands) not being subjected to some form of human use.

Given this dependence, it is crucial that access to natural resources be considered an essential component of anti-poverty strategies, and denial of access be seen as a violation of basic human rights. *Flowing from this understanding, it is vital that anti-poverty strategies address the issue of conservation within the context of human rights, and conversely that conservation strategies address the issue of poverty also within a human rights context. In this study we are looking at protected areas in particular because conservation policy is most strongly represented in these.*

Poverty has a direct bearing on the freedom that a person can experience and hence the quality of life she/he enjoys. There are negative freedoms (defined as freedom from; for eg. freedom from want) and there are positive freedoms (defined as freedom to; for eg. freedom to pursue one's goals).

Our attempt in this research has been to look at poverty from the perspective of the 'capability approach' (more below) that focuses on human freedom (as explained above) as providing a bridge for crossing over from poverty to human rights. In doing so we have tried to explore the following questions in terms of whether:

- 2.2.1 even prior to introduction of the conservation policy, there were deep-rooted causes for poverty of communities within the protected areas.
- 2.2.2 conservation policies have had a negative impact by posing a threat to livelihood options of communities within the protected areas, or a positive impact by providing enhanced livelihood options.
- 2.2.3 the state has attempted to mitigate the negative impacts, if any, and the adequacy or otherwise of such attempts.

### **2.2.1 Conditions in existence prior to introduction of the conservation policy**

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<sup>9</sup> FRLHT 2001

<sup>10</sup> Bajaj 2001

<sup>11</sup> Khare 1998

<sup>12</sup> Gera 2001

<sup>13</sup> Kocherry 2001

<sup>14</sup> Agarwal *et al.* 1982

### 2.2.1.1 Historical roots

A brief understanding of the conditions in existence within protected areas, in terms of whether there were already reasons for poverty prior to the introduction of conservation policies, is important. From this it can be analysed whether conservation policies have helped tackle conditions of poverty in such areas, or made them worse.

It is a well-known and recorded fact that much prior to the drafting of the current conservation policy, even much prior to India gaining Independence in 1947, there already was a legacy of exploitation of natural resources by the erstwhile colonial powers. Traditionally, communities across India have had customary rights and laws of access to natural resources on common lands. Such systems have often worked towards ensuring that the resource use is regulated. However, in many parts, due to internal factors and external interventions, these systems have broken down. Even where they continue to exist, the extent to which they are recognized in statutory law, varies considerably. Generally, in parts of North-East India, or the Western Ghats in south-west India, these rights are better established, though in the latter they are more individual or family rights. Over large parts of India, however, state take-over of common property resources during and after colonial times (especially forests, waterways, and marine areas) has rendered many customary rights into privileges, or concessions, which the state can take back at will. In several areas no rights are recognized at all, even though the resource use activities of people continue. Agricultural lands in settled farming areas have generally been left out of this take-over, but shifting cultivation areas, and some small land-holdings whose cultivators have never been given a *patta*<sup>15</sup>, have been severely affected as they have been designated “forest” lands and the cultivators declared ‘encroachers’<sup>16</sup>. This non-recognition of customary rights, state takeover of common property resources, and other such factors, have limited the extent to which people living within these areas can actually experience economic and social security. The people and communities residing within these areas have also had to deal with a lackadaisical or corrupt administration, harassment, and neglect by political leaders, and other hurdles. Even prior to the implementation of conservation policies, these people have been left to fend for themselves, especially with regard to livelihoods, education, health, and other basics. In most village schools that our team visited, it was clear that though schools existed as a physical infrastructure, there was no real guarantee of a good quality of education. The status of health facilities were at best minimum with mobile health units handing out not much more than paracetamols. However, it is important to recognize that till recently they at least had relatively secure access to natural resources, on which their lives and livelihoods were dependent. As shown below, the curtailment of even such access has been has serious impacts on the people. ***If economic security, education and health can be considered as indicators of the well-being of a people, then our visits to several field sites during the study showed***

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<sup>15</sup> A legal document of land lease or ownership

<sup>16</sup> TPCG and Kalpavriksh 2005

*that these factors are as neglected or even more neglected in protected areas, as in many other parts of the country.* Avenues for economic security have always been limited.

## **2.2.2 Impact of conservation policies on the livelihood options of communities within protected areas**

### **2.2.2.1 India's conservation policies and laws**

The greatest problems relating to access to customarily used natural resources, exist in what are generically called India's "protected areas", sites set aside for nature conservation. In areas where natural ecosystems still exist in relatively intact or less disturbed forms, considerable wildlife and biodiversity still survives. It is such areas where both the human and wildlife populations are heavily dependent on the natural resources, and where it is crucial that a long-term strategy for conservation is worked out, which takes into account local people's access to these resources. **Ensuring that livelihood needs are met without compromising the conservation of wildlife and biodiversity is a critical part of India's environmental and developmental agenda today.**

Over the last few decades, India has undertaken an ambitious program of declaring areas protected for wildlife, under the Wild Life (Protection) Act 1972. From a handful of such areas prior to 1972 (which were declared under previously operational laws, mostly colonial in origin), the country today has over 600 protected areas (PAs), covering almost 5% of its territory. In addition, there are a number of other legal and non-legal categories that provide varying degrees of conservation coverage to specific sites: protected and reserved forests (under the Indian Forest Act 1927), biosphere reserves, tiger reserves, elephant reserves (none of these with legal backing), ecologically sensitive areas (under the Environment Protection Act 1986), and so on.

There can be no doubt that protected areas (and other associated categories) have been instrumental in saving a large number of biodiversity-rich sites from being destroyed, as has happened to many sites outside of the PA network. These PAs also protect a considerable part of India's water sources, and provide myriad other ecosystem benefits that are of incalculable value to the country.

A countrywide assessment in the mid-1980s showed that 69% of the studied PAs had human populations inside<sup>17</sup>, contrary to the romantic notion of such areas being human less expanses of pristine wilderness. Recent estimates<sup>18</sup> suggest that there may be 3 to 4 million people inside PAs, and many million more in adjacent areas who depend on PAs. These communities depend on the resources of the area for water, housing material, fuel wood, fodder, pastures, medicinal plants, non-timber forest produce, timber, aquatic resources including fish, spiritual and cultural sustenance,

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<sup>17</sup> Kothari et.al 1989

<sup>18</sup> Shekhar Singh (Center for Equity Studies, Delhi), personal communication

and myriad other basic needs. The communities were both resident and nomadic, the latter using the area within PAs seasonally. In many cases the communities considered the area to be traditionally “theirs”, or at least containing customary rights or custodianship passing down the generations. Isolated from the rest of the non-forest dwelling civilization, sometimes residing within remote almost inaccessible areas within forests or up in the mountains, these people have been rendered invisible to the rest of the nation (including citizens, policy makers, politicians and civil society)

***Unfortunately, the conservation model applied to India*** (through the enactment of the WLPA 1972) ***comes directly from the west (notably, the Yellowstone National Park model of the United States), and advocates a separation of wildlife from people.*** It is based on western notions of wilderness, which view humans as intruders, and advocates a separation of wildlife from people. This model, based on the principle of exclusion (for the purpose of wild life conservation) has been extended to people who have co-habitated wildlife habitats. There is evidence that even in the US, it caused considerable disruption for native human populations. The fact of the matter is that the areas that were being brought under the PA network were already being inhabited by communities (varying between a few decades to several centuries), and the fact that an exclusionary model would have serious implications for their livelihood security was virtually ignored when it was imported to India and enshrined in the Wild Life Act. As outlined above, there are very few “wilderness” areas in India. It is therefore inevitable that any kind of attempt to protect sites for wildlife will have an impact on one or more communities *in terms of increased threats to a secure livelihood thus potentially leading to impoverishment, unless the livelihood dependence is catered to from the outset.* This model has had an inevitable and profound impact on the lives and livelihoods of the forest dwelling, particularly tribal communities living within the protected areas.

#### **2.2.2.2 Continuing Colonial Legacy**

Though the WLPA (1972) has helped in reducing the massive diversion of forests by state governments, and the destruction of wildlife species and habitats, it ***however, has also continued the colonial legacy of rendering control over natural resources into the hands of centralized bureaucracies, further removing any vestiges of management and control that local communities may have had.*** This impact has been most visible in the case of national parks and wildlife sanctuaries (corresponding to IUCN protected area categories 2 and 4, respectively) set up under the WLPA. This exclusionary perspective is equally true of the earlier India Forest Act (1927) or the later Forest Conservation Act (1980). Local traditions of conservation and community management of resources and the ethical and spiritual beliefs that sustained many ecosystems and wildlife species (though it would be a mistake to romanticize these as being universal or always effective), were almost totally neglected by all. Also neglected, and in some cases actually dismantled, were community level institutions of resource management and conservation. This mismatch between conservation

policy and the ground social situation has had significant impacts, some of which are given below:

- i. **Serious levels of dispossession and displacement of local people, increasing poverty:** Perhaps over 100,000 people have been displaced from PAs over the last 3-4 decades (the fact that there is no comprehensive official figure on this, is symptomatic of the casual manner in which the problem has been dealt with)<sup>19</sup>. There is very little evidence of the majority of these having been adequately rehabilitated; indeed anecdotes of the trauma of displaced persons in the case of many PAs abound<sup>20</sup>. However, a much more serious impact has been on people who continue to live within the PAs. While not physically displaced, they have been dispossessed, their access to resources curtailed or cut off, and their day to day life made much more difficult. In many cases people with perfectly legitimate rights to resources, have been made ‘criminals’ in their own land, having to ‘steal’ fuel and fodder and timber, or bribe forest officials to get their daily survival resources. PAs have often also led to alienation from lands and resources that are central to community spiritual or cultural traditions, such as when sacred spaces get taken over by the government. **Latest orders from the central government and India’s Supreme Court have raised the specter of about 4 million people being completely dispossessed, all their rights taken away, and the consequent possibility of all of them being displaced** (a point elaborated below). Overall, PAs have significantly increased the conditions of poverty amongst a few million people, and been the cause of severe human rights violations.
- ii. **Conflicts between local people and government officials:** The mid-1980s study mentioned above revealed that, of the PAs surveyed, as many as one-fourth reported physical clashes between PA officials and local people<sup>21</sup>. This is undoubtedly an under-reporting, as many clashes are probably never reported; more-over, this does not reflect the widespread incidence of tension between officials and villagers, much of which may not actually manifest itself in physical clashes. This atmosphere of tension, however, significantly impacts on both the lives of local people, and the morale and effectivity of PA officials. Extreme cases result in firing and beating up, with deaths and serious injuries on both sides.
- iii. **Backlash against conservation:** Extreme hostility against PA-related restrictions and frequent repression is also manifest in acts of reprisal: poisoning of wildlife, aiding and abetting poaching by outsiders, lighting fire to the forest, and so on. Political leaders also make use of this, to demand the de-reservation of PAs, or their downsizing to leave villages out of the boundaries<sup>22</sup> (as happened some years back, for instance, with the Great Himalayan National Park).

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<sup>19</sup> Kothari et.al 1996

<sup>20</sup> CSD 2003

<sup>21</sup> Kothari et.al. 1989

<sup>22</sup> Kothari 1999

- iv. **Enhanced survival potential:** In contrast to the above impacts, current conservation policy and programs have had one positive effect on local people. They have helped keep out destructive ‘development’ pressures from many areas, some of which (mining, dams, etc) could have had far more damaging impacts on local communities than the restrictions imposed by PA rules. This impact is less tangible, but nevertheless important in the case of at least some PAs and indeed many communities do acknowledge it when asked. The problem, of course, is that this is a *potential* threat warded off, whereas the *actual* harassment due to conservation laws and often repressive bureaucracy is far more tangibly felt. A more tangible benefit in many PAs is the enhanced or more regular flow of water, or other resources...provided people are allowed to easily access these. Increasingly, as described below, PAs are also beginning to deliver tangible benefits in terms of ecotourism revenues, employment, and so on; but this is as yet seen only in a handful of PAs and applies to a fraction of the people adversely affected by PAs.

**Overall, then, PAs appear to have had a significant negative impact on local people, in terms of loss of customary rights and access to livelihood resources, physical displacement, cultural and social alienation, and so on. Some of the positive impacts would be off-setting these, but only very partially.**

**The potential of PAs to create a negative impact on people has been greatly heightened in the early part of the 21st century.** In 2000, the Indian Supreme Court passed an order restraining all state governments from ordering the removal of timber, fallen wood, grasses, and other such produce from protected areas. Though this order was made in the context of a disguised move by one state government to re-open timber logging inside PAs, in 2003/04, it has been more widely interpreted by the central Ministry of Environment and Forests, and by a Centrally Empowered Committee set up by the Supreme Court, to ask state governments to halt all exercise of rights and concessions inside PAs! This extremely ‘generous’ interpretation of the Court’s direction, is even beyond the spirit and letter of the Wild Life Act, since it effectively denies any means of livelihood to people living inside PAs. ***Due to be impacted are 3.5 to 4 million people, as virtually all their livelihood related activities that are dependent on forest or other natural produce, would have to be halted. Without explicitly ordering this, India’s central judicial and executive bodies have set into motion a process that will first dispossess, and then forcibly displace millions of people.*** Already the impacts are being felt in some states. In the south-eastern state of Orissa, for instance, the government has implemented a prohibition on non-timber forest produce collection. This has affected several hundred thousand *adivasi* (indigenous/tribal) people, taking away their sole or main means of livelihood, and forcing many of them to migrate out in search for employment and incomes. Similar orders are underway or under consideration in many other states. These recent orders have created a situation of enormous tension and potential escalation of conflicts across India. Some NGOs have legally challenged the orders, but the courts are yet (as of December 2006) to hear their arguments.

## 2.2.3 Impact of initiatives at reconciling conservation and livelihoods

### 2.2.3.1 Official initiatives at reconciling conservation and livelihoods

Having realized the conflictual situation created by PA policies and programs, the Indian government has initiated some measures towards reconciling conservation and livelihood needs. The most ambitious of these has been ‘ecodevelopment’, in which people’s needs are sought to be met through ecologically sensitive developmental inputs. Since 1990 this has been a central government aided scheme, meant for state governments to use for villages around PAs. By and large these have not been used for villages inside PAs, the assumption being that such villages have to be moved out anyway. During 1997-2002, the Government of India also got substantial assistance from the GEF/World Bank, for ecodevelopment in 7 prominent PAs. Independent evaluations suggest that this project met with mixed success. In some PAs such as Periyar Tiger Reserve (Kerala), it was successful in turning a conflict situation around into one of positive cooperation and providing enhanced livelihood thereby helping reduce poverty in several villages on the periphery of the Reserve<sup>23</sup>, whereas in many others such as Nagarhole National Park (Karnataka) and Pench National Park (Maharashtra) it either failed or created new tensions<sup>24</sup>.

One key conceptual problem with ‘ecodevelopment’ is that **it still treats local communities and conservation as being incompatible**. Hence the primary focus is on ‘diverting’ local ‘pressures’ through provision of alternatives. **In most cases, the alternatives themselves are very much mainstream rural development projects, with no clear logic on how they would lead to be better conservation or indeed more enhanced sustained livelihoods**. In almost no known case (exceptions could include Periyar Tiger Reserve), has ‘ecodevelopment’ created a greater involvement of local people in the management planning and decision-making of the PA. The model of ‘ecodevelopment’ prevalent in India is not one which takes people’s access to natural resources as a matter of customary right, nor is it one which moves the country towards a new paradigm of conservation<sup>25</sup>. Such new paradigms are being now accepted worldwide (see Section 2.6 below), but India is very far from getting close to them in official policy and practice.

One strong move towards this was, however, taken in the making of the National Wildlife Action Plan (NWAP) 2002, and in the process of formulating a National Biodiversity Strategy and Action Plan (NBSAP). The NWAP explicitly recognizes the need to involve local people in conservation including PA management, and suggests some steps towards this such as PA level committees including local community representatives<sup>26</sup>. The final technical report of the NBSAP (as yet not accepted by the government) goes further, advocating a central role for communities in management of conservation sites, respect to their customary rights, integration of

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<sup>23</sup> Kothari and Pathak 2004

<sup>24</sup> Bandyopadhyay 2004; Sethi 2004

<sup>25</sup> Kothari 1998

<sup>26</sup> MoEF 2002

livelihood security and poverty eradication with conservation, recognition of their own conservation practices and community-protected sites, building on traditional knowledge relevant for conservation, and so on<sup>27</sup>.

More recently, the National Environment Policy (NEP 2006)<sup>28</sup>, in its preamble stresses the need to recognize the vital role that natural resources play in providing livelihood and life support ecological services. It acknowledges that “sustainable development concerns in the sense of enhancements of human well-being, broadly conceived, are a recurring theme in India’s development philosophy.” *The dominant theme of this policy is that while conservation of environmental resources is necessary to secure livelihoods and well-being of all, the most secure basis for conservation is to ensure that people dependant on particular resources obtain better livelihood from the act of conservation, than from degradation of resources.* Thus it clearly acknowledges the close link between peoples’ livelihoods and conservation prerogatives. In the case of protected areas, it states: “Conservation of wildlife, accordingly, involves the protection of entire ecosystems. However, in several cases, delineation of and restricting access to such Protected Areas (PAs), as well as disturbances by humans in these areas have led to man-animal conflicts. While physical barriers and better policing may temporarily reduce such conflict, it is also necessary to address their underlying causes. These may largely arise from the non-involvement of relevant stakeholders in identification and delineation of PAs, as well as the loss of traditional entitlements of local people, especially tribals, over the PAs.” In its goals, it therefore talks about “participation of local communities”, and the need to “harmonize ecological and physical features with needs of socio-economic development”.

The NWAP and the NEP are, however, as yet at a conceptual level, with implementation still to begin. The draft NBSAP has not even been accepted by the government as yet. There are therefore very few signs of actual changes on the ground, towards a new paradigm of conservation that holds livelihood and survival rights as central. On the contrary, as mentioned above, central judicial and executive orders have laid the conditions for a rapid deterioration in the relations between conservationists and local communities, and the continued negative impact of conservation practices on people’s socio-economic status.

**Box 1**

**Latest Development: Two Legislative Measures that Could Democratise Conservation**

<sup>27</sup> TPCG and Kalpavriksh 2005

<sup>28</sup><http://envfor.nic.in/nep/nep2006.html>



In late 2006, two pieces of legislation have created the potential of democratizing forest and conservation management and providing greater benefits to local communities, but also some concerns about their impacts on conservation itself<sup>29</sup>.

The passage of the **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006** is being looked upon as an important and welcome step towards reversing historical marginalization of the tribal (indigenous) and other forest-dwelling people of India by social action and human rights groups<sup>30</sup>. The Act mandates the vesting of 14 kinds of rights over forest land and forest produce on two categories of communities: scheduled tribes (i.e. indigenous people who are listed in a schedule of the Indian constitution), and “other traditional forest-dwellers” defined as those living in forests for at least 3 generations.

Serious challenges in the wake of neoliberal economic reforms, state withdrawal guided by corporate interests, easing of environmental regulations in the name of donor-funded “community forest management”, a burgeoning agrarian crisis, weakening of social welfare measures etc. had led to increasing hunger deaths, land alienation, migration and threats of displacement of forest-dwelling people. In this context the Act has tried to address the twin concerns of ensuring “access to land and forest resources for providing livelihood security” to the tribals and “to democratize forest management”. In so doing the Act by implication accepts Amartya Sen’s thesis on the need to deepen democratic processes as a way of confronting perpetual poverty. Supporters of the Bill look upon it as a “landmark piece of legislation to correct historical ‘injustices’ that had led to tribal deprivation”<sup>31</sup>.

In the context of this study, the provisions of the Act relevant to protected areas are of special interest. The Act specifies that all rights need to be identified and established regardless of the status of the forest, therefore also inside PAs. Furthermore, it mandates a process for determining “critical wildlife habitats” inside PAs, and assessment of whether people’s activities within such habitats can be in consonance with conservation. If “irreversible damage” is established, communities can be relocated with their informed consent, and after ensuring the readiness of relocation and rehabilitation. Gram sabhas (village assemblies) have also been empowered to protect wildlife and biodiversity, and to keep destructive activities out of the forests in which they are given rights.

While the Act has certainly taken a significant step in democratizing conservation practice and extending long-denied rights to livelihood of communities dwelling inside forests, it has also caused serious concern about its potential impact on conservation itself. In the context of PAs, for instance, it is not clear if the rights

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<sup>29</sup> Both these took place towards the end of this study, hence have not been analysed in detail in relation to the case studies and empirical work done under it.

<sup>30</sup> This section is largely based on articles and an interview appearing in the *Frontline* issue of January 12, 2007

<sup>31</sup> Prasad 2007

could over-ride the steps necessary to achieve conservation. Specific conservation *responsibilities* have not been placed on the rights-holders. The precise relationship with the WLPA 1972 (which governs PAs) is unclear, leading to possible confusion on the ground on what action can be taken if a right granted under the Act violates a provision of the WLPA.

Interestingly, the second legislative measure of note is within the WLPA itself. In late 2006, the **Wild Life (Amendment) Act** was passed, setting up a National Tiger Conservation Authority. This was in response to a long-standing demand from conservation groups, and made urgent by the disappearance of tigers from one of India's well-known tiger reserves, Sariska (Rajasthan). The Amendment brought in processes for notification and management of Tiger Reserves, and the setting up of a Wildlife Crime Bureau. It has specified (similar to the Forest-Dwellers Act mentioned above) that "inviolable" areas need to be determined in a participatory manner, and that relocation from such areas needs to happen only with the informed consent of communities. Areas of concern pointed out by conservationists include the dropping of a number of provisions of the WLPA from being operative inside Tiger Reserves, and the somewhat loose language used (e.g. "local people") with regard to forest rights. As of late 2006, a legal challenge has been mounted by some conservation organizations against such provisions.

### **2.2.3.2 Community natural resource management initiatives**

In contrast to most official programs on conservation, there are a large number of community-driven or community-based initiatives that are attempting integration of biodiversity conservation with livelihood security. Collectively called Community Conserved Areas (CCAs), these are sites of wildlife/biodiversity importance that are being managed by communities in such a way as to ensure conservation. Some of these are traditional (e.g. sacred sites, traditionally conserved heronries or other wildlife populations, including sustainable use and so on), some new (e.g. regenerated forests protected as a source of water or fodder or NTFP, turtle nesting sites, areas important for ecotourism, and so on). Several NGOs have petitioned the Government of India to take these initiatives more seriously, provide them recognition and legal or other kinds of backing.

CCAs have gained significant international recognition of late. In 2003, the World Parks Congress, the biggest ever gathering of conservation professionals and practitioners, gave recognition to CCAs as equivalent to government managed PAs. In 2004, the 8<sup>th</sup> Conference of Parties to the Convention on Biological Diversity adopted a progressive Programme of Work on PAs within which it explicitly mandated governments to recognize and support CCAs. Increasingly it is being recognized that CCAs provide a vital tool to meet a number of Millennium Development Goals<sup>32</sup>.

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<sup>32</sup> Pathak et. al

Unfortunately recognition of CCAs has been slow to come in India. Recent amendments to the Wild Life Act have brought in two new categories of PAs, Community Reserves and Conservation Reserves, that could have provided legal backing to CCAs. Unfortunately, in-depth analysis of these categories has revealed that they have very limited potential to support existing CCAs<sup>33</sup>. Community Reserves, for instance, can only be declared on community or private land, whereas most of the known CCAs in India are on government land ( not surprising, given the large scale takeover of common lands by the government as discussed earlier in section 2.2.1). Moreover, the Act dictates the kind of institutional structure that would manage these categories, potentially undermining the very diverse institutional arrangements that communities have themselves come up with. Then again, existing PAs cannot be converted into one of these new categories. A number of NGOs have concluded that these categories need to be amended, and detailed guidelines need to be drawn up in consultation with communities, if they are to be at all meaningful in a widespread way.

Other new potential legal categories that could provide some backing to community initiatives include Biodiversity Heritage Sites under the Biological Diversity Act 2002 and a provision in the Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act 2006 (see Box 1 above) which provides communities the right to “protect, regenerate, or conserve or manage any community forest resource which they have been traditionally protecting or conserving for sustainable use”. However, these provisions are as yet undefined and awaiting implementation. Older categories such as Village Forests (under the Indian Forest Act 1927) and Eco-sensitive Areas (under the Environment Protection Act 1986) remain seriously under-utilized for community managed areas.

In their own right, CCAs provide a number of important lessons for PA management. Some of these are brought out by existing NGO studies (such as the effort by Kalpavriksh to put together an all-India Directory of CCAs). But more work is needed to bring out the full lessons, and how to apply them to formal government-notified PAs, in particular in the context of the conservation-livelihood-poverty related conflicts and problems outlined above.

### **2.2.3.3 Political decentralization- Laws relating to decentralized governance and conservation**

A critical phenomenon in India that needs to be built into the above equations, is that of political decentralization<sup>34</sup>. The last decade or so has seen significant political changes taking place India. In 1992, the Indian Parliament approved the 73rd and 74th amendments to the Constitution, providing for a much greater administrative and political role for village institutions (panchayats), urban citizen institutions, and district level bodies and thus also providing for a much greater political and administrative decentralization at the village, district, and state levels. Virtually all

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<sup>33</sup> Kalpavriksh 2004; Pathak and Bhushan 2004

<sup>34</sup> Pathak and Kothari 2005

across India, panchayats (or equivalent bodies in some tribal areas) are elected on a regular basis, are connected to the national political process, and are also supposed to be much more in control of local matters of development, administration, law and order, and financial management. This *panchayati raj* (village council governance) amendment, followed by relevant laws at the centre and states, heralded a new era in political governance. However the actual implementation of these laws has been extremely tardy, in particular due to enormous resistance from entrenched power elite at various levels, the constitutional and statutory provisions do hold great potential to spread democratic decision-making down to its most logical local level. Be that as it may, through the Panchayat (Extension to Scheduled Areas) Act (PESA 1996), these changes were extended to Scheduled Areas, parts of some states that have a predominantly *adivasi* (indigenous or tribal) population, conferring a greater control over natural resources to local institutions, including ownership and decision-making rights over non-timber forest produce (NTFP). There were explicit provisions regarding the control and management of natural resources by the *panchayats* or the *gram sabhas*. The relationship of such decentralization with conservation is by no means clear. In theory, greater decision-making at local levels should result in more informed decision-making regarding local natural resources. But in reality, ***“most states have retained control over the most valuable NTFPs, while nationalized forests and legally protected areas are excluded from the Act. Little effort has been made to explain and implement the Act on the ground.”***<sup>35</sup>. Over the last couple of centuries of centralized rule, the capacity of village level institutions has been greatly weakened; their integration into national politics has brought in often-unhealthy local politicization. There also continues to be a serious mismatch between the powers that the decentralization legislation aims to provide to village institutions and the continued centralized ownership and control over common property resources like forests and water bodies. In the context of PAs, this mismatch is most sharp, as decentralization has more or less by-passed the villages inside such areas. **There is a serious issue of discrimination here, and hence of violation of a human right, which has so far not been adequately addressed by either civil society or the government.** There can be no doubt that any investigation relating to control and access of natural resources will inevitably involve tracing the impacts of the central government’s initiatives towards decentralized governance on the conservation related policies of the land.

In this wake it will be important to understand the impact of some existing laws on conservation - in particular the Wild Life Protection Act (WLPA) 1972 (amended 2002) and to a lesser degree the Biological Diversity Act 2002, how and whether they relate/cater to the requirements of the laws relating to decentralized governance. Analysis of the WLPA 1972 (along with its amendments (1991, 2002) and the BDA 2002, reveals some limitations that are either inherent to the act itself, or emanating out of the implications that can be inferred out of some of its provisions. Some of these are listed below:

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<sup>35</sup> Swiderska and Pathak 2005

The WLPA seems to be based on a presumption that local communities and population pressure are to blame for natural resource degradation. The Act provides a strong regulatory statute, which restricts and prohibits many activities, inside protected areas. These include restrictions on entry to sanctuary (Section 27), removal of forest products including NTFPs (except for bona fide self consumption), regulation or prohibition of grazing or movement of livestock (33d) etc. While in some situations severe restrictions may be justified to conserve seriously threatened ecosystems or species, in most cases this approach alienates people inside protected areas from their traditional resource base, and often exiles them from outside contacts, with restrictions on movement of goods and services. In the 1991 amendment to the Act, the word 'intention' (sub section (1) of Section 18) with reference to constituting a particular area into a protected area (Sanctuary or National Park) was inserted. Though one of the aims of this was that people's rights needed to be enquired into before final notification, the law, by thus enabling a State Government to simply declare its intentions to convert a particular area into a sanctuary or national park, will also result in a increased restrictions on the mobility of people within protected areas. This is because the sub-section (1) of 18A states that when the State Government declares its 'intention' to constitute an area as a Sanctuary, then the provisions of section 27 to 33A (both inclusive), which deal with the various regulations coming into effect in a sanctuary, also automatically come into effect. This is beginning to have a negative impact (more on this later) on the people living in or dependent on these areas in terms of access to basic services and livelihoods options. Further still, an amendment to the WLPA in 2002, brought in much more severe restrictions. It mandated state governments to "provide alternatives" for all resource use activities as soon as intention was declared to notify an area a sanctuary (thereby assuming that no rights could continue inside the protected area, which actually contradicted another provision within the same act which explicitly did provide for such continuation!). It also prohibited any form of extraction of resources for commercial use. This was necessary to stop industrial level extraction (e.g. of bamboo), but also brought under its purview non-destructive or less harmful local activities such as removal of grasses, medicinal plants, etc, some of which were used for earning livelihoods by local people.

**More importantly from the point of view of our enquiry here, these and other relevant policy/legal measures ran parallel to or in contradiction to the trends regarding political decentralization, in particular the 1992 amendments to the constitution that provided greater powers and functions to village and district level bodies (as mentioned above). *Panchayats* (village councils), *gram sabhas* (village assemblies), tribal councils, and other village level institutions were provided virtually no powers or role in the WLPA, the FCA, or other related pronouncements. Even a relatively progressive Forest Policy 1988, which overturned the earlier policy by explicitly putting the ecological and social functions of forests above the commercial ones, did not have specific operative clauses on the role of decentralized institutions of decision-making. Though in more recent times, some provisions for people's involvement have been brought in through new laws**

and policy statements such as the Biological Diversity Act, a closer study reveals the following picture:

1. The Wild Life (Protection) Amendment Act 2002 suggested a role for villagers in Sanctuary Advisory Committees. However in most areas such committees have not been formed, there is limited participation of the local community representatives. The Act also included two new categories of protected areas, namely, Community Reserves and Conservation Reserves. Unfortunately, the provisions relating to these are highly restrictive as discussed in section 2.2.3.2. Thus while the rhetoric of community involvement has been included even if to a limited extent, an overall exclusionary and centralized perspective has been retained.
2. The objectives of the Biological Diversity Act 2002 are conservation, sustainable use and equitable benefit sharing. To a limited extent, it recognizes community rights over biodiversity and related knowledge.

It also proposes the creation of biodiversity management committees (BMC) at local levels, but its subsidiary Rules (2004) provide for extremely restricted functions for such committees, with virtually no provisions to give communities control over and responsibilities for biodiversity management. The responsibilities are limited to maintaining biodiversity registers containing information on biological resources and their medicinal and other uses, playing an advisory role on matters referred to it by the State Biodiversity Board, and maintaining data on local *vaid*s (healers) and practitioners using biological resources. ***Conspicuous by its absence is the lack of any real authority/power in the hands of the BMCs, with decision-making remaining centralized in State Biodiversity Boards and the National Biodiversity Authority.***

Thus it can clearly be seen that the impact of various conservation related initiatives have largely been unhelpful in terms of protecting communities and their basic livelihood and survival requirements. Worse, *the contrasting regimes of political decentralization and wildlife/forest/biodiversity conservation have been made considerably more conflicting by government pronouncements following judgments of the Indian Supreme Court (the by now very well-known, T. N Godavarman Thirumulkpad Vs Union of India Writ Petition 202 of 1995, has spawned dozens of forest-related judgments and orders in the last few years.). The strong centralizing perspective is obvious if one pays attention to the content of these orders:*

- The Supreme Court's involvement in forest conservation largely centers on the Public Interest Litigation viz the above-mentioned Godavarman Case. In its order of 12.12.1996 the court 'suspended' the felling of trees in all forests except in accordance with the

working plans of the state governments which were *approved by the central government*. In the same order the court clarified that the word 'forest' must be understood according to the dictionary meaning.

- An order in 2000 prohibited the removal of any dead or decaying trees, grasses, driftwood, etc from any area comprising a National Park or Sanctuary. It was also directed that if any order to the contrary had been passed by any State government or other authorities, that order shall be stayed. (I.A. No.548 of 2000 in writ petition (civil) No.202 of 1995). Though this order was related to a particular instance of surreptitious moves by a state government to resume timber felling inside parks and sanctuaries, the central Ministry of Environment and Forests (MoEF), and the Court appointed Centrally Empowered Committee (CEC, set up in 2002, to look into and advise the Court regarding issues of forest law violation), directed all state governments to negate all rights inside all such protected areas. The CEC has today emerged to have a very significant influence in forest governance in the country. Ignored completely in the orders of the Supreme Court and their interpretation by MoEF and CEC, is the fact that this would in effect, divest 3.5 to 4 million people living inside these areas, or otherwise dependent on their resources, of all rights to resources. The ultimate effect would only be forcible displacement of these people, many of who belong to the country's most sensitive indigenous communities. At no stage in the proceedings of the Court regarding this matter, have the powers of the panchayats and other village institutions, been referred to, and much less respected.

### 3. POLICIES AND PROGRAMMES

#### 3.1 Current framework

##### 3.1.1 Justification

Though these issues have been the subject of considerable discussion and debate, there has been little systematic attempt at analyzing them from the point of view provided by the human rights based approach. Such research is expected to help in advocacy towards policies enabling greater integration of a human rights framework within conservation.

A specific justification for this work is the serious exacerbation of the conflict between wildlife conservation and people's livelihoods, due to recent judicial and executive orders emanating from New Delhi that have sought to extinguish all rights of people within national parks and sanctuaries (see Section 2.2.2.2). This situation requires some urgent systematic analysis, and indicative work towards possible ways of resolving the conflicts. At the same time, there are also recent reports of successful integration of conservation and livelihood enhancement, in a few protected areas, and increasing documentation of community initiatives of conservation, that are worth assessing in order to help in the search for resolutions.

##### 3.1.2 Kalpavriksh and the Human Rights Framework

Kalpavriksh as an environment action group believes that a country can develop meaningfully only when ecological sustainability and social equity are guaranteed, and a sense of respect for, and oneness with nature and fellow humans is achieved. Given this, Kalpavriksh feels that the problems of the poor, whether urban, rural or forest dwelling, need to be addressed through sensitive, informed, participatory and intelligent policy making, and through effective implementation of the same. As an organization/action group that is concerned with the twin demands of environment and livelihood sustainability as being the key ingredient of a country's success or failure in addressing the issues of its poor, it then becomes important to take cognizance of the impact of existing policy initiatives towards conservation vis-à-vis its effects on the life, livelihood and dignity of the poor. It is with such a perspective that Kalpavriksh was inspired to conduct an investigation into the impact of conservation policies on the life and livelihood security of people and communities residing within protected areas. Kalpavriksh acknowledges the emerging view, propounded by international bodies like the UNESCO, that poverty constitutes a denial or non-fulfillment of human rights. To understand/appreciate how this is so, is to enquire where human rights derive from. According to the United Nations<sup>36</sup>, human rights derive from "*the dignity and worth of the human person which lends them moral authority*". If this is so, then, human rights may indeed seem a distant

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<sup>36</sup> In this and throughout our paper we draw heavily on the conceptual framework provided by the UN Office of the High Commissioner on Human Rights (OHCHR 2004), and correlate it with justifications and recommendations provided in other sections.



dream from the point of view of the poor whose family may be starving, whose members cannot be protected from preventable illness or where parents cannot provide their children with basic education. Needless to say, it is in circumstances of crisis and extreme deprivation that human rights assume their greatest importance. It is a fact that to the extent that policies are imbued with norms or values, all institutions operate within a normative framework and such norms and values in turn shape policies and institutions. ***“A human rights approach is explicit about the normative framework: International human rights. Underpinned by universally recognized moral values and reinforced by legal obligations, international human rights provide a compelling normative framework for the formation of national and international policies, including poverty reduction strategies (PRS)”***<sup>37</sup>. Poverty, when viewed as a social problem, especially in the context of practical policy-making, acquires a significance that binds it with a lack of command over economic (including livelihood) resources. According to Amartya Sen<sup>38</sup> ***“there are some clear associations that constrain the nature of the concept (of poverty), and we are not entirely free to characterize poverty in any way we like”***. Within this perspective, poverty reduction and ensuring respect for human rights (and dignity) are mutually reinforcing approaches to the same problem. One must however keep in mind that within this perspective, though poverty reduction is essentially a human rights issue, there are other human rights issues that are not necessarily about poverty reduction. Be that as it may, a human rights approach to poverty reduction links it to questions of obligations of the duty-holder, looking behind national averages, identifying the most vulnerable people, designing strategies to help them, and describing how a political voice for all people and access to information are integral to development. Thus some of the essential elements of poverty reduction strategies (PRS), could be accountability, equality and non-discrimination, participation and empowerment, etc. and these should receive attention while formulating PRS. This is not unlike Amartya Sen's ‘capability approach’ ***that characterizes poverty as a state of being that is not only about a low income but which entails a multi-dimensional view of poverty requiring that the goodness of social arrangement be judged in terms of its role in terms of being conducive or otherwise to the flourishing of human freedoms***. Thus properly understood in all its ramifications, “The capability approach defines poverty as the absence or inadequate realization of certain basic freedoms, such as the freedom to avoid hunger, disease, illiteracy, and so on.”<sup>39</sup>. The concept of Freedom here is viewed in its positive (defined as “freedom to” as in ‘freedom to pursue goals’) and negative (defined as “freedom from” as in ‘freedom from illiteracy/hunger/disease’) ramifications. ***“The reason why the conception of poverty is concerned with basic freedoms is that these are recognized as being fundamentally valuable for minimal human dignity. But the concern for human***

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<sup>37</sup> OHCHR 2004

<sup>38</sup> Amartya Sen has been frequently quoted in OHCHR 2004. Citations have referred to the following books/essays:

1. Sen, Amartya. 1992. *Inequality Re-examined*. Cambridge, Harvard University Press.
2. Sen, Amartya. 1999. *Development as Freedom*. New York, Alfred A. Knopf.

<sup>39</sup> OHCHR 2004

*dignity also motivates the human rights approach, which postulates that people have inalienable rights to these freedoms”.*

## Box 2

### The Capability Approach<sup>40</sup>

Underlying the capability approach is a specific conception of what is meant by human well-being. The defining feature of poor persons is that they have very restricted opportunities to pursue their well-being. Though hard to define, it (human well-being) can be viewed as a set of interrelated “functioning”- that a person can “do or be”. The level of well-being will then depend on the level of those functionings. in areas of value to the person- for example freedom and opportunity to take part in community life etc.. Poverty can thus be seen as low level of capability or, as Sen puts it, “the *failure of basic capability to reach certain minimally acceptable levels*”<sup>41</sup>. – the certain basic capabilities that would be common to all for example, being adequately nourished, being adequately clothed and sheltered, avoiding preventable morbidity, taking part in the life of community, and being able to appear in public with dignity. When applied to the subject of our research-area proper, viz; “**CONSERVATION AND PEOPLE’S LIVELIHOOD RIGHTS IN INDIA**”, this entails investigations into how these set of interrelated “functionings” were impacted by conservation policies/judicial stricture and to what extent they impacted, positively or negatively, with regard to the well-being of people and communities living within protected areas. This in turn will entail an enquiry into the status/ guarantees of ‘freedoms’ that are fundamental to their well being; eg:

1. Freedom to exercise customary rights over access to natural resources for physical subsistence (source of food for immediate consumption) as well as a means to livelihood and economic security)
2. Freedom from actual or potential threat of displacement, dispossession and loss of command over economic resources
3. Freedom from preventable ill-health, illiteracy, hunger and morbidity
4. Freedom and opportunity to participate in developmental activities and community life.
5. Freedom from a sense of disempowerment – freedom from the “the web of powerlessness” and an increased sense of control over their personal and community lives. This is not possible without invoking a participation in the decision making process affecting natural resources one is dependant on.
6. Freedom and opportunities to raise questions about the Accountability (accountability in use of funds and to peoples needs) of the duty-holders ( The human rights approach to poverty reduction emphasizes that **”all mechanisms must be accessible, transparent and effective**<sup>42</sup>” in terms of duty-holders, jurisdiction.)

It will be appreciated that ‘freedom in theory’ is different from ‘freedom in practice’. The concept of freedom in practice also entails the concept of ‘opportunity’ that makes the realization of certain freedoms a reality. If this has to happen, not only does a freedom have to be tied closely with certain ‘rights’, but mechanisms of checks and balances that will ensure that a given freedom will not be abused, also need to be put in place. Thus, corresponding to each of the above-mentioned freedoms, rights and duties would have to be established through agencies of law and policy making, so that these freedoms can actually be guaranteed in practice.

<sup>40</sup> OHCHR 2004

<sup>41</sup> Quoted in OHCHR 2004.

<sup>42</sup> *ibid*

## 4. RESEARCH RESULTS

### 4.1 Methodology

Our research has attempted to look into the effects of implementation of wildlife conservation measures on people residing within wildlife protected areas and in particular on their levels of poverty. In order to do so, we focused on situations involving:

1. Denial of access to natural resources,
2. State initiatives to create or enhance livelihoods, and
3. Displacement and inadequate rehabilitation of communities residing within protected areas

The following three sites were identified for the purpose of this study, each with a specific thematic focus:

1. Site - 1
  - a. **State:** Orissa
  - b. **Focus of study –**
    - i. The effect of curtailment of access to natural resources within two Protected Areas (Baisipalli and Satkosia within the Nayagargh District), in particular the effect of the ban on NTFP collection on livelihood options of communities residing within them.
2. Site - 2
  - a. **State:** Himachal Pradesh
  - b. **Focus of study –**
    - i. The impact on people's livelihoods due to the formation of Great Himachal National Park (especially after restrictions on access to natural resources were brought into effect).
    - ii. The success or failures of ecodevelopment initiatives during/after the final notification of the Park.
3. Site - 3
  - a. **State:** Madhya Pradesh
  - b. **Focus of study –**
    - i. The success or failure of the relocation and rehabilitation of Dhain village from within the Satpura Tiger Reserve to outside, and the impact of the same on adjacent villages.
    - ii. The current status of communities within the Bori sanctuary that are next slated for relocation and rehabilitation (for eg. Sakot and Khakhrapura within the Bori Sanctuary), and the implications of their relocation if carried out.

Our methodology has been as follows:

1. **Literature search:** reviewing existing literature (official and otherwise) articles, submissions, laws and policies that may be relevant in terms of having had an actual or potential positive or negative impact on the livelihood security of people and communities residing within PAs.
  
2. **Site visits to study impacts of conservation policies and programmes on people:** Our investigation teams made several field visits to understand the actual impact on the people and communities within protected areas of the provisions of the Wild Life Protection Act (WLPA 1972), and the recent Supreme Court strictures and subsequent government orders restricting the collection of forest produce from within protected areas. The focus of our study was to understand whether and to what extent these policy measures helped or harmed those residing within areas designated as protected areas and the extent to which they may have lead to impoverishment of communities staying within protected areas, through denial of livelihood because of dispossession, curtailment of access to sources of livelihood, displacement or inadequate rehabilitation. Detailed questionnaires were created for the purpose of this study. These questionnaires were location-specific. For instance, the questionnaires for the sites in Madhya Pradesh were geared towards understanding the impact (successes and failures) of relocation and rehabilitation on the life of affected people, whereas the questionnaires for the Orissa sites focused on understanding the impact of the ban on NTFP collection on income generation capacities of the people residing within these areas. These studies were conducted by the Kalpavriksh research staff, as also commissioned, in the case of Orissa, to two collaborating agencies<sup>43</sup>. The site visits involved primarily the following:
  1. Discussions/interviews with forest officials, local organizations, and state level NGOs
  2. Group meetings with affected communities
  3. Interviews with community individuals/families
  4. Perusal of available information on the sites
  5. On-site visits for our own observations
  
3. **Site visit to study government responses to the problems arising from PA policy and practices and in particular ecodevelopment efforts:** This involved, site visits to study the actual and potential impacts of some recent official measures to provide alternative livelihood options for people affected by wildlife conservation policies and laws. In particular, the focus was on “ecodevelopment” initiatives in Himachal Pradesh and rehabilitation related measures in Madhya Pradesh. Our study was an attempt to understand whether such initiatives really are an answer to the problems created by a

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<sup>43</sup> Vasundhara, a research and policy advocacy group that works on environment conservation and sustainable livelihood issues, based in Bhubaneshwar, Orissa; and Foundation of Ecological Security, an organization working in the area of ecological restoration and conservation of land and water resources, based in Angul, Orissa.

certain model of conservation and whether they have been adequate to deal with issues of poverty defined as resource deprivation, or enhance the capabilities of the people to deal with these.

4. **Commissioning an expert paper** on tourism as a livelihood option..
5. **Analyzing some existing laws and policies and judicial pronouncements:** Existing laws on wildlife conservation, and in particular the Wild Life Protection Act (WLPA) 1972 (amended 2002) and to a lesser degree the Biological Diversity Act 2002, were scrutinized to understand the role they play in affecting the livelihood options of people living within protected areas and other important wildlife habitats. Also scrutinized were recent judicial strictures related to the collection and use of non-timber forest produce (NTFP), which are crucial in the survival and livelihood strategies of forest-dwellers in India.
6. A quick analysis was conducted of the **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**, passed by the Indian Parliament as the study was finishing.

## 4.2 Key findings

### 4.2.1 The Field Sites Visits

During the course of our research, the following sites were visited by our research teams:

#### 4.2.1.1 Orissa<sup>44</sup>

**Satkosia** - The Satkosia Gorge Sanctuary covers an area of 795.52 Sq. kms. and is spread over four districts of the state viz. Angul, Cuttack, Nayagarh and Boudh, The State government had issued a preliminary notification (u/s 18 of the WLPA, 1972, vide Notification. No. 12727/FFAH.) by declaring its intention to constitute the Satkosia Gorge Sanctuary on 19th May 1976. To date, the final notification u/s 26 of the WLPA has not been issued, as the process of settlement of rights of the people living in the area has not been completed. The northern part of the sanctuary (including the Mahanadi river) comes under the Satkosia wild life division with head quarters in Angul. The area covered is 520.01 Sq. Kms. The southern part is managed by the Mahanadi Wildlife Division, headquartered at Nayagarh and covers an area of 265.51 Sq. Kms.

Ecologically it consists largely of moist peninsular low level Sal (*Shorea robusta*), salia bamboo (*Dendrocalamus strictus*) and Daba bamboo (*Bambusa arundinacea*). Main tree species include sal (*Shorea robusta*),

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<sup>44</sup> See Annexure I for detailed case study

pisal, kendu (*Diospyros melanoxylon*), kusum (*Schleichera oleosa*), kasi, gamar, asan (*Bridelia retusa*), arjun (*Terminalia arjuna*), kochila /kauchia (*Diospyros sylvatica*). The gorge is home for the endangered gharial, fresh water crocodiles, turtles and terrapins. It is also known for its elephant, gaur, tiger, leopard, sambar and spotted deer.

There are a total of 102 villages inside the Satkosia Gorge Sanctuary area of which 99 are revenue villages and 3 are 'forest' villages<sup>45</sup>. As per the 1991 census the total population of these villages was 31,585. (see annexure-1 for details). Apart from the villages located inside the sanctuary, another 195 villages are located on its periphery within a 10 km radius.

**Baisipalli** - The Baisipalli sanctuary covers an area of 168.35 sqkm and is spread across Nayagarh & Boudh district. The boudh forest division covers an area of 77.63 sqkm and the Nayagarh forest division covers an area of 90.72sqkm. Known for its quality Sal also in significant numbers. There are 4 entry points to this Sanctuary-. Taker (near Daspalla), Chamundia (60 km from Nayagarh) and Kusanga (60 km from Boudh), Chamundia is 100 km from Bhubaneswar via Kantilo on the bank of river Mahanadi

The Sanctuary comes under the management control of Mahanadi Wild Life Division. Located between latitude 25° 35' U/S 18 of WLP Act 1972. 20° 31' 37" to 20° 45' 37" North and longitude 84° 43' 03" to 85° 05' 17" East, Baisipalli was declared a sanctuary under 7th Nov 1981 Vide notification No- 8F (W)-116/81-25335/FFAH. Final Notification has not been issued till date. However it is being considered as Deemed Sanctuary as per the provisions laid down in 1991 amended WLP Act. Since the entire area included in the Sanctuary is Reserve Forests, proceedings U/S 19 to 25 of WLP Act 1972 are not required & are deemed to be completed.

Vegetation includes sal (*Shorea robusta*), karada, piasal, kusum (*Schleichera oleosa*), asan (*Bridelia retusa*), bamboo etc. Wild life like leopard, tiger, sambar, spotted deer, boar, elephant etc have been spotted. According to 2001 census, the villages inside have a population of 5874 (2001 Census) out of which SC consists of 19%, ST of 32% & others 49%. Baisipalli sanctuary is mostly inhabited by tribes, whose dependence on NTFPs, mostly Siali (*Bauhinia vahlii*) and Kendu (*Diospyros melanoxylon*) leaves for their livelihood is very critical.

In both Satkosia and Baisipalli, a ban was imposed in 2001 on the collection of non-timber forest produce for sale. This was pursuant to an order of the Supreme Court

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<sup>45</sup> Forest villages were earlier set up by the erstwhile colonial regime and later Forest Departments themselves for ensuring the availability of labour for forestry operations. Land rights were given to the settlers and very few rights were given to these people. Forest villages do not come under the revenue department. They fall within the jurisdiction of the forest department and the DFO effectively does the function of the collector.

directing state governments to not order the removal of timber, grasses, etc (see Section 2.2.2.2 above).

#### **4.2.1.2 Himachal Pradesh<sup>46</sup>**

**The Great Himalayan National Park** was established in 1984. Following an elaborate survey that was conducted by an international team<sup>47</sup> of scientists in the 1980's, the findings of which revealed a relatively low human pressure in the area, the exceptional condition of its forests and the unique biological diversity that it displayed, it was thought that this would be an ideal location for a constituting a national park that could conserve & represent the rich biodiversity of the western Himalayas. The park is especially known for having one of only two protected populations of the Western Tragopan, the Himalayan Tahr and Blue Sheep, and an endangered population of Musk deer. The decision to constitute a national park was quite in keeping with the fact that the World Conservation Monitoring Centre had already identified the Western Himalayan region as one of the five Centers of Plant Diversity and Endemism in India that required urgent protection.

The Great Himalayan National Park is located within the Kullu - district of the northern state of Himachal Pradesh in India. The park is spread over an area of 754.4 sq km. Its northern, eastern and southern sides are naturally protected by High mountain ridges and peaks.

Many small villages (Around 160 villages, approximately 14,000 people) inhabit the five-km wide belt on the western side of the park. The area comprises of around 2408 house-holds. About 26% of the population is below poverty line. around 36% of the population is illiterate & around 29% belongs to other than general category and depend on the natural resources for their livelihood. The GHNP was used by these very people for a variety of resources.

Subsequent to a process of settling rights, the final notification of the Park was issued in 1999, and all access to lands within for grazing, medicinal plant collection, or other uses was prohibited.

#### **4.2.1.3 Madhya Pradesh<sup>48</sup>**

**The Satpura Tiger Reserve<sup>49</sup>**: There are three protected areas in Hoshangabad district: Satpura National Park (SNP: 524.37 sqkm), Bori Wildlife Sanctuary (BWS: 485.72 sqkm), and Pachmarhi Wildlife Sanctuary (PWS: 417.78 sqkm). the total area 1427.87 sqkm. There are 8, 17 and 50 tribal villages respectively (total 75 villages) in the 3 areas. Recently the three have been combined to form 'Satpura Tiger Reserve' (STR), under the Tiger project. There are many more (around 100) villages around

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<sup>46</sup> See Annexure II for detailed case study

<sup>47</sup> Gaston & Garson, 1981

<sup>48</sup> See Annexure III for detailed case study

<sup>49</sup> This section is partially based on <http://projecttiger.nic.in/bori.htm>



them, mostly inhabited by tribals. The STR authorities have planned to relocate around 50 villages out of 75 villages in it. The area is known as a part of the Gondwana tract after the Gond tribe, who chiefly inhabited in this area and practiced shifting cultivation.

The Satpura Tiger Reserve is bestowed with biological diversity of different forest types ranging from dry thorn forest to tropical dry deciduous, moist deciduous and semi evergreen forests. There is a considerable variation in the vegetation due to immense heterogeneity of soil, geology, temperature and moisture conditions. The forests may be broadly classified into (i) tropical dry deciduous (ii) tropical moist deciduous and (iii) sub-tropical forests. On the basis of composition, three major type are identified, viz teak (*Tectona grandis*), Sal (*Shorea robusta*) and mixed forests.

The main species of bamboo are bans (*Dendrocalamus strictus*) and katang bans (*Bamboosa arundinacea*). The other Three species occurring in these forests are saja (*Terminalia alata*), tendu (*Diospyrous melanoxylon*), achar (Buchanani, lanzn), haldu (*Adina cordifolia*), bija (*Pterocarpus marsupium*), mahua (*Madhuca indica*), kusum (*Schleichera oleosa*), lendia (*Lagerstromia parviflora*), pula (*Kydia calycina*), jamun (*Syzygium cumini*) and tinsa (*Ougeinia oojeinensis*). A large number of shrubs and herbs occupy the understory, many of them are of high medicinal value. Some important grasses and edges include *Apluda varia*, *Eragrostis viscos*, *Cyperusiria*, *Themeda quadrivalvis*, *Heteropogon contortus*, and *Dicanthium annulatum*.

Satpura Tiger Reserve is traditionally rich area in wildlife. Upto about 19th century, the area had a rich population of major animals like leopard, tiger, elephant, bison, wild buffalo and barasingha (swamp deer). But fast deterioration of wildlife habitat led to the disappearance of many of these species. Most parts of the Satpura Tiger Reserve are covered with dense forests.

A decision was taken several years back to relocate some of the villages from within the STR. The first of these, Dhain, was shifted in the summer of 2005 and there are plans to shift between 13 and 16 more villages in the near future<sup>50</sup>. In addition, a number of restrictions on collection of forest produce for sale have been imposed, pursuant to the Supreme Court's order of 2000 on the issue (see Section 2.2.2.2 above).

#### **4.2.2 Impact of conservation policy and programme on communities within protected areas.**

Our research reveals the following key impacts of protected areas on communities:

1. There has been a significant negative impact on the lives of communities living in protected areas within Orissa and Himachal Pradesh due to denial/restrictions on access to natural resources. One area where this has had a direct bearing on their livelihood option is on the income they generated by

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<sup>50</sup>as of June 2006, this was the plan.

selling forest produce and medicinal herbs respectively. In Orissa (see Box 3 and Table 1 below for more on this) prior to the ban on NTFP trade within PAs imposed in 2001 (following a Supreme Court order of 14.2.2000), families earned an average income between Rs. 6800 to Rs. 9100 per year through legal sale of forest produce. Now they earn, an average amount in the range of Rs.1000 to Rs. 1500, that too illegally. This drop has driven the people to a verge of destitution. Similarly, in the Great Himachal National Park (see Table 2), prior to restrictions on the sale of medicinal herbs, families earned an income in the range of Rs.7500 to Rs. 10,000/- per. This has stopped almost completely (though some is reported to continue illegally). Thus this drop in both the above mentioned cases has been above 80%. This is due to the fact that these communities have largely depended on the access to natural resources to meet their economic and domestic needs. A denial of the same has meant a serious blow not only to the livelihood and financial security of the bulk of the population but also for their for basic survival.

2. There has been no attempt at amelioration of the above impacts in Orissa, thus leading to continued impoverishment of the impacted population. Some sincere attempts at providing alternative sources of livelihood have been made at Himachal Pradesh, but these have been very inadequate. Similarly there have been significant negative impacts of displacement on communities in Madhya Pradesh despite the fact that sincere attempts at rehabilitation have been made (see Table 3).
3. The denial of access and displacement has largely been due to the exclusionary model of conservation<sup>51</sup> that the state has propounded. This includes a rather inadequate and unsatisfactory process of the settlement of rights, contained in the conservation policy. Such settlement has not been completed for communities residing in protected areas in Orissa. In the case of Himachal Pradesh, the settlement was based on a 19th century report (more on this below) that hardly benefited any currently existing families. In the case of the rehabilitated village in Madhya Pradesh, people are yet to get legal documents pertaining to the land they have been allotted, due to restrictions imposed by the central government. However, to our enquiry about this, the state government officials replied that the process of conversion of the allocated forest land to revenue land was underway.
4. Very few basic development related activities had been undertaken in the protected areas visited by our teams in Orissa. Health related issues are serious in the area. Though some such initiatives were undertaken in the case of relocated village in Madhya Pradesh, for example roads were being constructed; some of this was started more than a year after relocation. Similarly, land was cleared for cultivation only after a year of relocation. In short, rehabilitation has not been able to keep pace with relocation. In the case of Himachal Pradesh, authorities had made a number of efforts at improving infrastructure to some of the affected villages in the buffer area.

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<sup>51</sup> WLPA 1972 , amendments to the same, and judicial strictures banning collection and sales of NTFP.

5. A portion that was formerly a part of the Great Himalayan National Park was carved out, ostensibly to benefit two tiny villages inside. However the real reason, as felt by those immediately affected within the area, was to open up the area for the Parbati-hydel project, in the Sainj valley. Serious problems have emanated out of setting up of this hydel project in terms the following:
  - a. Loss of income in herb collection, grazing and agricultural activities
  - b. Non-provision of alternative sources of livelihood
  - c. Health problems like cough and fever due to continuous dust in the air & noise pollution.
  - d. Damage to crops & land due to dust, with no compensation
  - e. Despoliation of sources of water
  - f. Danger to the finest bamboo forest and the Western Tragopan that is already listed as endangered
  - g. Increase in immigrant labor, placing additional pressure on local resources and bringing about cultural changes.
  
6. However, forest officials across the three sites in our study seemed concerned about the the plight of the poor within their jurisdiction. While no activity at ensuring compensation for the lost livelihoods is visible in Orissa, officials did mention that they are exploring different avenues like eco-tourism to help the poor tribals gain a control over their current plight. More concrete steps have been taken by the authorities of Great Himachal National Park in terms of facilitating the setting up of women's self-help groups and other eco-development activities that has managed to at least, even if very inadequately, address the issue of loss of livelihood<sup>52</sup>. According to the director of GHNP such attempts need to be pursued even in the future. In Madhya Pradesh, according to the forest officials in-charge of the rehabilitation of the Dhain villagers, attempts are on through the initiatives of the forest department to provide various livelihoods, such as a sericulture project, which will hopefully assure a good income to the people. These however are only initial steps and rather inadequate given the scale of impacts. The worst situation by far is in Orissa (see Box 3 and Table 1, below).

**Box 3**

**Impact of PAs on people: some specific findings from Orissa**

Our field trips to Orissa (Baisipalli and Satkosia sanctuary) revealed deprivation of 'entitlements'<sup>53</sup> at many levels, some of which are as follows<sup>54</sup>:

<sup>52</sup> However, the then Park Director Sanjeeva Pande, responsible for many of the progressive efforts made in the last few years at GHNP, acknowledged the fact that conservation is not going to come through only economic empowerment, but that social and political empowerment of the communities living in and around protected areas is also required.

<sup>53</sup> The loss or inadequacy of the 'entitlements' mentioned in this section are to a greater or lesser extent also a fact of life in the case of affected people at Great Himalayan National Park (Himachal Pradesh- See Annexure II) and Satpura Tiger Reserve (Madhya Pradesh- See Annexure III).

**Loss of livelihood through loss of NTFP income:** All the villages (except Jaganathpur in Satkosia) have been affected by the ban on NTFP and other forest produce collection from Wild Life Sanctuaries (WLS). This has posed a serious threat to the food security and livelihoods of the forest dwellers thus leading to their impoverishment. Almost all earnings from NTFP trade have stopped. A rough picture based on a limited number of interviews, about incomes (in rupees) before and after the ban on is represented by Table 1 below.

**Unsatisfactory development activities undertaken:** In most villages, little or no development activities have been carried out as the PA places various restrictions on what and who is permitted. People were not always aware of various schemes like Sampoorna Gram Vikas Yojana (Comprehensive Village Development Programme) or Prime Ministers Gram Sadak Yojana (Village Roads Programme). Some families were allocated money under Indira Awas Yojana, but villagers said that some of it was used up in bribing of officials to allow them to bring building material from outside. In effect, people are not able to avail of even the full amount (Rs.25000/-), which in any case is not adequate to shelter building, that is available. Needless to say the quality of shelter they build suffer. Road building was almost not undertaken in areas visited within Baisipalli. Village people's initiatives to build bridges, culverts were discouraged by forest officials. While the sanctuary authority's attempts at keeping out commercial and large-scale developmental pressures is commendable from a conservation perspective, the restrictions have also been on small-scale, village level developmental work on which local communities are so dependent. This has caused enormous resentment in many states.

**Non- settlement of rights:** Initial notification<sup>55</sup> had happened in 1976 and 1981 for Satkosia and Baisipalli respectively. However settlement of rights has still not happened. In fact in both the cases, most people came to know about the sanctuary notification only after a few years had elapsed. People are generally unaware of rights settlement processes, including how to file claims, and what kind of claims to file. Most people are also unaware of any public hearings, though some people remembered attending one.

**Harassment** – People complained about harassment by forest officials. For example, though NTFP collection for domestic consumption is not disallowed, there have been reported cases when people were troubled by forest guards on this account. In some case people also felt that their mobility was restricted needlessly and there have been a few cases in Satkosia when people were disallowed/delayed from taking cultivated vegetables to a local market.

**Awareness of compensation schemes** – Many people are ignorant about compensation schemes related to attacks by wild animals leading to death or major injury. Similarly they are unaware of about compensation schemes related to crop damage due to animals (elephants, wild pigs and monkey). Even where they are aware of the existence of such schemes, they are not sure about the procedures involved whom to approach etc. They feel that access to administration is difficult for the simple reason that they do not know whom to approach.

**Participation in decision making:** Most people feel a complete lack of empowerment in so far as their day-to-day life is concerned. As mentioned above, they are denied permission to undertake small activities like building bridges, culverts etc. for better road connectivity. Since hardly any funds are available for village development activities, there is no meaningful activity they can participate in if it requires funds. An important requirement for being able to participate is accessibility of information. Most people are unaware of where to procure information about schemes, funds etc, that can be used

<sup>54</sup> These are summarized findings from villages visited in Baisipalli and Satkosia. For village-wise details, please refer to Case Study in Annexure I.

<sup>55</sup> Case Study of Annexure I

for their benefit. Nor is there any involvement in the planning of management of the Sanctuary. Thus they are precluded from any participatory activities that will give a sense of control over their life.

**Insecurity** – There is a general sense of insecurity amongst people of smaller villages like Gohandi and Bhalin Padar (“encroached” village) as they fear eviction since they do not have any documents to prove ownership of land. They claim to have been staying in these places for decades and have nowhere to go if they are evicted.

**Migration** – Due to the ban on NTFP collection, most people have lost a very important source of economic livelihood. Income from farming practices is not very predictable, firstly because this is a drought prone area and secondly it is also subject to animal induced crop-damage (where compensation is rarely given). Thirdly, employment opportunities as wage labor with the government are few and far between. Thus, people are forced to migrate, either seasonally or permanently outside the sanctuary, in search of a more secure livelihood.

**Other Issues<sup>56</sup>**

A common refrain across villages we visited was the inadequacy of **medical support**. A once-a-week visit by a mobile health clinic that was equipped to distribute only paracetamols was obviously felt to be insufficient. Especially as the region was malaria prone. For example, an eleven year old dalit boy, Babul Naik (S/O Chandrashekar and Manjuwal Naik- from Hathibhari hamlet within Badslinga) had cerebral malaria due to which he went into coma for a while. On regaining consciousness, he has lost the ability to speak. Recently a three year old girl lost her life due to malaria and a 60-65 year old man died of jaundice in the year 2004. The mobile service doesn’t even reach some of the villages, as is the case with Gohandi.

The near absence of good **educational opportunities** is another area of concern. Though there are schools within these sanctuaries, the quality of education is apparently not very satisfactory. Typically children attend government run schools from standard I to standard VII. Teachers are not local residents. As they have to come from outside the sanctuary, there is a tendency to absent themselves from the duties of the education. Every school has 3 teachers handling all the students from class I to class VII and rare is the occasion when all the teachers are present together. An old villager from Gohandi said in disgust that “it’s good that we don’t have enough teachers. More of the same variety will only render our children into village idiots”.

Yet another area of concern is the general **inadequacy of basic services**: The absence or inadequacy of services like roads and electricity was a common feature in all the villages visited in Baisipalli. Access to some villages was rendered very difficult due to the terrain and there was no indication of any roadwork being undertaken. Electricity was conspicuous by its absence. Water pumps were also not available in many villages, especially in far away village like Gohandi and Bhalin Padar. It can be fairly assumed that is the case with other villages also.

**Table 1: Impact of protected area restrictions on natural resource based earnings in Satkosia and Baisipalli Sanctuaries, Orissa**

Name	Annual Earnings (pre-ban, in rupees; all through	Annual Earnings (now) in rupees
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<sup>56</sup> These issues are also reflected in many villages outside PAs in India, pertaining to the general inadequacy of government services especially in ‘remote’ rural areas. The extent to which such problems are due to the existence of the PA is therefore not clear. A comparative study with villages located outside the PAs would reveal the extent of difference, if any, but such an exercise was not part of the mandate of this study.

	legal trade)	
Sal ( <i>Shorea robusta</i> )	1000 to 1500	200-700 ( illegal trading)
Siali ( <i>Bauhinia vahlii</i> )	1000 to 1200	200-500 ( illegal trading)
Amba kodi	400-500	None
Mahulo/Mahua ( <i>Madhuca indica</i> )	1000-1500	None
Heel Brown	300	None
Hurda/Harida ( <i>Terminalia chebula</i> )	300	None
Kendu ( <i>Diospyros melanoxylon</i> )	1500 –2000	None
Amla ( <i>Emblica officinalis</i> )	300	None
Bamboo harvesting	2000	None
Total	6800- 9100	1000-1500

**Table 2: Impacts of notification of the Great Himalayan National Park on local communities**

<b>Issues</b>	<b>Findings</b>	<b>Impact</b>
Stoppage of rights and access to medicinal herbs	Loss of natural resource based earnings.	Loss of Guchhi and medicinal herb sales that together contributed an average income over Rs 10,000 per family in villages around the park
Restrictions on grazing	People, being unable to maintain their livestock, have been forced to sell <sup>57</sup>	<ul style="list-style-type: none"> <li>▪ Negative impact on agricultural practices due to loss of manure thus affecting</li> </ul>

<sup>57</sup> However according to then Park Director, Mr. Sanjeeva Pandey, the selling of sheep and goats can be attributed to restrictions on grazing in the GHNP only partially. Another major reason for this, it seems, is a rise in demand for meat in Sainj because of inflow of migrant labor on account of the Parbati hydel project.

	off their sheeps/goats.	<p>land productivity</p> <ul style="list-style-type: none"> <li>▪ Danger of losing their traditional occupations like knitting</li> <li>▪ loss of income earlier obtained by selling of 4-5 goat each year (upto @Rs. 3000-4000)</li> <li>▪ migration of young people<sup>58</sup></li> </ul>
Settlement of rights	Limited to only 349 families mentioned in the Anderson report (1894)	Many <sup>59</sup> currently residing families have not been considered at all (Rs. 1,56,00,000 have been disbursed only to those mentioned in the Anderson Report)
Ecodevelopment and alternative livelihood generation	<ul style="list-style-type: none"> <li>▪ First project a failure, mainly focused on physical infrastructure and expenditure such as temple construction</li> <li>▪ Upper caste dominance in EDC</li> <li>▪ More recent attempts positive and genuine, but inadequate</li> </ul>	<ul style="list-style-type: none"> <li>▪ First project did not generate livelihood options</li> <li>▪ More recent efforts have helped offset livelihood losses in a number of villages, but the scale is very inadequate compared to the overall loss due to stoppage of access</li> </ul>
Park- people relations	Backlash on conservation	Onset of indifference towards issues of protection and conservation of forests and wildlife and hostility towards Forest Department <sup>60</sup>

<sup>58</sup> Though people's inability to maintain livestock due to restrictions on grazing is cited as a reason for migration of younger generation, this may not be the whole truth. Mr. Sanjeeva Pandey felt that this is also partially due to the fact that the young generation's reluctance in taking up a graziers occupation (which involves hard labor) as they would rather work as teachers or local guides, or migrate to urban areas.

<sup>59</sup> According to the then Park Director, Mr. Sanjeeva Pandey, no grazier from outer Seraj or immediately outside the GHNP has grazing permits. This has been a major issue at the time of settlement of rights. If no grazing permit is issued, their right can not be treated legal and hence the government did not provide any compensation. Also, because all the rights of the local people in forests are regulated by the Anderson Settlement Reports (1894), only such rights which are given therein have been settled. According to him. there are examples of local people and politicians resisting any change in the Forest Settlement Reports of British times as people get a deodar tree from the government at Rs 5 per tree which otherwise is worth Rs 60 to 80,000 in market. Their rights in the forests of GHNP have been compensated based on the same Forest Settlement report.

<sup>60</sup> This is largely due to a cumulative impact of the measures taken so far by the authorities in terms of stoppage of medicinal herb collection, restrictions on grazing, unhappiness with the settlement of rights process and the failure of the earlier ecodevelopment related attempts.

**Table 3: Findings on Displacement and Rehabilitation, Satpura Tiger Reserve, Madhya Pradesh**

<b>Issues at New Dhain resettled village</b>	<b>Findings</b>
Governance	<ul style="list-style-type: none"> <li>▪ Alleged lack of transparency and participation in relocation planning, but consent reportedly obtained</li> <li>▪ Absence of MOU or written terms of the relocation and rehabilitation (R&amp;R) package</li> </ul>
Dwelling	Satisfactory in terms of houses built.
Land	<ul style="list-style-type: none"> <li>▪ Much of the land provided was uncleared for cultivation till one year after relocation; cleared more recently</li> <li>▪ Conversion of forest land to revenue land status (thereby enabling secure title deeds to cultivators) is still awaited thus delaying the handover of legal documents to the affected; problem related to central government policy</li> </ul>
Water	Serious shortages till one year after relocation; recent efforts at providing more irrigation facilities
Relocation compensation	All villagers claimed that the Rs. One lakh (100,000) per family, given by central government, is grossly inadequate as a relocation package; forest officials fully agree, and have augmented the amount through local sources
Livelihoods	Inadequate access to livelihood options, leading to fuelwood trade and other impacts; officials trying to bring in alternative sources such as sericulture, marketing support for tree-based produce growing on fields
Conflict with existing settlements	Conflict with pre-existing adjacent village, whose reportedly ‘encroached’ land seized and given to New Dhain settlers; some harassment by forest guards reported
Environmental impact of relocation	Not assessed; over 36000 trees cut at relocation site <sup>61</sup> , no assessment of flora/fauna lost
<b>Issues at Villages Slated for Displacement</b>	<b>Findings</b>
Readiness to relocate	<ul style="list-style-type: none"> <li>▪ Strong unwillingness to move in Khakhrapur and Sakot villages (the ones slated for next relocation), given what they have heard of New Dhain’s situation, especially with regard to water availability and land preparedness; their current source of water (Tawa</li> </ul>

<sup>61</sup> Estimates on number of trees cut vary. Forest officials put this number as somewhere between 36,000 to 39,000 whereas local groups fighting for the rights of the tribal said that the number of trees cut was probably closer to 50,000.



	<p>reservoir) is quite sufficient and the quality of land they possess currently is quite good</p> <ul style="list-style-type: none"> <li>▪ Villagers from both villages feel that the compensation amount for relocated families is grossly inadequate.</li> <li>▪ Legal status of land – Villagers are willing to consider relocation if the quality of land provided is good as also if they get revenue <i>pattas</i> to the land. This they claim is for their own greater security that will help them avail of a number of benefits such as procuring loans</li> <li>▪ Strong willingness to relocate by residents of Bori village as reported by both, the STR officials and local activists (but site could not be visited during study due to heavy unseasonal rains)</li> </ul>
Livelihood security	<ul style="list-style-type: none"> <li>▪ Restrictions on tendu (<i>Diospyros melanoxylon</i>) leaf collection since 2 years ago has affected people from both the villages. This has affected their earning capacity (though they could not state exactly by how much).</li> </ul>
Conflict with existing settlements	<ul style="list-style-type: none"> <li>▪ Could be serious, since area slated for resettlement is reported to have dependency of existing surrounding communities; officials admit that some conflict is bound to occur</li> <li>▪ Residents of both villages are under the impression that NTFP and fuel wood collection is prohibited even for domestic consumption. This has led to resentment which could potentially lead to a conflict situation. Some villagers claim harassment.</li> </ul>
Access	<ul style="list-style-type: none"> <li>▪ Road access -The villages, as they are currently located, are quite deep into the sanctuary. One of their current problems of the most severe kind is of approach. The road to and from the main highway is extremely bad for travel.</li> <li>▪ Access to information - they do not know under which law or act they are being asked to relocate. They say that they are ignorant about such matters, and when asked, the forest staff does not explain. Nor, they say, have social action groups been of much help beyond lending a sympathetic ear.</li> </ul>

From all three case studies, and from a general reading of the situation in India, some **common elements** emerge:

1. Many communities living in areas sought to be conserved for wildlife are already living “on the margin”, with a critical but tenuous access to livelihood resources like forest produce and employment opportunities, but also with respect to resources like water, biomass energy, wild foods, medicinal plants, and so on, free access to which is critical to basic survival. This situation partly already existed prior to independence during colonial rule of the British. Post-independence these conditions did not change too much. Historical processes of state takeover of commons is one factor resulting in this situation, but there are others, such as failure of the state to deliver health, education and development inputs to “remote” areas.
2. Conservation policy and programmes have had a significant negative impact on the socio-economic condition of communities living inside areas sought to be protected for wildlife, worsening the already marginalized existence of these communities, in some cases turning a situation of free and relatively secure access to survival resources into an uncertain or prohibited access. They have either been dispossessed of critical resources on which their livelihoods and survival is based (Baisipalli/Satkosia Sanctuaries, Orissa; Great Himalayan National Park, Himachal Pradesh and also to some extent in Satpura Tiger Reserve, Madhya Pradesh), or been physically displaced from their traditional sites of residence (Satpura Tiger Reserve, Madhya Pradesh).
3. Denial of access to livelihood and survival resources, even when a community is allowed to continue living at their traditional place of residence, directly leads to the further impoverishment of such communities<sup>62</sup>. When they are already living on the margins, as in the case of some of the communities studied here ( in Baisipalli and Satkosia Sanctuaries in Orissa), this can lead to situations of destitution. Though to a lesser or larger extent this probably is true of most of the protected areas in India, it seems to be very starkly manifest in the current situation in Orissa. People here have ‘internalized’ their poverty to an extent that they see no escape from it (even the forest official in charge of one of the sanctuaries Orissa is in agreement with this<sup>63</sup>).
4. There already has been a legacy of exploitation of natural resources and of resource dependant communities both by the erstwhile colonial powers and post Independence, by the Indian state. These communities were exploited in several ways. One of these, for instance, was where the British employed forest dwelling communities, or settled people into forests, to help in commercial forestry

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<sup>62</sup> It must be noted that there has been a conceptual and policy revision in the resettlement policy of the World Bank. This policy development consists in, and builds upon, the redefinition of the concept of “restriction of access”. The revised policy conceptually redefines “restricted access” to certain natural resources as a form of involuntary displacement, even if the affected groups are not physically relocated. This redefinition was also replicated and introduced in the policies of other multilateral donors such as the Asian Development Bank, the Inter-American Development Bank, and the African Development Bank, for their programs. It affects also programs financed by the Global Environmental Facility (GEF) (Cernea 2006).

<sup>63</sup> See Appendix III of Annexure I. Forest officials across the three sites in our study seemed concerned about the plight of the poor within their jurisdiction.

operations. One of the villages that our team visited was Tarava in the Satkosia sanctuary of Orissa. This is a forest village established by the FD in 1910 that has not been converted into a revenue village till now. Due to this, it is deprived of the benefits of various government programmes and schemes like old age pension, widow pension, Anthyodaya Anna Yojana<sup>64</sup>, or even availment of domicile certificates as they are under the sole jurisdiction of the Forest Department. This colonial legacy of unconcern for the welfare of communities within forests and protected areas continued even after gaining independence. The Wild Life (Protection) Act (1972) was drafted 25 years after Independence, but based as it was on the Yellowstone National Park model (which assumes people as being hostile to conservation, and therefore for protected areas to be freed of people), it failed to address the issue of people living within areas sought to be protected. Though this is in no way to understate the critical role the Act has played in conservation, it has been of little help to the communities who live under a constant threat of being moved out of protected areas. The recent ban on NTFP collection and trade has further aggravated their state of poverty and the violation of human rights. Thus not only have there been deep rooted causes of poverty prior to conservation policy formulation, but these causes have continued to exist or become even more pronounced due to these policies and to related judicial measures.

5. Some attempts have been made by the government to make amends for such dispossession and displacement, such as ecodevelopment in Great Himalayan National Park (Himachal Pradesh) and rehabilitation in the case of Dhain village, Satpura Tiger Reserve (Madhya Pradesh). Compared to the scale of the negative impacts, however, these appear to be very inadequate.
6. Some attempts at providing livelihood alternatives, such as at GHNP, are related to ecotourism. Considering that tourism in India is today perceived and promoted by many as a new 'development paradigm' with a potential of providing economic, environmental and social benefits, it is of little surprise that 'ecotourism' has become the latest buzzword. Government and tourism operators are promoting a different kind of tourism that is supposed to be environmentally sensitive and also provide enhanced economic benefits to local communities<sup>65</sup>. However, tourism, as it is practiced today has serious pitfalls, and is known to be a major cause of environmental, social and cultural degradation. Most often tourism is promoted at the cost of local communities. This is especially the case in protected areas. The National Tourism Policy of 2002 places the tourism industry within the liberalized and privatized framework that has been adopted by the Indian economy. It does

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<sup>64</sup> Anthyodaya Anna Yojana which has been launched by the Central Government to supply 35 kgs of food grains per family per month at Rs 3 per kg of rice and Rs 2 per kg of wheat, has been implemented in the State from August 2001. The State Government has been given a target of 479700 families for coverage under this scheme. Accordingly, the State Government has identified these families through the respective Gram Sabhas and local bodies, and is distributing rice and wheat to them at the scale and issue price prescribed by the Government of India.

<sup>65</sup> This section is mostly based on a paper 'Tourism in Protected Areas: A Viable Livelihood Option?' by Seema Bhatt, specially commissioned for this study.

indicate that ecotourism needs to mean more than just ‘nature tourism’, and should be planned to help in the elimination of poverty and unemployment; advancing the status of women; preserving cultural heritage; improving the environment; and facilitating the growth of a fairer and just social order<sup>66</sup>. However, it does not provide guidelines as to how these issues could be addressed. The draft final report prepared for the National Biodiversity Strategy and Action Plan (NBSAP), has suggested several strategies and actions to achieve sustainable or sensitive tourism. It suggests that draft guidelines be prepared for this, by identifying a set of criteria to define sensitive tourism as relevant to different ecological conditions. It also suggests developing a code of conduct and building capacity of all stakeholders. It suggests that a more sensitive operational policy be worked out in collaboration with the Ministry of Tourism and the Ministry of Environment and Forests (MoEF) and with wide consultation with other stakeholders<sup>67</sup>. Such a policy could also address, the current lacunae in the WLPA (including the role tourism would play even in its amended form catering to the categories specifying Conservation/Community Reserves). Ecotourism in particular, if specifically focused not only on conservation of resources but also on generation of equitably shared benefits, could actually benefit from the Biological Diversity Act. Article 37 of the Act deals with the issue of declaring Biodiversity Heritage Sites. It is not clear at this stage if tourism is an activity that will be allowed within these areas and what role the local communities would play in the management of these areas. Though, potentially tourism could become one of the biggest sources of revenue and bring substantial benefits to the community living in and around PAs, few initiatives have so far generated revenue for local communities. There are few mechanisms to train and hire local community members for tourism related activities. There are even fewer enterprises that are community owned and managed. The last few years have seen some conflicts<sup>68</sup> between communities and PA authorities or the tourism industry where local communities have felt completely left out and deprived of any benefit from the PA or tourism related activities. On the other hand one can also cite the example of the Nanda Devi Biosphere Reserve; opening it up to limited tourism was clearly seen as a landmark where local communities have played a proactive role in ensuring that they have a long-term benefit from tourism activities. Thus there are site-specific, positive and negative experiences in ecotourism. It would be therefore be inappropriate to look at ecotourism as a universal panacea addressing the problem of livelihood and poverty within protected areas; at best, it could be a predominant source of income in some situations, but on average, livelihood contribution of tourism may remain small and localized.

7. When communities get physically displaced, even a relatively efficiently managed relocation process cannot make up for the loss of people getting up-rooted from a cultural way of living and being that has been practiced for generations. This way of life, that hitherto has provided not only livelihood, but also cultural and spiritual sustenance to these communities, is based on a relationship with natural resources

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<sup>66</sup> <http://www.tourismofindia.com/misc/tourismpolicy.htm>

<sup>67</sup> TPCG and Kalpavriksh 2005

<sup>68</sup> for example, the ‘Taj controversy’ in Nagarhole National park in Karnataka .

that have evolved over centuries. It is, moreover, based on historically evolved customary rights and responsibilities. This is suddenly replaced by a way of life that is based on modern concepts of state, law, judiciary, revenue, finance, development, and so on. To those directly affected by a change of such huge proportions, this is doubtless a traumatic experience. Those responsible for the relocation process also need to factor in the effect relocation will have in terms of conflict that may potentially ensue with villages already residing in and around rehabilitation sites. For example, the villagers of the resettled Dhain village had to face and continue facing hostilities from the people of a village called Dobjhirna as some of the land occupied by the Dobjhirna people was allotted to the Dhain people by the Forest Department. This had led to intense unhappiness amongst the Dobjhirna people and even to some physical clashes. Those effecting or facilitating such changes then have a huge ethical responsibility to help effect this shift in as painless a manner as possible. It then stops being a question of drawing up a calendar (in a top-down-fashion) by which the relocation and rehabilitation process is to start and finish. Even the process of acquiring consent for the relocation, then acquires dimensions beyond mere collecting of thumb-prints/signatures. The entire populace needs to be involved in the planning process. Physical infrastructure, especially that relating to dwellings and livelihood needs to be put in place. For example, in the case of the relocated site for the Dhain village (Satpura Tiger Reserve, Madhya Pradesh), the allotted agricultural land with irrigation facilities should have been in place before or immediately after the relocation took place. Helping people become productive and rebuild their community lives, should have been the main concern not only in terms of making their economic livelihood more secure, but also in terms of keeping them occupied as a partial therapy for overcoming the trauma of shifting. Successful relocation process would also need the active involvement of various state departments (land, irrigation, revenue, district collectorate, forest, and others), but inter-departmental coordination has been notoriously difficult in most such processes. This is not to undermine the sincerity of the efforts by concerned individuals within the government to help the displaced community, but to point to a systemic failure by the state to understand the full trauma of displacement.

8. Similarly, when people are dispossessed or stopped from having access to traditional resources for livelihoods, as in the case of the Great Himalayan National Park and Baisipalli/Satkosia Sanctuaries, the compensatory efforts need to be commensurate with the loss that the community is facing. This has clearly not happened; in the case of Orissa, there has been virtually no attempt at compensatory or alternative livelihood measures and in the case of Himachal Pradesh, the measures are thoroughly inadequate despite the best recent efforts of individual officials. This has led to a sense of economic insecurity, far worse in Orissa than in Himachal, but nevertheless pronounced at both.
9. Denial of access to resources could, ironically, backfire on conservation itself. Some indication of this was obtained when, during the study, it was observed that people in the protected areas of Orissa had taken recourse to goat rearing. With little governmental ability to stop this activity due to its decentralized nature, increasing

numbers of goats could pose new threats to the ecosystem. There are also widespread reports from protected areas in India of other damaging activities that people are resorting to, including illegal ones such as timber felling and poaching. Finally, as hostility of people towards conservation measures increases, the potential for physical conflicts is heightened, and people generally become less cooperative, making it more and more difficult for wildlife officials to work effectively.

10. The relative lateness of amendments regarding decentralization (1996), 49 yrs after independence, is compounded by its current level of ineffectiveness due to politicization, continuation of caste system privileges within local bodies (panchayats, gram sabhas), vote-bank politics, and corruption in the political and administrative set-up. In the case of protected areas, it is more conspicuous by its absence. Hence local empowerment, that could have counteracted the negative impacts of conservation policies through peoples' initiatives, has not come to the rescue at least at the study sites.

#### 4.2.3 Impacts on “freedoms”

In the above-mentioned instances, that of dispossession due to prohibition (of access to traditional resources for livelihood) and that of displacement (relocation of villages from within the sanctuary to outside), an adequate justification for denial of access or relocation has not been clear, transparent or consultative. How this has impacted on the different freedoms can be viewed below.

No.	Kind of freedom	Impact of Conservation	Remarks
1.	Freedom to exercise customary rights over access to natural resources for physical subsistence (source of food for immediate consumption) as well as a means to livelihood and economic security)	Denied entirely in Orissa, Partially denied in Himachal Pradesh, Madhya Pradesh	Though attempts at creating income generating activities have been initiated at GHNP these are clearly not proportionate to the scale of dispossession.  Similarly some attempts are being made at New Dhain village by initiating a project on sericulture. As of now this is not generating any income. As a makeshift, some people have been hired by the FD as fire watchers, but this is a seasonal and impermanent solution. Things will hopefully improve in the longer run due to land works, water availability, and greater resources from district administration. etc.
2.	Freedom from actual or potential threat of displacement, dispossession and loss of command over economic resources	Denied in Orissa, Himachal Pradesh, Madhya Pradesh	In Orissa the threat of destitution is very real. In GHNP it is contained upto a point by the formation of WSCG. While at the relocated Dhain village in Madhya Pradesh, though rehabilitation work is in

			progress, its pace is very slow and people have had to face a year of hardship and very low level of livelihood opportunities.
3.	Freedom from preventable ill-health, illiteracy, hunger and morbidity	Unsatisfactory in Orissa, Himachal Pradesh, Madhya Pradesh	In Orissa, though mobile health-clinics exist, these dispense only paracetamols. Similarly the quality of education provided (in terms of student-teacher ratio and quality of education leaves much to be desired). Though these issues were not so starkly manifest in Madhya Pradesh and Himachal Pradesh, neither were they completely taken care off in terms of the quality these services provided for by the state.
4.	Freedom and opportunity to participate in developmental activities and community life.	Denied or severely restricted in Orissa, Himachal Pradesh, Madhya Pradesh	In all the areas visited development activities are on stay or severely curtailed. There are no opportunities to participate in official conservation programmes or PA management, except to a limited extent in the peripheral areas of GHNP in Himachal Pradesh.
5.	Freedom from a sense of disempowerment <sup>69</sup>	Denied in Orissa, Madhya Pradesh	In Himachal Pradesh, due to the initiatives of the park director and the formation of the self-help groups, there is some sense of control over their own destiny but restricted to a small portion of those affected by the park. This is completely lacking in both Orissa and Madhya Pradesh
6.	Freedom and opportunities to raise questions about the accountability (accountability in use of funds and to peoples needs) of the duty-holders ( The human rights approach to poverty reduction emphasizes that” <b>all mechanisms must be accessible, transparent and effective</b> ” in terms of duty-holders, jurisdiction.)	Denied in Orissa, Himachal Pradesh, Madhya Pradesh	Lack of information, official callousness, harassments, direct and indirect coercion, illiteracy, official apathy over decades have to a greater or smaller extent made the duty-holder un-accountable in the eyes of affected people. However in the case of GHNP, recent initiatives at self-help group formations and ecodevelopment initiatives have managed to create an image of a sensitive bureaucracy, upto a point. In Madhya Pradesh, officials are seen to be more responsive to the problems of the rehabilitated villagers than earlier, but it is unclear if this sensitivity is being integrated into the system or is only due to some individual initiatives.

<sup>69</sup> In order to feel ‘empowered’, people need to be freed from the “the web of powerlessness” that may engulf them as their control over their personal and community destinies gets threatened when they are not consulted in decisions and processes affecting their lives.

#### 4.2.4 Existing action plans and reports relevant to the conservation-livelihood issue

As part of the study some key recent documents that have dealt with the issue of conservation and livelihoods, were reviewed. The key elements of these relevant to the study are summarized below.

##### 4.2.4.1 People's report on the National Biodiversity Strategy and Action Plan

Adopting a consultative process, the MoEF prepared a National Policy and Macro level Action Strategy on Biodiversity in 1999. This document is a macro-level assessment of gaps and a statement of policies and strategies needed for conservation and sustainable use of biological diversity. A need was felt for a detailed plan, including state-level strategies and actions. For this purpose, the MoEF accessed funds from the Global Environment Facility (GEF), through the United Nations Development Programme (UNDP), to start the process of preparing the National Biodiversity Strategy and Action Plan (NBSAP)

The NBSAP process in India was an outcome of the widely felt need for a consolidated, comprehensive document on the direction that India should take for conservation and sustainable and equitable use of biodiversity and biological resources. It was also part of the country's commitments under the UN Convention on Biological Diversity. Interestingly the technical coordinator of this process was handed out to a NGO, Kalpavriksh and carried out through a Technical and Policy Core Group (TPCG).

Overall, the final national report submitted by the TPCG<sup>70</sup> advocates that the focus of all planning and decision-making in India should be to achieve the twin objectives of **ecological security** (including conservation of ecosystems and species) and **livelihood security** (especially of the most under-privileged sections of society). In considerable detail, the report recommends strategies and actions for achieving this, both within and outside the protected areas.

Some of the relevant recommendations of this report that directly address the issue of Equity, can also be used in order to better address the issue of dispossession and disempowerment of the communities within protected areas. In what follows, we provide a gist of some strategies below, that we feel are immediately relevant to the goal of conservation and livelihood security.

<b>Strategy: Secure community tenure over natural resources</b>
<b>Action:</b> 1. Establish secure common property rights of :

<sup>70</sup> TPCG and Kalpavriksh 2005



- a. Traditional marine communities
- b. Freshwater wetland user including fisher folks
- c. Users of Terrestrial ecosystems and their resources
2. Establish secure tenurial rights over forest land traditionally used by communities
3. Develop a land classification system which records and considers ecosystems and biodiversity harboured by them as well as customary and current user groups and their livelihood systems
4. Endow ownership over NTFPs to communities, with conservation responsibilities and equitable rights

**Strategy: Develop a socially and ecologically sensitive process for dealing and disputed claims and ‘encroachments’ on ‘forest’ lands**

**Actions:**

1. Prepare an accurate database and maps of the legal status of notified forest lands and ‘encroachments’ on them according to official records
2. Tally Forest and Revenue Departments land records
3. Complete survey and settlements for all forest lands yet to be demarcated or finally notified
4. Initiate systematic addressal of disputed claims and encroachments on lands finally notified as forest lands
5. Reclassify long-standing, traditional shifting cultivation lands as forest fallows
6. Use the database and mapping generated above, to ‘freeze’ any further illegal incursions into forests
7. Ensure secure land tenure to forest villages

**Strategy: Ensure equity in ongoing ecosystems management initiatives**

**Actions:**

1. Ensure that socio-economic and gender equity is mainstreamed into JFM, Community Forest Management(CFM), watershed management, and Forest Development Agencies(FDAs)
2. Initiate Participatory or Joint Protected Area Management (detailed steps on this are also given in the document)
3. Integrate principles and practices of socio-economic and gender equity into all other community-based natural resource management programmes

**Strategy: Protect traditional knowledge, and ensure equitable benefits from its wider use**

**Action:**

1. Build capacity of communities to value and protect their knowledge
2. Use traditional knowledge in biodiversity management programmes
3. Carry out community-based documentation of traditional knowledge
4. Create a network of traditional knowledge holders and database at district, state, and national levels
5. Develop community-based intellectual rights systems
6. Ensure equitable sharing of benefits from the use of traditional knowledge
7. Develop and apply code of ethics for researchers using traditional knowledge

**Strategy: Ensure equitable sharing of benefits from the use and marketing of community-managed or developed resources**

#### **4.2.4.2 The National Wildlife Action Plan (2002-2016)**

The National Wildlife Action Plan (2002-2016) suggests a number of measures to involve citizens in conservation, including the following:

1. Orientation programmes for PA staff to build a positive attitude towards local people and their rights.
2. Evolve and prescribe guidelines for local community involvement in different management zones of PAs and adjacent areas. These guidelines would complement the WII guidelines for planning PA management and concurrent ecologically sound community welfare programmes.
3. Design people participation schemes for all PAs by focusing upon landless families so as to provide them gainful employment, particularly through NTFP.
4. Develop and implement guidelines for providing incentives and measures for benefit sharing among local communities.
5. Hold public hearings in affected areas around the PAs once every year on a number of issues, including crop damage, encroachments, livestock grazing and so on.
6. Evolve comprehensive national guidelines on voluntary relocation from PAs holding discussions with resident PA villagers in various parts of the country. Relocation and Rehabilitation schemes to be finalized for all national parks in the first phase, ensuring alternative lands, funds for it. Second phase to do the same for the sanctuaries.
7. Formulate schemes for conflict management, especially for life, livestock and crop damage.
8. Set up participatory management committees for all PAs, consisting of PA officials, community representatives, NGOs and independent experts to enable effective public involvement in conservation, management and benefit sharing.
9. Provide a range of incentives to conserve wildlife in different landscapes across different land and water uses: rewards and public honor for commendable conservation work and actions, granting of biomass and water resource rights for personal consumption for communities that have helped protect or restore wildlife habitats, employment in local conservation works, financial rewards and incentives to protect sacred groves, share in penalties extracted from poachers, share in tourism revenues, incentives to move away from ecologically ill-advised activities.
10. Encourage people to help protect and manage wildlife habitats outside PAs (including community conserved forests, wetlands, grasslands and coastal areas).

11. As mentioned above, the draft NBSAP is yet to be approved, and elements of the NWAP relevant to communities are yet to be implemented.

## 5. RECOMMENDATIONS

### 5.1 Change initiatives

The issues outlined above need to be addressed at three levels:

1. Ensuring **entitlements** that enable ‘functionings’ of people living within protected areas
2. Addressing the lacunae within current conservation policies and laws
3. Ensuring that human rights are safeguarded

#### 5.1.1 Ensuring entitlements that enable ‘functionings’ of people living within protected areas

Impoverishment and dispossession should not be merely understood in terms of being relieved of ‘**assets one already possesses**’. The other dimension of impoverishment/dispossession could be defined in terms of being robbed of **entitlements** that are due to a citizen of a nation and that are basic to a dignified life in terms of control over resources, health, education, information etc.

Policy makers need to not only consider the rights and needs of communities living inside areas sought to be conserved for their wildlife, but also stop thinking of such communities as a hindrance to conservation. Conservation policies have to be drawn up in such a way that they are enabling of community initiatives in conservation, as **also integrative of livelihood needs**, rather than turning people against conservation. In a country like India, natural ecosystems like forests have not simply been ‘wilderness’ zones. They have had human influence for centuries. Doubtless due to changes in land use patterns, growth in human needs, the incursions of national and global markets, and other factors, unsustainable pressures has been exerted on these ecosystems, necessitating special conservation measures. Undoubtedly too, legally notified protected areas appear to be one effective way to conserve ecosystems and their wildlife. Howsoever imperative the need to protect nature may be considered urgent and justified, ***this cannot be done without providing for the needs of ecosystem dependent people. Unfortunately the present policies and strictures, in the name of conservation, are geared more towards further pauperizing the people who are already poor and disempowered.***

Paradoxically, conservation initiatives that are hostile to communities can only rebound on conservation itself. Some immediate indications towards this has been noticed at the study sites, e.g. the reported increase in goat-rearing (to compensate for loss of NTFP related livelihoods) with potentially degrading impacts on forests within the Orissa sanctuaries, or the reported increase in illegal activities by people desperate for some source of livelihood. Additionally, the increased hostility in resident populations can only rebound negatively on conservation as it makes the job of PA

managers tenses, harder and fraught with dangers. ***Policy makers have to start looking at people's livelihood concerns and conservations as the two sides of the same coin.***

This requires placing the issue within both an ecological security framework, and a human rights framework. For the former, it is critical to understand the biological requirements of ecosystems and species. For the latter, factors that sustain or increase poverty (defined broadly as resource deprivation), or conversely sustain or increase livelihood security, must be understood and built into conservation planning. This would also mean respect for traditional and customary **rights** of ecosystem-dwelling communities, facilitating their ability to ensure a certain standard of dignified living in terms of **entitlements** like secure livelihoods and employment, education facilities, health, access to information, and so on. Finally, this would also mean empowering people by enabling their participation and involvement in conservation initiatives and alternatives. **Empowerment** leads to a sense of freedom and a control over one own destiny. Policy makers have to understand that unless and until there is freedom from poverty, there will always be a poverty of freedom. Policies would then need to be framed in order to guarantee not only the positive freedoms (defined as 'freedom to'; for eg. freedom to pursue one's goals) but also negative freedoms (defined as 'freedom from'; for eg. freedom from hunger). Only when policies are informed by such an understanding will the problem of conservation be seriously addressed.

Fundamentally, a human rights approach is about **empowerment** of the poor through expanding their freedom of choice and action to structure their own lives. Ensuring human rights will empower individuals and communities by granting them entitlements that give rise to legal obligations on the state and policy makers. Thus "Provided the poor are able to access and enjoy them,, human rights can help equalize the distribution and exercises of power both within and between societies." Human rights thus provides one way of weakening "the web of powerlessness" and enhancing "the capabilities of poor men and women so that they can take more control of their lives"<sup>71</sup>. As the U.N. Committee on Economic, Social and Cultural Rights remarks, the "right to work, an adequate standard of living, housing, food, health and education...lie at the heart of the Covenant[and] have a direct and immediate bearing upon the eradication of poverty" (Committee on Economic, Social and Cultural Rights, op.ci.at note 5, para.1.). Ensuring the protection of these rights will result in ensuring a sense of security and well-being amongst the people and communities living within and around protected areas. This in turn will result in a positive sense of empowerment that can only help towards conservation and not otherwise. Policy makers would do well to keep this in mind while reviewing current conservation policies and programmes.

### **5.1.2 Addressing the lacunae within current conservation policies and laws**

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<sup>71</sup> as cited in OHCHR from the series "*Voices of the Poor*" published for the World Bank by Oxford University Press, 2000-2002

### **5.1.2.1 Developing criteria for declaring protected areas and assigning them a specific category**

- Develop a clear set of guidelines for classifying PAs into appropriate category.
  - based on enhancing conservation coverage to meet specific conservation objectives
  - based on addressing specific livelihood concerns of communities residing within these PAs
- Involve scientific institutions such as the Wildlife Institute of India, and relevant national level NGOs in working out criteria for declaring PAs and assigning them into a specific category (as according to above-mentioned guidelines), in a participatory manner.
  - Delete provisions allowing only new areas to be declared Conservation Reserves and Community Reserves, in the Wildlife (Protection) Amendment Act 2003 (WLPAA) so that all areas are open to all categories depending on the conservation values and social/cultural factors
  - Facilitate a time-bound, one-time reclassification of all existing PAs based on these criteria
- Create enabling and empowering mechanisms that would facilitate effective conservation by government agencies and local communities while at the same time taking care of the essential livelihood needs of local dependent communities.

### **5.1.2.2 Assessing dependence of local people on protected areas**

- Constitute a national committee to assess the extent of livelihood dependence of local communities and their contribution to ecosystem and wildlife conservation.
- Ensure that the committee has an equal representation of
  - people's groups and conservation activists,
  - chairpersons of the National Commissions on Scheduled Castes and Scheduled Tribes,
  - Ministries of Environment and Forests, Tribal Affairs, Social Justice and Empowerment, social scientists and natural scientists.

### **5.1.2.3 Protecting rights of communities, and settlement of these rights in protected areas**

- The process of settlement of rights<sup>72</sup> should:

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<sup>72</sup> A process of settling land claims has been effectively carried out in the Reserved Forests of Amravati District in Maharashtra. A team including the Collector, assistant collector, the local politician, NGOs and members of gram sabha participated in this three tier process. Claims were first assessed at the level of a gram sabha before being taken to the taluka level committee. The results have revealed that 48% of the claims were rejected at the village level itself, belying the fear that villagers will claim all encroachments to be valid. The entire process in 90 villages took no more than two months. This proves that involving gram sabhas in process of this kind can speed up the process as well as eliminate a number of illegal claims at the level of the village itself.

- be based on a clear set of guidelines to specify identification of all customary and traditional uses and rights, and their continuation if appropriate to the conservation objectives.
- contain recommendations regarding alternatives for uses that are now destructive or unsustainable.
- contain directives for stoppage of non-customary commercial uses by outsiders and recent settlers.
- be based on a realistic assessment of the current usage of each PA.
- ensure that assessment is not dictated solely by government records, which are often outdated and incomplete.
- be carried out even for areas where settlement has already been done, but where clearly resource use activities are continuing<sup>73</sup>.
- be based on assumption that traditional people often (though not necessarily) have a positive relationship with the ecosystem and wildlife, and not with the assumption that these people are inevitably causing “pressure” on the habitat or are “enemies” of wildlife.
- take into account the customary (even if unrecorded) rights of traditional users, clear establishment of such rights (and corresponding responsibilities) within the framework of the conservation objectives of the PA and the livelihood needs of the people.
- ensure that the proclamation of the Collector must be made *orally* in each relevant settlement, not only in writing, given the level of illiteracy in villages
- provide for public hearings in convenient places, prior to final notification of the PA, as also recommended in the National Wildlife Action Plan.

**An important change needed is in Section 18 A (2) of the WLPA 2003<sup>74</sup>. This needs to be replaced with a provision clarifying that till rights are settled, they are deemed to continue within all kinds of lands/waters contained within a proposed protected area. Pending this amendment, a clarification note to the effect that provision of alternatives should not be interpreted to mean stoppage of existing resource use activities, should be issued to all state governments.**

#### **5.1.2.4 Modifying the categories of Community Reserves and Conservation Reserves in the WLPA<sup>75</sup>**

- The provisions in the WLPA 2003, which permit only private and community land to be declared Community Reserves, should be deleted. These categories should be open to be declared in all kinds of land ownerships, if it serves the interest of conservation better.

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<sup>73</sup> Continuation of these activities after settlement may indicate that the settlement is outdated, or incomplete, and may have ignored customary or traditional (often unwritten) rights.

<sup>74</sup> The Section A (2) provision of the WLPA 2003 currently reads as follows, “Till such time as the rights of the affected persons are finally settled under section 19 to 24 (both inclusive), the State Government shall make alternative arrangements required for making available fuel, fodder and other forest produce to the persons affected, in terms of their rights as per the Government records”.

<sup>75</sup> Please refer to section 2.2.3.2 (page 16) for our brief critique of these categories

- The provision relating to the composition of the Community Reserve Management Committee should be made much more flexible. The provision should simply state that the Committee's selection and mode of functioning will be left to the respective gram sabha(s), where gram sabha is defined as all adults of the village; it could also specify that such selection should equitably represent the various sections of society within that settlement.
- The gram sabha (village assembly) or similar equitable institution established by or acceptable to the concerned community should be taken as the basic unit of governance at village level. Explicit provisions should be made to ensure participation of disadvantaged sections (including women) in this governance.

#### **5.1.2.5 Moving towards Joint or Collaborative Protected Area Management<sup>76</sup>**

- For appropriate institutions, the following steps can be taken:
  - Sanctuary management committees could do an assessment of the extent of use and dependence on the particular PA as mentioned in point 3 above.
  - Based on the extent of dependence and use provisions should be made for involvement of communities in/around PAs of all categories, in the conceptualization, planning, management, and monitoring of the PA, by setting up local level joint or co-management committees with decision-making powers.
- To ensure the participation of local communities and other citizens in PA management, through legal, administrative, and institutional measures that involve them from planning to implementation and monitoring stages:
  - Evolve guidelines to centrally involve local communities in planning and managing PAs, in equal partnership with the Forest Department and other relevant departments. Ecodevelopment (defined as ecologically sound development) would be one component of this. These guidelines would complement the relevant sections of WII's Guidelines for Management Planning of PAs.
  - Initiate pilot projects for such participatory/joint management of selected PAs, and subsequently expand the models thus evolved into other areas. Some of the current eco-development sites (such as Kalakad Mundanthurai in Tamil Nadu and Periyar in Kerala), or others where local communities and NGOs are well-organized and already involved in conservation activities (such as Sariska and Kailadevi in Rajasthan and Melghat in Maharashtra), could be taken up as pilot

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<sup>76</sup>Lessons in this regard could be learnt from examples such as Periyar Tiger Reserves where some experiments in participatory conservation have been tried. Lessons could also be learnt from local people's efforts at conservation of wildlife, or Community Conserved Areas (CCAs). Considerable documentation on the same is available with Kalpavriksh.



sites. The initial sample should as far as possible be biogeographically and culturally representative, also keeping in mind the state of readiness amongst local officials and communities. Continuous research and monitoring would help to derive lessons from these cases, for use in other areas.

- Create institutions<sup>77</sup> for joint or participatory management, as per the National Wildlife Action Plan, and as partly provided for in the Wild Life Protection (Amendment) Act 2002. These institutions could be Joint Management Boards or Committees for each relevant PA, incorporating local self-government-level Biodiversity Management Committees as per the Biological Diversity Act 2002, with appropriate weightage to professional managers or local community members according to the legal category of the site. In addition, more active involvement of local community representatives in larger bodies ensuring gender balance in their membership (at regional/district/state level), including the State Wildlife Advisory Boards, should be encouraged. At all these levels, community decision-making should be encouraged at the full gram sabha (village assembly) level, and there should be special effort to involve women and other underprivileged sections. It is equally important to build local capacity for monitoring of the efficacy of ongoing management through appropriate criteria and indicators and chronicling etc., so as to make the process flexible and participatory, as being attempted in the village botanists training programme initiated by FRLHT.
- Evolve an action plan to provide a series of incentive and benefit-sharing measures to encourage local community members and other citizens to participate in wildlife conservation in PAs .
- Ensure, through independent monitoring and the use of appropriate criteria, that resettlement<sup>78</sup> of people from PAs is voluntary and ecologically appropriate, and achieves the minimum standards of resettlement and rehabilitation, including the measurable up-gradation of livelihoods and cultural integrity for the affected populations.

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<sup>77</sup> Such institutions were recommended in the 9th Plan: 'It is proposed that for each wildlife reserves a Management Committee, having representatives of panchayats of all the villages located within and around 10 km radius of the reserve is formed. The Committees should be involved both in the finalization of the ecodevelopment strategy for the area and implementation of the management plan for the wildlife reserve' (Report of the Working Group on Wildlife for the IX Plan (1997-2002), MoEF, May 1996, pg. 33).

<sup>78</sup> Project Tiger and the GEF-funded ecodevelopment project have both resolved not to cause any forced displacement, and the 9th Plan document on wildlife provides for this under the Beneficiary-Oriented Scheme: 'The relocation would be taken up only in respect of those families who agree to move outside willingly' (Report of the Working Group on Wildlife for the IX Plan (1997-2002), MoEF, May 1996, pg. 35). The NWAP also stresses on voluntary relocation. More recently, the 2006 amendment to the WLPA relating to the creation of a National Tiger Conservation Authority has included the need for consent from villagers for relocation from tiger reserve, and The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 has provided for this in all forests and PAs (see Box 1 above).

Appropriate guidelines for this may be drawn up, which include the pre-requisite of making forest land available for such resettlement, after careful impact assessment of such a move.

- Organize, at each existing PA, dialogues with affected populations, with the aim of understanding their perceptions and difficulties, initiating participatory management processes dealing with these difficulties, and helping in re-designation, zoning and other measures suggested in other Actions in this section. Set up a regular forum for such dialogues, to meet at least once in the 6 months for the entire PA, and more frequently in individual settlements.
  - Hold public hearings before declaring new PAs and other special conservation measures, at locations in/around the proposed sites. This is also as required by the Biological Diversity Act 2002. Ensure that these hearings are well-attended, and that underprivileged sections including women have a full voice in them; where this is difficult, organise separate hearings with the underprivileged sections to ascertain their opinions and needs.
- Settle the Rights of People Inside Protected Areas
- Settle, through a participatory process, the rights of communities and individuals within and around protected areas, and of mobile/nomadic communities that traditionally use protected areas. This process must be based on updated records and information, carried out in a fully transparent manner, involve the concerned communities, and while giving priority to the conservation objectives of each protected area.
  - WII or other similar institute to formulate a set of guidelines for carrying out the settlement process, building on guiding notes developed by some states such as Maharashtra and NGOs such as Kalpavriksh, and on innovative rights recording processes such as that carried out by NGOs in Melghat Tiger Reserve, Maharashtra;
  - Teams of people representing communities, the district administration, the Forest Department, Tribal Welfare Department, local NGOs and research groups should spend at least one year determining resource uses in each PA (and not just rights recorded in official documents), analysing indicators to assess the ecological impacts of these uses, consulting with the concerned communities, and deciding on what activities may and may not continue depending on the conservation objectives of the area and the needs of livelihood security (it may be worthwhile trying out the process in a few PAs first, maybe one per state, and then use the lessons learnt for the rest of the country's PAs);
  - Establish clear and unambiguous rights for activities that are considered justified, and provide mutually acceptable alternatives and/or compensation for those that need to be stopped;
  - Set up a system of periodic updating of the exercise of rights, in particular monitoring the impact of activities that may be increasing in extent or intensity;

- Review the rights every 5 years, through a participatory process similar to Step (ii) above.

To a certain extent a move towards collaborative PA management has been made in the amended Wild Life Protection Act 2002, which provides for a sanctuary management advisory committee. However, this committee is only in the advisory capacity and with the other restrictive provisions of the Act and the recent MoEF and Supreme Court orders, there is little that the committee can do in terms of moving towards Joint or Collaborative<sup>79</sup> Protected Area Management. The 2006 amendment to the Act setting up a Tiger Authority, and the Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act 2006, may also help to move towards more participatory conservation (see Box 1 above).

#### 5.1.2.6 Regulating commercial use of resources within PAs

- Create appropriate frameworks based on an ecological assessment of the PA, and make a clear distinction between commercial use for meeting livelihood needs and purely market-oriented commercial exploitation:
  - enable a flexible interpretation (and eventually an amendment to make it explicit) regarding the provision on commercial uses<sup>80</sup>, where removal of forest or aquatic produce for sale by villagers, with strict regulations and within the conservation needs of the area, is allowed.
  - help create a stake for local communities in the protection and better management of the PA with a clear understanding of the resource use being within conservation limits.
  - ensure appropriate mutual control mechanisms between the user communities and the PA managers.

The above task could be coordinated by the **Sanctuary Management Advisory Committee**

#### 5.1.2.7 Ensuring a due process of relocation and rehabilitation

- **Hold open discussions on relocation issues**, with the residents of affected villages, in the presence of a team of independent observers from conservation and social action / human rights groups, and officials of not only the Forest but also Tribal Welfare and other relevant departments. These discussions must make it clear to the villagers that there are at least two options available to them: one for staying on with full rights of access to survival and livelihood resources that are in consonance with critical conservation objectives, and the second for relocation with a rehabilitation package that is fully acceptable to the villagers.

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<sup>79</sup> Collaborative management could be implemented in a phased manner, starting with a few representative PAs across the country, and then extending to the rest after learning lessons from the initial sample

<sup>80</sup> to enable situations such as that of Biligiri Sanctuary, or of Keoladeo Ghana National Park and many other PAs

- Commission to an independent organization or set of individuals, an **ecological impact assessment of relocation**, including the loss of forests and wildlife at the relocation site.
- Commission to an independent organization or set of individuals, an **assessment of the potential for conflict** with existing villages at the proposed relocation site.
- If the village(s) opts for **relocation** after Step 1 above, and the impact assessments mentioned in Steps 2 and 3 do not show serious ecological damage or potential for serious conflict, the following conditions must be met (also in the presence of the team mentioned above):
  - Showing various options of lands for relocation, to the satisfaction of the villagers, involving also discussions with existing villages adjacent to such lands;
  - Signing of a MoU or Agreement (in local language) between the government and the village gram sabha or relevant village body comprising of all adult members of the settlement, laying out the rehabilitation commitments of the government.
  - Written consent from this village body, and from each affected adult individual, that they are willing to move, in accordance with the MoU or Agreement.
  - Preparation of the relocation site, especially to make the land cultivable, provision of adequate water for drinking and irrigation, and access road, *before the relocation*.
  - Removing the restriction on converting the relocation land to revenue status; or preferably, providing already notified revenue land rather than forest land.
  - Carrying out baseline surveys of the resource dependence and other aspects of the villages at their original sites, and working out ways to provide forest produce or appropriate alternatives at the relocation sites.
  - Enhancing the amount of money available per family, to at least the Rs. 3 lakh (300,000) figure recommended by the Tiger Task Force, and making the use of this money transparent to the villagers.

#### **5.1.2.8. Reviewing ecodevelopment and other initiatives**

- Ecodevelopment efforts by the government should address equity issues of the people involved (inter-village, within villages, within communities) so that the benefits being generated actually reach all the people, especially the already marginalized who otherwise remain outside the purview of such programmes.
- The ecodevelopment model should aim at genuine empowerment of people. People need to be involved at all levels of planning and management and move away from the current “top driven” initiatives towards ecodevelopment. People should also be provided support in terms of alternatives techniques and technologies that will enable the villagers to be self-reliant, including for energy, health, and housing.

- Ecodevelopment should be seen as a means of providing adequate livelihood security, and should be contained as an element of a larger joint or collaborative protected area management programme.

#### **Box 4**

##### **Upscaling the GHNP model<sup>81</sup>**

Sanjeeva Pande (former Park Director of Great Himalayan National Park), suggested the following steps to resolve issues of conservation and livelihoods:

1. Let the Forest Department be the "facilitator" of community based conservation efforts. The community itself is the best "doer" of the works at the level of User Groups, community based organizations, local NGOs, Mahila Mandals (women's committees), Yuvak Mandals (youth committees), Ward Development Committees, and Panchayats. The Forest Department or the park management should facilitate the training of such groups in matters of asset creation, livelihood generation, the role of the poor and of women in community development, leadership, natural resource management, micro or village level planning.
2. Monitor livelihood activities and related issues for which training has been provided
3. Provide marketing support for products developed by the above mentioned groups.
4. Facilitate micro-planning at the Ward Panchayat and Panchayat level.
5. Facilitate nature conservation education at all the levels (for community and Park/forest staff)
6. Create an enabling environment for the role of community in conservation.
7. Create mechanisms that will feed experiences of the community level work into the development of guidelines, rules and policy at the state level.
8. Facilitate a "process" based approach as a mainstay of working at management and community levels, with an emphasis on "small and sequential do-able steps".
9. Where possible, scale up the community based effort so that a model set up in one protected area may be replicated by others thus creating a cumulative impact<sup>82</sup>.

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<sup>81</sup> See Annexure II (Case Study)

<sup>82</sup> For example, the effort of Medicinal Plant Propagation Areas (MPPAs) at GHNP ecozone will be more effective if more and more buffer zones of PAs and Forest Divisions undertake such activities to produce medicinal herbs in bulk (which can be exported) as part of a livelihood based approach.

### **Box 5**

#### **Recommendations on existing documents: National Biodiversity Strategy and Action Plan and National Wildlife Action Plan 2002-2016**

As action plans, both the **NBSAP and NWAP** have so far not had major policy, legal, or on the ground impact. This lacuna needs to be addressed immediately.

- The recommendations of the draft National Biodiversity Strategy and Action Plan need to be accepted and implemented
- The recommendations of the National Wildlife Action Plan (2002-2016) need to be implemented

#### **5.1.2.9. Implementing recommendations of international policy and treaties on conservation and livelihoods**

The years 2003 and 2004 have been witness to path-breaking international developments in the field of conservation, more specifically protected area management. Two global conferences : the Vth World Parks Congress (Durban, September 2003) and the Seventh Conference of Parties of the convention of Biological Diversity (Kuala Lumpur, February 2004) have given a strong push to an unconventional concept of protected areas. PAs such as National Parks and Wildlife Sanctuaries have so far been the official tools for conservation but with recent times an alternative worldview has begun to emerge. This worldview recognizes the value that indigenous and local communities bring to conservation, and therefore calls on governments to enable their participation in the process as also ensure respect of their rights to resources and territories. It emphasizes the need to adopt conservation models that range from strict protection to multiple yet sustainable use. It also advocates governance models that recognize PAs managed by communities and private parties, and planning processes that encompass the larger landscapes and seascapes. A major breakthrough has been the acceptance of community conserved areas, sites with biodiversity value that have been under community management. The contribution of conservation to enhanced livelihoods and poverty alleviation, is acknowledged and encouraged. The outcomes of these two global events reflect this alternative worldview (Kalpavriksh 2005), and need to be acted upon by the Government of India.

**Box 6**

**International Commitments of the Government**

The Government of India is a signatory to the legally binding Convention on Biological Diversity, whose programme of work on protected areas (February 2004) obliges all signatory countries to move towards protected area management that centrally involves indigenous and local communities, ensures that such communities receive benefits from the PAs, and respects traditional rights. The programme of work also commits countries to respecting, recognizing, and supporting Community Conserved Areas (CCAs). India needs to modify its policies and laws to meet its obligations under this convention

The Convention on Biological Diversity very clearly “*Calls on Parties and development agencies to integrate within their development strategies (such as country assistance strategies, poverty reduction strategies and national development strategies) protected area objectives and reflect the contributions of protected areas to sustainable development, as a means to achieve the **Millennium Development Goals, in particular Goal 7 on environmental sustainability***”. In the introduction to its programme of work on protected areas, while acknowledging the fact that “Protected areas, together with conservation, sustainable use and restoration initiatives in the wider land-and seascape are essential components in national and global biodiversity conservation strategies”, it also stresses that “They provide a range of goods and ecological services while preserving natural and cultural heritage.” And further that “**They can contribute to poverty alleviation by providing employment opportunities and livelihoods to people living in and around them**”

One of the overall purposes of the programme of work on protected areas is to “**contribute to poverty reduction and the pursuit of sustainable development, thereby supporting the objectives of the Strategic Plan of the Convention, the World Summit on Sustainable Development Plan of Implementation and the Millennium Development Goals.**”

Following activities specifically deal with the issue of poverty reduction strategies:

<b>No.</b>	<b>Activity</b>	<b>Goal</b>	<b>Purpose</b>	<b>Recommended Action</b>
1.	Activity 1.2.1	Goal 1.1	To establish and strengthen national and regional systems of protected areas integrated into a global network as a contribution to globally agreed goals	Evaluate by 2006 national and sub-national experiences and lessons learned on specific efforts to integrate protected areas into broader land- and

				seascapes and sectoral plans and strategies such as poverty reduction strategies
2.	Activity 1.4.8	Goal 1.4	To substantially improve site-based protected area planning and management	Disseminate information on successful management models of protected areas which serve to further the three objective of the Convention and may also contribute to poverty reduction and the pursuit of sustainable development
3.	Activity 2.1.4	Goal 2.1	To promote equity and benefit-sharing	Use social and economic benefits generated by protected areas for poverty reduction, consistent with protected-area management objectives

#### 5.1.2.10 Keeping destructive development out of protected areas

- A committee comprising of wildlife experts, social scientists, representatives from local bodies, community people, external agencies etc. should be constituted and be consulted before the commencement of any developmental projects in order to evaluate the social and ecological impact of developmental projects on the people and wildlife within and surrounding the protected area.
- A database of the region's flora and fauna needs too be maintained and referenced while planning for any developmental activities. A complete ecological impact assessment needs to be carried out to compare the projected benefits, especially in situations where forests or other natural ecosystems have to be diverted for developmental work with a risk of significantly increasing pressure on such ecosystems. All developmental activities that represent such a threat should be disallowed.
- Social scientists should be involved in conducting a full socio-economic baseline survey of the villages to be affected due to the project. Locally affected communities and local bodies like Gram Sabha and Panchayats should also be consulted in this process in terms of evaluating how the project will impact on the livelihood options of communities living within



protected areas; whether the project will entail any loss of income by negatively affecting traditional occupations like herb collection, grazing and agricultural activities, whether proposed activities will lead to damage to crops and land, whether it will lead to despoliation of sources of water, whether it will, in a short or long term to lead to health problems to the affected people etc.. The findings of this survey should be used to take a decision on the viability of the project, or on ameliorative measures needed if the project is to be built.

#### **5.1.2.11 Ensuring that human rights are safeguarded**

As can be seen from above, reasons for poverty are many and varied; colonial legacy, an unrelenting official neglect, insensitive policy formulations, uncaring implementation, inept administration, political corruption, and intra-community inequities are some of the causes that could be pointed to a greater or larger extent across the country. **But this is also most importantly due to a lack of perspective that views ‘freedom from poverty’ as an issue of human rights.** As mentioned in section 2, fundamental to a guarantee of human rights are certain freedoms that affect the well-being of the communities living within protected areas. This in turn will mean a guarantee of certain **human rights** as a way of ensuring that these freedoms are actualized. For example, some or all of the ‘rights’ mentioned below will have to be guaranteed if the abovementioned freedoms are not to be abused:

1. Right to association: people and communities living within protected areas must be free to organize without restriction and associate with other communities, civil rights groups, social activists to exchange understanding and knowledge about the impact of policies (and amendments), process of displacement and rehabilitation etc. on their life.
2. Right to assembly: the people and communities living within protected areas must be free to meet without impediment and intimidation, say, for eg, they should have the right to assemble without the intimidating presence of forest official, vested political powers, groups etc. to discuss and decide about their own lives without outside interference
3. Right to say what they want without fear of persecution: people and communities living within protected areas must be free to dissent vis-à-vis a policy directive entailing their forcible or coerced displacement or vis-à-vis an unsatisfactory or inadequate rehabilitations and appropriate mechanisms/avenues to express the same should be instituted.
4. Right to participation: a crucial and complex human right that is inextricably linked to fundamental democratic principles that entails active and informed participation of the poor in decision-making. As a World Bank document<sup>83</sup> observes **“The poor want desperately to have their voices heard, to make decisions and not always receive the law handed down from above. They are tired of being asked to participate in governmental projects with low**

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<sup>83</sup> as cited in OHCHR from the series “*Voices of the Poor*” published for the World Bank by Oxford University Press, 2000-2002

**or no returns**". A human rights approach to poverty requires active and informed participation of the poor people and communities living within protected areas in the formulation, implementation and monitoring of poverty reduction strategies (PRSs) and hence in policy making and implementations.

5. Right to information: Poverty may also arise out of lack of access to resources, information, opportunity, power and mobility, Thus, people and communities living within Protected Areas must know the relevant facts about schemes, compensation policies, process of applications etc. that affect their life.
6. Right to a reasonable standard of living and economic security: Command over economic resources does play an important role in defining poverty. The way it does is by playing a role in the causal chain leading to a low level of well-being as it happens for example when ill-health is caused by lack of access to basic health care resources which in turn is as a result of lack of control over economic resources. Thus this right must be ensured so that people enjoy an elementary level of economic security and well-being by guaranteeing that their means of livelihood is protected.

To a lesser or greater extent each of the above rights and hence the corresponding freedoms are susceptible to negative impacts that can thwart the well-being of people living within protected areas. Also true is the fact that, to a lesser or larger extent, this violation is actually a reality for the communities living within protected areas in most parts of India. The reason as mentioned above are be multifarious - policies get drafted by people who are not necessarily in touch with the reality or implementation, vested political interests (vote-bank politics ) may hinder a just policy formulation, genuine but skewed interests that tend to demonize one paradigm over another and internal exploitation and inequities within communities ( eg. An excessive prioritization of conservations interests over those of affected victims of a weak or faulty conservation policy) are some of the examples. All of these issues need to be addressed holistically if the problem has to be solved. A human rights based approach coupled with and not undermining a conservation based approach is the only way in which this issue be really addressed.

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## Annexure I

### **Case Study<sup>84</sup>** **Effect of ban on NTFP collection in Satkosia and Baisipalli Sanctuaries, (Orissa)**

- a. Report on Impacts of Conservation Policy on Local Lives and Livelihood in and around Baisipalli in Nayagarh district
- b. Report on Impacts of Conservation Policy on Local Lives and Livelihood in and around Satkosia in Nayagarh district
- c. Key Issues that need to be addressed

#### **Report on Impacts of Conservation Policy on Local Lives and Livelihood in and around Baisipalli in Nayagarh district**

The study report presents a picture of implications of conservation policy in general and in particular the Supreme Court ban order on collection of NTFPs from the protected area on the lives and livelihood of people of three villages namely, Gochhabari, Dhipasahi and Kuchumura located inside the Baisipalli Sanctuary. The study findings of three villages are presented in a compiled form and the specific features found in the villages have been mentioned separately under the broad head.

#### **Brief profile of Baisipalli Sanctuary**

Baisipalli sanctuary is located in Nayagarh district to the south of Satkosiyia Gorge Sanctuary. It is a quality sal forest with significant numbers of wild species such as tiger, leopard and elephant. The Baisipalli sanctuary was notified u/s 18 of Wildlife Protection Act, 1972 on 7<sup>th</sup> November 1981. It spreads over two forest divisions of Nayagarh and Boudh covering an area of 168.35 sq. kms. The sanctuary is contiguous with the Satkosiyia Wildlife Sanctuary. The sanctuary comes under the management control of the Mahanadi Wildlife Division, Nayagarh.

Sanctuary	Baisipalli Wildlife Sanctuary
Area	168.35 sq. kms
No. of villages and Gram Panchayats inside Sanctuary	35 villages 4 Gram Panchayats
Status of villages	30 – Revenue villages 5 – Unsurveyed villages
Total population	5874 (2001 Census)
Caste groups (with % to total population)	Scheduled Caste – 19% Scheduled Tribe – 32% Others – 49%

<sup>84</sup> This case study was conducted in collaboration with Vasundhara (Bhubaneshwar, Orissa) and Foundation for Ecological Security (FES) (Angul, Orissa)

Status of Sanctuary	Deemed Sanctuary [Though final notification has not been issued till the date, but it is being considered as Deemed Sanctuary as per the provisions laid down in Wildlife (Amendment) Act,1991]
Forest Divisions	Boudh Forest Division – 77.63 Sq kms <ul style="list-style-type: none"> <li>• ‘A’ Class R.F – 46.74 Sq.kms (1916)</li> <li>• ‘B’ Class R.F – 30.89 Sq.kms (1925)</li> </ul> Nayagarh Forest Division – 90.72 Sq kms
Year of formation	7 <sup>th</sup> November 1981

### Brief profile of studied villages

Name of Villages	Gochhabari	Dhipasahi	Kuchumara
<b>Total no. of HHs</b>	51	33	12
<b>Population</b>	244	185	61
<b>Male</b>	131	99	24
<b>Female</b>	113	86	37
<b>Caste groups</b>			
<b>SC pop.</b>	73 (M-39, F-34)	14 (M – 8, F – 6)	0
<b>ST pop.</b>	171 (M-92, F-79)	169 (M – 89, F – 80)	61 (M-24, F-37)
<b>Proportion of SC population (%)</b>	29.9	7.6	0.0
<b>Proportion of ST population (%)</b>	70.1	91.4	100.0
<b>Block</b>	Gania	Gania	Gania
<b>District</b>	Nayagarh	Nayagarh	Nayagarh
<b>Literacy rate (%)</b>	56.9	45.9	44.2
<b>Illiteracy rate (%)</b>	62.7	72.0	73.1

(Source: Data Dissemination Wing, office of the Registrar General, India, New Delhi, and website: <http://www.censusindia.net>)

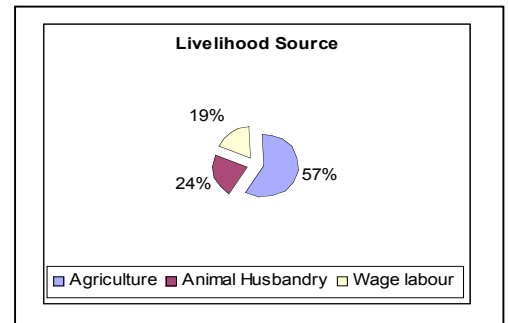
### Implications of conservation policy on lives and livelihood

#### *Livelihood sources*

Most of the residents of the studied villages are tribal and are in possession of agricultural lands ranging between 1-5 acres. The striking feature is that these people have no title deeds for the lands under their occupation and a large chunk of lands come under this category. Currently, agriculture and wage labor constitutes the main livelihood sources. NTFP trade which formed another significant livelihood avenue in the past has completely stopped now. Few families also make a living from animal

husbandry which is nominal. Among the agricultural crops; paddy, mustard seeds, maize, black gram, green gram and kolatha (pulse) are grown. Maize is grown primarily for consumption purpose and is not marketed. Few families also grow vegetables such as, *jhudunga* and *jhata*. While income from agriculture sustains their food need for around 4-6 months, for the rest of the year they are dependent on wage labor. While the yearly income from agriculture is around Rs. 6000, income from animal husbandry comes around Rs. 2500 and from that of the wage labor is around Rs. 2000. Whereas other caste people particularly, Keuta (SC) have large landholdings in comparison to the tribals. As is found that some keuta families in Dhipa sahi village are in possession of landholding to the extent of around 20 acres. Such households have an earning of around Rs. 30000 from agriculture and get engaged in wage labor only for 3 months.

As has been mentioned above villagers are dependent on wage labor for around 6 months in a year. Agriculture contributes 57% of the total annual household income while the contribution of animal husbandry and wage labor to the total annual income is 24% and 19% respectively. In case of Kuchumura village a member of one family is engaged in domestic help in the neighboring town. Further, few families from this village manage to make an additional earning of Rs. 3000-4000 from siali leaves in a year.



**Restrictions on collection and sale of NTFPs and its impacts**

As narrated by the villagers, dependence of people on NTFPs has always remained extremely high. A variety of NTFPs used to be collected which included Honey, Resins, Bamboo, Sal seeds, Siali leaves, Kendu leaves, Mushrooms etc. and a major percentage of these products was sold out for eking a livelihood. Besides, for livelihood purpose dependence on forest products existed for self-consumption too; for eg. for making agricultural implements, house construction, food etc.

Over the period, the situation has changed drastically leading to increased hardships in pursuing NTFP trade based livelihood. The change became visible particularly after 2000 with the increased restrictions faced by the villagers over collection and transportation of NTFPs to outside the sanctuary area for selling by the wildlife officials following the Supreme Court ban order on collection of NTFPs from protected areas.

As mentioned above the situation regarding NTFP livelihood in particular worsened with the closure of KL phadis by Kendu leaf department and abandonment of bamboo and silviculture operations undertaken by OFDC. Kendu leaf provided good cash income to the local people. The villagers used to collect leaves from the forest and revenue lands and deposit at the phadis (collection centers set up by the government). This activity was carried out during April-May. Similarly, bamboo coupes were undertaken by OFDC or paper mill which generated local employment. Each family



managed to earn Rs. 8000 to Rs. 9000 from NTFP collection and bamboo working alone. OFDC also engaged local people to undertake harvesting of dead, dried and deceased wood from the forest areas. Earlier green felling was stopped but collection of fallen dried wood was allowed which has also been stopped now. Collection of sal seeds has also stopped. All these wage providing activities have been abandoned since 2001. Similarly, ORMAS used to collect siali leaves from Takra, a nearby village but following the Supreme Court order even ORMAS has also stopped the collection. TDCC has also been closed down. Villagers claimed that there has been a gradual decline in dependence on forests. Initially they collected many varieties of mushrooms, leafy vegetables, NTFPs like Mahua, sal seeds etc. and bamboo shoots which formed a staple food item especially after monsoons. Leafy vegetables like Barada, Bhadalia are decreasing with the increase in number of sheep and goat, respondents claimed. As cited by the villagers not only that they are facing difficulties in making a living from NTFPs but also that often, they have to make the forest guards happy by bribing them with petty money for being allowed to collect forest products even for their self-consumption. Further, people are also debarred from cultivating lands under their occupation within the sanctuary thus, putting a severe blow to their livelihood sources.

While on one hand, income of the villagers from agriculture is not promising; on the other, complete loss of forest income since last five years has made the people extremely vulnerable. Under this situation, the villagers are facing immense difficulties in meeting their basic requirements of food, clothing, education and health.

**Other restrictions:** Along with restrictions on collection of NTFPs, people are also stopped from grazing their cattle, beating drums during celebration of functions and marriage, playing radio and loudspeaker.

On the other hand, all developmental works within the sanctuary area has been stopped. As narrated by the villagers of Gochhabari which falls under Badasilinga Gram Panchayat, houses have been sanctioned to the people under the Indira Awas Yojna but the Forest Department does not allow to carry bricks and sand for construction of the houses. Neither the Forest Department repairs the roads leading to the village nor does it allow the Panchayat to do so. In every Panchayat, 10 lakhs has been sanctioned for construction of black tar road by the DRDA but FD has refused it and has given permission for only morrum metal road.

**Access to information:**

Though the declaration of Sanctuary dates back to 1980-81, most of the villagers reiterated that they became aware about this few years back only. It was during post 2000 period when the people started experiencing different kinds of restrictions imposed by the wildlife officials, it came to their notice that the area is a wildlife sanctuary. However according to few others they came to know about the same during 90's from the neighboring people and in the later period when they witnessed a signboard of the sanctuary installed in the gate. The villagers complained that they

were kept uninformed about the declaration process. Neither, did they remember about any government officials educating them about the sanctuary status of the region in the past.

When asked about their perception/understanding about the sanctuary, the response was to them a sanctuary meant the following:

- *Ban on tree felling*
- *No hunting*
- *No cultivation of low-lying lands and,*
- *more importantly no entry to forest area*

*“Sanctuary meant wild animals shall live but human beings cannot”.*

### **Compensation Policy:**

Out of the three villages, people of Dhipa sahi and Kuchumura were found to be unaware about the compensatory provisions against depredation of crops by wild animals and loss of cattle or human lives by wild animals. However, in Gochhabari village few people are said to have applied for compensation collectively through the Panchayat in the past years but till date have not received any kind of help in this regard.

### **Developmental work**

The people of Gochhabari village were found to have knowledge about different government welfare schemes such as Indira Awas Yojana, Old age pension, Anthyodaya, Mother welfare and so on. They were also found to have fair idea about the infrastructure development programmes carried out by the government like road construction, renovation of pond activities etc. The villagers informed about the palli sabha which was organized in 2004 wherein the Block Development Officer had participated. Some people from Gochhabari had also been to the meeting and were informed about the road construction work to be undertaken by the government. Similarly, in Kuchumura village a Junior Engineer from the Block had made a visit for measurement work before the initiation of village road construction following which the villagers came to know that the road construction work is going to be implemented in their village.

### **Health**

Since 2005, pulse polio Programme and mobile health check-up has been initiated in the region. However, this has provided partial satisfaction to the people. The villagers expressed their discontentment over irregularity maintained in medical check-ups and non-availability of medicines. A small percentage of population is dependent on medicinal herbs and roots for treating minor ailments. No traditional healers/Vaid's are there in Gochharibari village while in the case of the other two villages, two vaidyas are practicing. However, people in majority lack trust on herbal medicines and a very small segment of population avail the service from the traditional healers.

### **Education**

The school doesn't have adequate number of teachers. For 80 students there exist only two teachers in Gochhabari village school whereas there is only one teacher in Dhipa sahi village. The overall response of the villagers about the education was extremely unsatisfactory. It was observed that older girls were not allowed to go to school. Dropout rate is significant. Most of the children failed to pursue higher studies because of poor financial condition. Another primary reason has been that children, especially girls have to leave education mid-way to become a helping hand in household work.

### **Report on Impacts of Conservation Policy on Local Lives and Livelihood in and around villages in Satkosia in Nayagarh district**

#### **Following eight Villages were chosen for the study:**

- i. Gaindi
- ii. Ramimunda
- iii. Asanbahal
- iv. Salar
- v. Badakheta
- vi. Jagannathpur
- vii. Kulangi
- viii. Jokub

The selection was based on representing the various Panchayats in the Sanctuary, our previous experiences of communities in the region, interior villages, dependency on forests, etc. One of the villages – Asanbahal also happens to be a forest village that was settled in the early 1900s by the British for bamboo working in the Sanctuary. Understanding the situation of such villages is also critical, because these people were brought in for specialized work and after the ban on bamboo working within the Sanctuary; they remain to be the worst affected group within the sanctuary. Further being a declared forest village, none of them have landed property; the FD had then settled 10 families with 25 ac. These 10 families have increased to being –24 families but with the same amount of land leading to fragmentation and lesser landholding per household. The overall scenario vis-à-vis livelihood is rather grim in the villages surveyed for the study.

Hereon each village would be documented individually presenting the scenario.

#### **GAINDI**

Total number of households in the village is 60. The dominant caste group is that of the Chasa which a farming community is. Besides there are some tribal groups like the Kolha and Kandha of which the former are mostly agriculturists and the latter were hunting gathering tribes who are master honey gatherers but have now settled and are engaged primarily on honey collection, NTFP collection for subsistence, labor work, etc. Keuta belong to scheduled caste category and are engaged in fishing for their livelihood. The rest of the caste groups are engaged in marginal agriculture as also labor work as and when available.

Caste/Tribe	No. of HH
Kolha	9
Keuta	18
Kandha	8
Dhoba	1
Chasa	20
Bhandari	2
Teli	2
<b>Total</b>	<b>60</b>

There are a total of 17 households who are landless of these 5 households are exclusively dependent on fishing as a source of livelihood. The rest 1 households have some land at their disposal. This village being situated on the left bank of the Mahanadi just before the gorge begins and is thus bestowed with land consisting of fertile alluvial soils. The village has no Tailas (uplands). The main crops grown in the village are paddy, green gram and black gram. There are no upland crops grown in this village. Agriculture is primarily rain fed and the pulses are grown as a Rabi crop with whatever existing moisture in the soil.

**Some individual profiles:**(Mode of data collection: Individual interview).

**Nanda Behera,**

Male, 67 years, ST, landless.

Total number of members in the family - 4, 3 male and one female.

They used to be nomadic but since the last twenty years have settled down in this village. This tribal group by nature was a hunting-gathering community but their lifestyles have changed over time. The village claims that the land on which they have settled down is Gochar land of the village. Primary source of income is derived from honey collection in the forest. The entire family goes as a group for honey collection and on an average is able to collect about 2 liters of honey per day at the rate of 8 days in the month. This is collected between October and May. In the agriculture season also works as agriculture labor, which on an average comprise of about 4 months of the year. In terms of cash the men earn Rs.40 per day and the woman earns Rs.30 per day. Soon after the rains, between September and December food requirements are met from tubers collected from the forest. This sustains for an approximate period of 3months. They collect tubers like pitalu, kadba, panialu, etc. Hunting was also a major source of sustenance but over the past decade and half it has been stopped for fear of being arrested for hunting by the forest officials. They are not even allowed to keep bows and arrows with which they used to hunt. He said, “for days on end we depended on meat for food”. He is landless and has no idea of any land settlement process. His family used to collect Amla, Bahada, and Harida from the forest but that has also been stopped since the last 7-8 years according to them. Although they were not able to tell the approximate amount they collected or the money earned from the sale of it. Nanda Behera said that he had also worked for the Paper Corporation when its operations were on-going in the Sanctuary about 15 years ago. They had an assured source of income during that time for at least 8months of the year at an average of Rs 500-1000/- per month.

**Bishnunath Pradhan,**

Male. Family members 5, 3-male and 2-female.

Main source of livelihood is agriculture. Gets about 12-14 gunny bags of paddy per year that lasts the family for 8 months on an average. Also earns about Rs.6000 p.a. from the sale of brinjals that the family cultivates. The family owns two bullocks and a pair of cows meets household milk and draught requirements only. Depends on the forest for fuel wood, fencing, and small timber for the household. The household doesn't collect any other produces from the forest. Fairly satisfied with the school education that his children are getting. No medical facility, nearest health centre is at Purunakote. Got to know about the Sanctuary in the early 1990s, department officials informed them about the sanctuary and also told them of the restrictions on hunting and logging timber.

**Focused Group Discussion** with the fishing families was undertaken. About 15 men and 6 women were part of the discussions. Another FGD was conducted with about 15 members all of whom were men except 2-3 women. These discussions mainly touched upon other aspects of the questionnaire that probed into their knowledge and understanding of Sanctuary, information on various schemes and programmes, rules and regulations of the Sanctuary, etc.

Most people responded that they got to know of the sanctuary since the late 80s; early 1990s. They claimed that got information about Sanctuary through department when officials came and told them about the rules and restrictions on hunting, logging etc. As for the collection of NTFPs, first the OFDC shut down operations in the region and then officials came and informed about no collection and sale of NTFPs from the Sanctuary. This phenomenon was about 5-7 years old.

**On items collected from the forest:** People also claimed that though timber logging has been banned some timber is being regularly smuggled out of the sanctuary and some people depend on it as a source of earning. There are at least 7 households in the village that depend on labor work and also sell timber illegally to nearby villages to eke out a living. These households were also involved in Kendu leaf collection when KL operation was on going in the Sanctuary. Most families earned between 2000-3000 rupees annually from KL operations. This crucial source of livelihood is lost since the ban on KL operations within Sanctuary limits. Probing into the other produce that the people collected from the forest the following is enumerated. The farming caste group with landholding only depended for household timber requirements on the forest and the forest officials do not particularly disallow this. Other poorer households, mostly landless, depend on the forest for tubers to meet food requirements in the lean season, which is soon after the monsoons. Herein such people responded that though tubers are plentifully available in the forest, the FD deters them from such collection. The reason cited was that the depressions/ditches that are created due to tuber collection become traps for small animals, sometimes killing them and otherwise hampering their movement in the forest and therefore villagers should restrict from tuber collection.

They did accept that after the ban on hunting the numbers of animals have increased, but there are more cases of animals destroying crops in the region, especially elephants. Other animals that they encounter more often when they go to the forest include barking deer, spotted deer, wild boar, etc.

**On Compensation policy:** When asked about compensation policy. They did have a fair idea on compensation processes but nobody has ever applied for compensation because they understand it to be a tedious process and all the efforts are not worth the amount they may manage to receive. In other terms there are too many procedures and bureaucratic bottlenecks for them to undergo before compensation application is actually sanctioned. When asked as to what do they plan to do to check animal menace they had no ready-made answers and some said that they just use fire to drive off animals and are not aware of any other measures to protect their crops. The discussions were facilitated to some extent on crop diversification and other related issues, citing possible reasons for animals' degrading. But this issue needs to be dealt more comprehensively along with these communities to search for alternatives.

**On development activities undertaken at the Panchayat level:** Since the Sarpanch happens to be from their village, quite a few development works have been undertaken in the past 4 years which include the construction of a water harvesting structure (WHS), village road. When asked about regularity of Palli Sabha meeting and action plan preparation for work to be taken up in the village, they all said that they have been involved in the action plan preparation for their village. Herein I wish to mention that only men attend Palli Sabha meetings and women are particularly conspicuous by their absence. Except for a few elders in the village, most have never seen the block office and hardly know anything about any govt. schemes and programmes. There is a clear difference in perception of the tribals and Chasa. Though the Kandha are more informed, the Kolha know very little about schemes and programmes.

**On FD initiatives:** The people said that EDC was formed for taking up plantation activities on 5ha of Gochar land adjacent to the village. Some forestry species were planted there about three years ago. Besides every year the FD engages some people from the village in forest cleaning operations like pruning. This is done for about 15 days a year, in which on an average 30-40 people are engaged per day on wage rate basis as per prevailing Govt. wage rates. Since the past 5-6 years there are increased restrictions on the part of the FD and more tightening in terms of imposition of the Sanctuary rules and regulations. Timber smuggling has been strictly banned and there are increased instances of harassment of those who are suspected to be smuggling out timber. At the same time the people also agree to the fact that the dept at least allows them to collect timber for household consumption.

**On Education:** The school in this village was set up during British times and has survived over time. The quality of education has gone down over the years but having understood the importance of education quite a few have pursued school beyond the village school and are doing well in life settled outside the village. Currently the school has classes till the fifth standard, with 42 children attending school of which 22 are girls and 20 boys. Beyond fifth standard very few pursue higher studies and girls hardly ever pursue studies beyond fifth standard. But when asked people sound quite satisfied with the school. The two teachers who regularly come being from the village within the sanctuary, as opposed to many other schools in the Sanctuary. In recent years three children have dropped out of school. Two Kolha boys dropped out from school and now graze cows, this is been primarily attributed to earning for the

family. The one girl who has dropped out had to help in household chores as mother is unwell.

A deeper probe was done on their fishing practices. Almost all families in the villages except for 8 families are engaged in fishing. While some do solely for subsistence purpose and only restricted to some seasons, at least 18 families are engaged in year round fishing and is a major source of livelihood for them. On an average they get a catch of 4kg fish per day for an average of 15 days per month. This is sold at the average rate of Rs.50/- per Kg. November to February is the peak fishing season when they have assured catches and earn good amount of money from it. Besides April through June is the season for prawn which fetches them between Rs.120- Rs.160 per kg, with an average of about 10 -12kgs of the catch per season. They pay a yearly lease rent of Rs.240 to the Wild Life Division for fishing rights.

There was another meeting that was conducted with the women's SHG. There are two groups in the village. These SHGs are recently formed, are about a year and half old. They have managed to get some finances from the Bank but have not been able to avail any subsidies from Govt. as the groups are mixed consisting of both BPL and APL families. The money that they borrowed is used individually mostly during the agriculture season to buy inputs. The women complained of having no other source of income generation. Herein it's important to cite that women from the Chasa caste mostly said this, because the Kandha and Kolha women do go out to work as agriculture labor and Kolha women accompany their family members on honey collection trips to the forest. Others mostly remain indoors and are engaged in household chores. They have their monthly meetings but otherwise are not part of any village level meetings. None of them have ever attended a Palli sabha. Women cited health status as a major problem in the region with no proper medical help at hand. Malaria is prevalent; pregnancy deaths are common besides malnourishment among children is rampant as was evident during our visits. There is one Anganwadi for three villages and is situated in the nearby village. So this village hardly avails any of its services. The Anganwadi worker visits once a month, and during immunization drives. On other difficulties women cited lack of communication facilities and restriction of movement from inside and outside the Sanctuary.

This village being close to Tikarpada Range office is more informed on rules and regulations and is easily monitored by the FD.

### **SALAR**

This is a revenue village located amidst dense forests. It is about 5 kms from Badakheta village, which is located on the roadside, between Jagannathpur and Purunakote. The village is located amidst prime elephant habitats and the village reports regular cases of elephant's degrading crop fields in the region. This isn't a new phenomenon, but incidences have increased and people of this village attribute this to increased elephant population in the past 5-6 years. This is an extremely poor village and households barely manage to meet ends. Most of the economy is dependent on rain fed agriculture, main crops being paddy, lesser millets; small quantities of brinjal and mustard are also cultivated where adequate moisture is available.

Total number of households: 22, of which 16 are BPL cardholders, the rest would also be in the BPL list but for some discrepancies are out of the list. This is a homogeneous village comprising only of Kandha, a tribal group. Total recorded Private land: 48 Ac of which paddy is cultivated in 20 acres and 28 acres belong to uplands where mostly millets, maize, brinjal, etc are grown. Total recorded village land: 52 Ac (the villagers encroach this land on a communal basis). There are 17 landed and 5 landless households in the village.

### **Individual Profiles**

**Digambar Jani**, male, ST, Total number of members in the family-6

Land holding: 1.5 acres. Has patta for the land. Primarily cultivates paddy, gets about 8-12 gunny bags of paddy annually. Agriculture is primarily rain fed. Also cultivates sesame, suyan, and mustard. He earns anything between Rs. 500 and Rs. 2000 depending on the production, which fluctuates from year to year due to irregular rainfall patterns. Owns 12 goats, which reproduce at least to another 11 in a year, and is a major source of cash income for the household. One goat would fetch anything between Rs. 800-Rs. 1000/-. His wife is also engaged in Sal-leaf plate making and earns about Rs. 2000/- annually from the sale of the plates. It is to be noted here that this activity is not permissible in Sanctuary but is ongoing illegally and an easy source of cash income. These plates are sold to traders who go to the villages and get them.

He said that they manage well for about 20 days of the month and the rest is managed through borrowing and manual labor whenever there is an opportunity.

Depend on tubers as principal food source during three months post-monsoons. Know about the Sanctuary since 1990s.

### **Lakhan Dandasena**

There are a total four members in his family, includes his wife and two sons. Is a BPL card holder and registered in the Anthyodaya Scheme, gets 35 Kg of rice per month @ Rs.3.50/Kg. He owns 2 acres of land and has also encroached some govt. land. Cultivates paddy, gets about 8-10 gunny bags of paddy, besides grows black gram, green gram, millet, and brinjals. All these are for household consumption and in times of stress sell some of the Rabi crops that is kept as seeds for the next season. Also owns 9 goats, which is again an assured source of cash for the household. Wife is involved in Sal-leaf plate making and earns about Rs-1500-2000 per year from it.

### **Braja Jani**

Three members in his family, one son and wife.

Mainly depends on agriculture to eke out a living. Owns 1 acre of land, which produces about 6 gunny bags of paddy. Is engaged in agriculture work for about 3 months, wife is engaged in Sal leaf plate making and earns 50/-rupees per week.

Agriculture does not support them fully, therefore are also engaged in wage labor.

The woman of the household also works as agriculture during the agriculture season and gets only Rs. 25 per day. Three months in the year they face acute stress and depend on tubers borrow money and manage to live.

### **Information from FGD**



One FGD was conducted in this village in which about 10 men and 4 women had participated.

**On Sanctuary declaration:** The respondents said that they got to know of the sanctuary in the 1990s when bamboo working stopped in the Sanctuary. As part of bamboo operation, people had an assured source of income for 8 months of the year and managed the rest with their marginal agriculture but ever since the work has stopped they are virtually pushed to the margins in trying to survive despite all uncertainties. About 5 years ago the FD came and told about the ban on the collection of Mahua flowers and seeds, Sal seeds and mushrooms from the forest. They are only allowed to collect timber from the forest to meet household needs. But despite the restrictions people are engaged in collection of all these items and are illegally selling them off. Being an extremely interior village it manages to continue trading despite the ban.

**On loss of livelihood due to non-sale of NTFP:** the discussions clearly pointed to the fact that people had lost a considerable amount of money due to non-sale and collection of many NTFPs. Specifically people mentioned that each family earned on an average Rs. 2000-3000 annually from KL collection. This activity has stopped since 6 years now as the paid run by the forest Department has closed down. Illegally this is ongoing but each family manages to get only about Rs. 500-600. Besides they also regularly sold Sal seeds, Mahua seeds to the OFDC when its centre was open in the Sanctuary. Annually earned Rs.2000-3000 per household from the sale of these products. The villagers no longer collect these because there are no traders to buy them. They have also been restricted from collection of tubers, mushrooms, etc from the forest, which are important food sources and they continue to collect but with increased fear of being nabbed by the forest Department.

**On Education:** The village had no school 3 years ago. 3 years since a school was set up under Education Guarantee Scheme. Before this children from this village attended the school at Purunakote. At present there are 30 students, with one teacher. The people sounded quite satisfied with the education, as the teacher comes regularly and the children of the village are attending school. The people reported no cases of dropouts.

**On Development programmes:** The people have a fair idea of Panchayat level schemes and programmes. 10 households in the village have got houses under the IAY Programme. There are currently 5 widows in the village who receives regular widow pension. Men participate in their Palli Sabha meetings. As per Panchayat allocations work comes to their village. They hardly have a say and know nothing about their role in planning for development work in the village. Whatever work gets sanctioned they just pass resolution for the same and most households are then engaged as labor in the work. The Nyab Sarpanch happens to be from this village and work order is issued in his name. He is well informed but the rest know as much as he tells them. Nobody gets paid as per govt. rates; we presume that the Nyab Sarpanch cheats them on the wage issue. In recent past no development work has come to the village.

**On Health:** The village is malaria prone. Brain malaria is quite prevalent and people die due to this quite often. The nearest health centre is at Purunakote. A malaria

centre is been established in this village that stocks Chloroquin tablets, ORS packets, etc., which are given free of cost to the people. People also use gotikharika (*Nyctanthus arbotristis*), bhui nimba, as preventives against malaria. The juice of these plants' part is regularly had to prevent against malaria. Immunization programmes are regularly held from the Purunakote Anganwadi centre. No food is provided to young children and neo-mothers from the Anganwadi and the people have no idea of these either.

**Migration:** The respondents informed that 3 households have permanently moved out of the village, of which two were widows. They moved out and settled in other villages where they had relatives. This happened 6 years ago and mostly in search of work and for lack of any income sources in the village. Though people did not directly relate these to loss of income as a result of the ban but our probing pointed towards this and can be attributed to loss of livelihood as a result of the restrictions and loss of income sources. Besides there are 14 households, of which one member works as contract labor on a yearly basis and they get 16 gunny bags of paddy. One youth has gone to Andhra Pradesh, since the past 7-8 months to work as an unskilled labor in a hotel.

Respondents complained of no proper communication facilities to the village. In fact the village is situated beyond a nallah and connecting culvert is broken since the past 12-13 years. No repair work is been done and during heavy rains the village remains cut off from rest of the villages with no roads to go. All respondents had assured labor work during the times pre-1990, when bamboo operations were ongoing. 8-months of the year they had work, which is now hard to come by. They said that the FD engages them for forest cleaning operations, but that is hardly for 15 days and does not suffice. But they did specify without being asked that they were "paid better wage" of Rs. 50/- per day for the work and wished that the department should engage them for more number of days. They know about compensation in case of crop loss/life loss, but the amount was too little for a lot of paper work and other bottlenecks so nobody bothers to file claims.

**ASANBAHAL**

This is a forest village under Jagannathpur Panchayat of Pampasar range. The village is located off the Pampasar-Purunakote road. This is a small little picturesque village on a small plateau, surrounded by dense forests primarily of Teak, Sal, and Bamboo. The

<b>Household profile</b>	
<i>Chasa</i>	<i>: 10hh</i>
<i>Kandha</i>	<i>: 8hh</i>
<i>Taonla</i>	<i>: 6hh</i>

village is quite remotely located and the approach road to this village is a fair-weather road. As mentioned this is a forest village that was settled in the early 1900s by the British to be engaged in forest operations mainly bamboo working. They were brought in from various places but mostly from Boudh, Phulbani, Angul, etc. At that time 10 villagers were settled here and those 10 villagers have now increased to 23. It has an adult population of 70 of which 45 are males and 25 females. None of the households have settled land. Being a Forest Village (FV), 25 Ac of land was settled in the name of the village and they continue to cultivate on those lands, no other settlement processes have been done ever since. 5 households in the village get 35 kg of rice per month under the Anthyodaya Scheme.

**Mode of data collection: individual interviews.**

**Individual Profiles**

**Chhabi Sahoo**-He is a Chasa by caste. He has a family of 9 members. Out of the 4 children 2 attend school. The other two are too young to go to school. He has 4 Acre of land holding. Main crops are paddy, kolatha (horse gram), biri (black gram) and maize. Kolatha however has decreased over the years. He is engaged in agriculture for 6 months. Paddy production is 10 gunny bags, which lasts for six months. Production of Biri is 20 kg. Other livelihood support activities include goatery and kitchen gardening of cauliflower and brinjal. He sells vegetables in Purnakote and Jagannathpur weekly market (haat). Goats are sold to traders who further sell it in Angul market. The approximate annual income is estimated at Rs. 20000/- Dependency of forest is not so substantial. 25% of his household needs are from Forest. Major dependency is of timber, bamboo, Mahua flowers and seeds, and Kendu. They are not harassed, as such by the forest department and usage of forest is restricted to only meet their household requirement. He also pointed out that there are no infrastructure facilities like roads, water and health. "Only during elections leaders come for votes." Agriculture again remains rain fed, as no infrastructure like check dam and water harvesting structures exist is what he said.

**Nityanand Behera**: He is a Kandha (ST). He owns 2 acres of agriculture land. The major crops are mustard, paddy, and biri. Agriculture keeps him and his family engaged for 6 months. His annual cash income is Rs. 2000 /-. Dependency of forest is that of 25% and household economy is subsistent in nature. He used to work for the FD when timber operations were ongoing about 15 years ago. Now depends on his marginal agriculture, engaged in labor work whenever available.

**Prafulla Dehury**: She is a chasa by caste and has 4-5acres of agriculture land. Primarily cultivates paddy, besides maize, black gram, horse gram, etc.

The produce from agriculture lasts her family consisting of 3 adult members and a child for 8 months. Son is engaged in labor work as and when it is available.

She said that the Forest dept. had informed people that they are not allowed to collect any forest produce like harida, bahada etc, about 4 years ago. They can no longer collect and sell forest produces, which used to account for 25% of their annual income.

**Pana Dehury.** He is of Chasa caste. He has 2 family members. Landholding is of 1 acre. He cultivates Paddy and land has been given on share Cropping. 2 sons stay in Angul and 2 sons stay in their in-laws place. The agriculture produces last for 5 months. He used to work bamboo plantation previously. Now receives Rs. 200 per month as old age pension

**Chapala Behera.** She belongs to the SC (taonla) caste. Her son stays in Angul and works as driver there. They have 0.50 acres of land, which is given on Sharecropping. The major crops are paddy, biri. She receives old age pension. She too lives with her son and occasionally comes to the village.

**Tibhu Padhan:** He belongs to Kandha tribal group. He has 4 members in the family and earns Rs. 3000-4000 per year. He has 2 acres of land and also engaged in honey collection. He said that they are aware about sanctuary declaration. They got to know about it 10 years back from people other than the forest department. Department does not harass them.

**Karuna Sahoo.** He is a Chasa by caste. There are 4 members in his family. Owns about 4 acres of land that produces 12 gunny bags of paddy. The paddy produced lasts them through the year. Also cultivates vegetables for household consumption. He also owns 11 goats that are periodically sold to traders. He is not a BPL card holder. Last year 15 of his goats were killed by a leopard when they were grazing in the forest.

### **Information from FGD**

Two FGDs were conducted in this village one of only women and another of a mixed group of men and women. Total number of participants in both the discussions was about 30.

**On Sanctuary declaration:** Some people responded that they got to know about Sanctuary declaration about 10 years back and that they mostly got to know from other people of neighboring villages. But some others responded that the FD came and informed them about sanctuary rules and regulations about 10 years ago. They reiterated that the department staffs do not harass them on collection of timber for household requirements but have strictly banned sale of any NTFPs from the forest. As a result of declaration of sanctuary the problems faced by them are as follows, enumerated by the respondents:

- No source of income from forest

- No developmental work reaching the village
- Ban on collection of forest produce from the sanctuary
- Increased fear from foresters for grazing their animals
- Livestock lifting by Royal Bengal Tiger (3 buffaloes were pounced upon and killed, in compartment 4 last year.)
- Increase in livestock lifting by wild animals.
- They are not getting any compensation for their losses.

People were settled here for forestry activities. They were mostly from Tainsi, Harbhanga (Boudh), Kushanga, Tubey (Angul). After declaration of sanctuary they lost their income source.

**On NTFP collection:** Their dependence on forest is slowly decreasing as a result of the restrictions. Initially they collected many varieties of mushrooms, leafy vegetables, NTFPs like Mahua, Sal seeds, teak seeds, etc. Leafy vegetables like barada, bhadalia are decreasing with the increase in number of sheep and goat, respondents claimed. Also collected Bamboo shoots, which was a staple part of their diet especially after monsoons. Dependence of forest is getting restricted. 10 years back bamboo cutting was a major occupation but it has been stopped now. One of the women respondents also pointed out that Cycas fruit is decreasing which had been a major source of food item. They make pancakes out of it. On trying to probe the reason for decline they could not point to any reason for it. When the OFDC operations were on going in the Sanctuary, about 5 years ago, people collected mahua seeds, harida, bahada and sold it to the Corporation, besides also plucking KL from the forest and earned anything between Rs.5000-7000 annually. But with an incidence of some people cutting down trees for easy collection, the OFDC closed down its depot and around the same time KL collection centers were also closed down and thus a major source of income was gone. Illegally some people are engaged in Kendu leaf collection but earn only about Rs. 500-1000 from it. All households are also engaged in Sal-leaf plate making and earn about Rs.50 per week. The people also said that they have been deterred from mushroom collection from the forest.

Men of the household go for timber collection. 12-13 cartloads of fuel wood are collected yearly for each household, besides one cartload of other timber consisting poles, etc for household repair and agriculture is also collected yearly by each household from the forest.

**On other livelihood sources:** Besides agriculture, other main sources of income for the household are derived from goatery which is a prevalent practice since long and out of the 23 households 20 raise goats. They sell it by 6-8 months. Traders mostly come from Angul (Sabalbhangha, Bantala, Pokhtanga, Patli, Kothobhuin, and Ugi) who buy the goats. Unskilled labor working on daily basis is another major source of income for the households. 4 households in the village also cultivate vegetables to be sold in the local market and earn about Rs.3000-3500 yearly from the sale. The vegetables grown include cauliflower and brinjals.. Earnings from the sale of forest produce contributed considerably and has now reduced drastically Some of it is on going illegally but there is clear loss of about Rs.5000 annually per household, especially the SC and ST households that mostly depended on it for cash income.

Earning from forest operation used to be their mainstay and kept them engaged for 8 months of the year. That loss can never be compensated for and the people seemed to have learnt to live without that assured work now.

**On development programmes:** All people have a fair idea of the govt. schemes and programmes and know that due to it being a FV no development work comes to village through the Panchayat. The FD does get some allocations that are spent yearly in some development work for the village. In the past two years the village road and a water harvesting structure was constructed under the aegis of the department, people said. There are 5 households that get rice under the Anthyodaya scheme. Nobody is able to avail any houses under the IAY in the village. Comparatively this village did seem quite informed primarily because in the last couple of years a lot of people/civil society groups have visited this village, shared information and taken information about the condition of people in this FV out of the three FVs that are there in the Sanctuary.

**On Compensation policy:** The people know about compensation on the ground of animal depredation of crops. The lengthy and tedious procedures are seen as virtual harassment and therefore they have stopped applying for any compensation. A royal Bengal tiger killed one Kirtana Sahoo's 4 buffaloes in 2005. He had applied for compensation but did not get anything. People also pointed out that depredation of crops by elephants are on the increase though humans have not been attacked. Elephants are mainly destroying Paddy and kolatha. The animals haven't attacked the village or houses there but since it uses the outskirts of this village as a pathway has destroyed crops that have come on its way.

**On education:** In terms of education facilities primary school up to 5th Standard exists. But the children do not go to school, as the teacher is not regular here. School has existed for 30 years, but hardly an educated person to be found. People are just about functionally literate. Barely manage to read and sign their names. For any application/letters to be filed/written they depend on an outsider from Tainsi village which is outside the Sanctuary and they have relatives there. People are dissatisfied with the education system. Since school is not regular the children are engaged in household work.

**On Health:** The nearest health service is in Purnakote village. ANM comes once in a while. Malaria is rampant in this village and most children look extremely malnourished. The Panchayat had distributed one mosquito net each to the BPL households and the rest had to buy it for a cost of Rs. 30. There is a traditional healer in Kothobhuin (outside

Sanctuary limits) whom they refer to sometimes. When asked about knowledge of any medicinal herbs they had little knowledge and said that increasingly fewer people know of the herbs. They do not collect any medicinal herbs in particular but know of patal garuda and were used to collecting it. But now due to the fear of being caught by the forest department they do not collect any herbs from the forest.

**On migration:** People have gone and settled in other places wherever they have found better opportunities. This is a rather recent phenomenon in the village. They also said that 8 people from the village regularly go to work in Angul as unskilled labor for 15 days of the month. This is ongoing since the last eight to ten years.

In terms of common resources, WHS exists but no document or record exists of these resources. They have applied to be relocated elsewhere but their application has not been heard to.

### **KULANGI**

This is a revenue village with 72 households and consists of two social groups of Kandha and Chasa who inhabit two hamlets of the village. This village started with 12 households and now has 72 households. They were originally inhabitants of Phulbani and Boudh. When Phulbani and Boudh were attacked by the British they fled and hid in the hills and valleys of this region and finally settled. These interactions point to the fact that this village is at least 150 years old. This is one of the most interior villages of the sanctuary, and the setting is a perfect picture post-card! Amidst undulating hills that are lush green and dense, this village is located in the valley, with the agriculture field almost centrally located bounded by the hamlets on two sides. This village is off the Pampasar-Jagannathpur road, beyond Tankarsinga. The valley surrounded by hills is an ideal site for animals but since it is inhabited except for elephants one does not see any other animals.

Our interactions in this village, especially among the Kandha point towards a high dependency on the forest for their livelihood. This is increasingly getting restricted due to enforcement of various rules and regulations of the Sanctuary. The Chasa sahi has 40 households while the Kandha sahi has 32 households. They came to know about the sanctuary declaration 10-12 years ago. Average landholding per household is 2-3 acres. Total land available is 150 acres in the village. 10 households of the Kandha community and 3 households of Chasa community are landless. According to the Kandha (ST) community Sanctuary was declared 15-16 years ago. EDC was formed for Jagannath Van Prakalp<sup>85</sup> three years back. About declaration of the Sanctuary they got to know from newspaper and not from forest department. The Kandha hamlet has 25 BPL households. Total agriculture land of the Kandha is 30 acres.

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<sup>85</sup> This is a programme launched by the Forest Department in 2000-01 to raise 12 forestry species that are particularly required for the construction of the chariot of Lord Jagannath. For species list refer (Annexure I, Appendix II)

### **Individual Profiles**

**Kashu Padhan:** He has 5 members and a land holding of 1 acre. Has patta for the land he owns. Major crops are paddy, horse gram, brinjal, sesame and mustard. Agriculture keeps him engaged for 3-4 months of the year. This sustains the family for about 6 months of the year. He also works as agriculture labor. He is also engaged in other manual labor whenever that is available, increasingly beyond the agriculture season he finds no other work. He used to collect a variety of NTFP which included kendu leaves, siali leaves, jaisanda bark, sal seeds, amla bahada, char seeds and mahua, which earned them about Rs.10000 yearly and easily sustained for 4 months of the year. With the restrictions, there are no buyers for these products and therefore there is a clear loss of Rs.10000 as a result. When the bamboo operations were being carried out in the Sanctuary they had assured work sources for 8 months of the year.

**Abhay Pradhan** has 12 members in the family. He has 15 acres of land. Major crops are paddy, moong (green gram) and biri (black gram). Income from agriculture is 20000-25000 per annum. It lasts them for 6-8months.

Elephants destroyed 60mango trees. They applied for compensation, and all the procedures were underway on continuous follow up but nothing came of it.

Especially after he got to know that the rule is compensation of Rs.1000 per acre, he lost interest in following up and therefore got no compensation. He also reiterated that his loss was much more and all the running around that he did was worth well beyond Rs.1000.

**Suresh Dehury** - He has a family of 8 members of which 6 are children. He owns a 0.5 acres of land. He is engaged in agriculture for 4 months. Major crops are paddy, Biri, Moong and mandia. He also works as casual labor and earns an income of 10000-12000 per annum.

He believes there is more trouble and hardships after sanctuary restrictions. People are not willing to work hard and protect their crop fields and due to less food source in the forest animals are straying to crop fields.

**Prasanna Dehury** - His family consists of 7members including 5 children. He is landless and income source is casual labor. He earns about 4000 a year. He is a BPL card holder. Three generations back their family used to hunt wild animals. Now they have given up.

**Govinda Dehury** - Is a landless Kandha. Just about manages to meet ends. Owns 3 goats, which reproduce to at least two more each year. The earning from the goat sale lasts them a month. Is engaged in manual/ agriculture labor. Goes to other neighbouring villages for labor work. Income from labor also sustains them for another 2 months. Is a BPL cardholder and registered under the Anthyodaya Scheme and gets 35kg of rice each month @ Rs.3.50/kg. Besides depends on tubers, mushrooms and other leafy vegetables from the forest for 3 months of the year.

**Chhabila Dehury** – There are 6 members in the family including 4 children and 2 adults. Two children are enrolled in school and the other two are too young to go to school now. Her family owns 1 acre of recorded land that produces 4 gunny bags of



paddy. The agriculture produce sustains them for 5 months. But getting 4 gunny bags of paddy itself is growing more uncertain over time due to the growing elephant menace and also erratic rainfall since the past few years. Also owns 10 goats that are regularly sold and are source of critical cash income to the household.

**Anjali Pradhan** – A Chasa by caste, theirs is one of the more well off households in the village. She was not able to tell the landholding but said that they get about 40 gunny bags of paddy yearly and that it lasts the whole year through. They also own 12 goats that are a source of cash for the household. Own 11 bullocks and cows that are kept for draught power and meeting the household milk needs. Depend on the forest for the household timber and bamboo requirements, but this is ongoing illegally. Do not collect any other forest produce from the village. A year ago elephants destroyed their banana crop for which they had applied for compensation but nothing came of it.

### **Information from FGD**

Besides individual interviews, three FGDs were conducted in the village. A total of 55 people participated in the discussion of which 30 were women.

**On Sanctuary declaration:** When asked about information on Sanctuary, they said that they knew about it since a decade and half now. They mostly got to know about it from neighboring villages, and the newspaper. When asked if the forest department ever told them about it they said they were not informed about it but when the restrictions were imposed, staff from the department came and told them that if they collected NTFP from the forest they would be arrested. When we tried probing into what they really understood by ‘Sanctuary’, they replied, ”where animals can live without fear and fear for humans increase.”

After the declaration of the sanctuary, these are the impacts as told by the people of this village:

- No Kendu leaf collection
- No timber working.
- Ban on bamboo working.

**On forest dependency and loss of income from NTFP:** The *Kandha sahi* respondents were more dependent of the forest for a variety of produce that they collected. They used to collect jaisanda, siali, Dantari chhali etc. Now no traders so nobody collects. Earning from Amla, bahada, char (Chironji), sargi (Sal seeds), and mahulo. “A loss of Rs. 10000 because of declaration of sanctuary”, remarked one of them. The presence of good Sal forests also ensured a steady a source of lac that they collected but now they do not procure because of fear as a result of sanctuary restrictions. By selling and collecting various roots and tubers they survived for at least 4-6 months of the year, now that is reduced to about a month or two, because all sale has stopped. They just about collect mushrooms and tubers and leafy vegetables to meet some of their food requirements. They believe they were better off 15 years back. They collect one head load of fuel wood per week. Every second year some timber is brought for household repair and construction.

The people from the Chasa sahi said that they only collect fuel wood, bamboo and household timber from the forest. About 30% of their household requirement is met from the forest but they are harassed by F.D and fear of elephants restricts them from getting other forest produce. Mainly due to harassment by the department dependence on forest is decreasing.

**On education:** The village has a school since 1953. There are a total of 70 children enrolled in the school of which 20 are from the Kandha sahi. But due to irregularity of the teachers children are dropping out of school. People are extremely dissatisfied with the school, as it opens only 5 days of the month, the rest of the days the teacher does not bother to come and therefore children are out of school, mostly engaged in household work or doing nothing. Some people attributed irregularity of the teacher as the cause for children dropping out of school. It is to be noted here that there are two retired teachers in the village who are now too old to teach but before that they did teach the children out of school whenever possible. About 60% of the population is functional literate and only 15% can file applications.

**On Panchayat and other Development programmes:** This village comes under the Jagannathpur Panchayat. The Kandha hamlet quite vehemently responded against the Panchayat. They were particularly angry about the recent development in the Panchayat whereby a road was sanctioned for their hamlet but just when the work was to begin they got to know that the amount was transferred to another neighboring village with more power and clout. No other development work has happened in the recent past in this village. People in the Chasa hamlet weren't as vehement in their reactions but they did say that having a Palli sabha<sup>86</sup> for any work to be done in the Panchayat is just a mere formality. There are a total of 30 households who have BPL cards in the village of which 25 are Kandha. During the interaction, we found 1 widow in the village does not get widow pension.

**On Compensation Policy:** Most people are aware of the compensation policy but they claimed that nobody gets it and that the amount is too little. There were instances of no compensation being granted on various grounds that the people enumerated. Methi Dehury a widow and runs the house did not get any compensation. Last year six of her goats were attacked and killed by a leopard while grazing in the forest. Crop depredation is on the rise and elephant menace is occurring due to mango, jackfruit, plantain and paddy. A leopard picked up Ishwar Pradhan's goat last year while it was grazing in the forest. They filed no compensation application because they feel the process is too tedious and no assurance from past cases that they would be compensated.

**On Health:** Diseases like malaria are common. Children are also prone to malnourishment. To avail health facilities they have to travel to Angul or Bantala. PHC in Jagannathpur is hardly functional. The ANM visits the village regularly. Immunization programmes are carried out in the village from time to time. The people in the Kandha

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<sup>86</sup>Refer to Appendix I of Annexure I

sahi claimed that they “were better health wise before Sanctuary was declared”. We tried probing into the reasons for such a statement but couldn’t quite arrive at anything in particular for it.

The people were concerned over the rising number of elephants coming to destroy their crops. There is an increasing sense of fear among the people for the pachyderms. They also questioned on the role of the forest department harassing them when the real culprits go scot-free, “*Timber is being smuggled by outsiders, why isn’t that they are stopped and why are they harassing us?*” They also said that the hunters are all outsiders mostly from Berhampur and Pokhtunga but they are always questioned whenever any animal is killed or seized.

**On Migration:** The people did not report of any migration cases as such. But recently two youths from the Kandha Sahi have gone to Angul to work as unskilled labor in shops. This was attributed to getting no work in the village and therefore moving out. There is one Narendra Pradhan who works at a rice mill near Bantala and gets Rs.800 per month.

### **JOKUB**

This is another extremely interior village off the Pampasar-Labangi forest road. It is a small village of 15 households, all Kandha households. This village is under the Balanga Panchayat. My first impressions of this village are that of any extremely poor village that must be barely able to meet its minimum requirements. It’s a village dotted with date palm trees all over and every household had at least one jackfruit tree in their courtyard. Having encountered fresh elephant dung on our way to the village, I was wondering if the elephants came to this village, with jackfruits as an attraction. Who knows the jackfruits may be for the elephants like the one at the Labangi Rest house! What was standing out was the uniformity of all the houses that had concrete tiles for roofing, on probing we found that in 1987 all the households were given IAY grant.

### **Individual Profiles**

**Chhabi Padhan:** is Kandha male, about 40-45 years old. There are total of 6 members in his family that include 4 children and the couple. Owns 2 acres of recorded land from which he gets 8 gunny bags of paddy. Also grows brinjals just for household consumption. The produce just about lasts them through the year. Also collects Mahua flowers and seeds for household consumption. He said that there was no work source; especially no work on forest roads has taken place since the past two years. When asked about the school, he seemed fairly satisfied for the fact that they have a school in the village. It is to be noted that 5 years before there was no school in the village and children who went to school had to walk three kms daily to the nearby village.

**Rama Dehury:** is a kandha female, there are a total of 7 members in her family including 6 adults and a child. He owns 2 acres of land that produces 7 gunny bags of

paddy. This produce lasts them for about 5-6 months of the year. For the rest of the year depend on labor work, mostly agriculture labor in the nearby villages of Balanga and Labangi. Both men and women go to work. They get Rs.30 for a day's work as agriculture labor. Besides they do grow brinjals, turmeric, ginger, mandia, suyan, sariya (millet varieties) for household consumption. In times of stress if they have any of these produce, then they sell these to get rice.

**Dukhia Dehury:** He is a 66 years old Kandha with an unmarried adult son and wife. He owns 2 acres of land from which he gets about 8 gunny bags of paddy. The family also grows some minor millets, brinjals, and maize that lasts them for two months. The household manages to live on these and collects tubers from the forest for three months after the monsoons. He also said that the Panchayat has sanctioned no work for their village in recent times. In his knowledge the Sanctuary is been declared about 14 years ago. Two-three years ago the paddy crop was destroyed by elephants, and had filed application but got no compensation. He never followed it up or tried finding out as to the reason for no sanction.

**Makaru Dehury:** He is a Kandha and has a four-member family. Both his son and daughter go to school that is run in their village. Owns about 2 acres of land from which he gets 6 gunny bags of paddy and other millets small quantities of maize and brinjal for household consumption. He works as manual/agriculture labor in nearby villages of Balanga and sometimes in search of work goes to as far as Jagannathpur (about 12 kms away).

**Krishna Dehury:** He is also a Kandha and has a 3 member family. Owns about 2 acres of land, gets 5 gunny bags of paddy from it. Have 3 jackfruit trees in his courtyard fruits of which are sold to traders from Balanga. Work as agriculture labor in Balanga and Jagannathpur villages. Extremely poor and just about manages to survive.

### **Information from FGD**

One FGD consisting of 8 men and 12 women was conducted in the village. As mentioned earlier this is an extremely interior village and an extremely poor one but people here did not seem to be complaining as much, just shared their hardships in a matter-of-fact way. They have so much internalized the poverty that it is more a way of life than wanting to seek for their rights or entitlements.

**On Sanctuary Declaration:** Most people responded that they have known about the Sanctuary only about 5-7 years ago. Only one person responded that he has known about the sanctuary about a decade and half ago. When asked how did they get to know, most said that they came to know from other nearby villages and also that Department staff had come and informed them that they cannot collect any produce from the forest and if they do they would be punished if caught.

**On forest Dependency and loss of income:** The forest dependency of these people is of subsistence nature. They have never been engaged in KL collection or any other

NTFP for sale. They have been worst affected by the cessation of bamboo operations in which most people were engaged and that was pre 1990s. Other NTFPs that they have collected for household consumption and do continue to collect include tubers of many varieties, Mahua seeds and flowers, cycas fruits and other leafy vegetables. The people did agree to increased fear of collection of these products for fear of being caught by the department and being punished for it.

**On Panchayat and other Development Programmes:** This village was earlier under the Labangi Panchayat but is been recently shifted (in 2001) under the Balanga Panchayat. The people had very little information about various schemes and programmes of the Panchayat and have mostly depended on influential people in Balanga to get them registered under any schemes.

**On Compensation Policy:** People just know that some such policy exists and some people whose crops were destroyed had applied through help from people in other neighboring villages. But none of the villagers have any knowledge of the rules under it and clauses under which they can claim compensation, let alone any knowledge of the procedures for filing an application

**On Health:** There are no health facilities in the village. The nearest dispensary for this village is Balanga. This is a malaria-infested village and people depend on a concoction of two herbs –chareigudi and gotikharika mixed with honey to treat themselves from the ailments. There are no facilities for immunization programmes or any kind of pre and post-natal care. The ANM hardly visits them and have no knowledge of any such services to be provided to the village by the health centre. For any serious cases they go to Bantala PHC or to Angul District hospital.

**On Education:** A school is been established two years ago. There are a total of 35 students enrolled in the school. But only 25 attend school. The teacher is from a nearby village and is therefore fairly regular. The fact that the village now has a school people say they are satisfied, but the quality of education is far from satisfactory.

**On Migration:** Nobody has migrated from the village.

### **BADAKHETA**

This village is located along the Pampasar-Tikarpada road just about 3kms from Jagannathpur. The households are rather scattered and one would realize that it is a rather small habitation from merely seeing it. There are a total of 16 households, 13 of Kandha community and 3 households of Gouda community. Being located along the roadside one would expect the people here to be clever and open but our interactions and many a stopover earlier suggest that people are rather shy, averse to make any conversation except for one or two people. Over our many days of travel we kept interacting with the village, just hinting that we would visit their village and try to

#### **Land Profile of Badakheta**

**Total Private land: 38 Ac**

Low land: 24 Ac

Upland: 14 Ac

**Landed property of different social groups**

Bhoi: 24 Ac (10 HH)

understand their dependencies, the problems they face, etc. Besides we also had a team member who had long ago worked in the village and could help us to recall his old ties in order to enlist their cooperation in our data collection. There are a total of 11 BPL families in the village. Though the kandha community is the dominant group, the Gouda community in the village is better off with each household having 8-10 goats, which is a regular source of income for them.

### **Individual Profiles**

**Narottam Bhoi:** There are a total of 7 members in his family that include 4 adults and 3 children. He belongs to the Kandha community. He is a ward member and BPL cardholder. Paddy production is 4 gunny bags. He sells Khandisa/Tati and earns Rs1200 per month. He also gets 35kg rice from PDS under the Antodaya scheme. He owns 9 goats from which he earns Rs 4500. The income from this lasts them for about 6 months. He came to know about the Sanctuary in 1988. On asked about the changes that have come as a result of the Sanctuary, he said “after the declaration of Sanctuary there is more trouble in bamboo collection.”

**Manju Bhoi:** He belongs to the Kandha community. His is big family consisting of sons 2 daughters-in-law and two grand daughters. He is a forest watcher who gets 1500 per month from the department but not regularly paid. His 2 daughters-in-law earn on average Rs. 50 per week each. Through his agriculture he gets 12-14 gunny bags of paddy and earns 1500-2000 rupees by selling suyan, sariya (minor millets that are grown in uplands) and mustard. The produce and earning from agriculture sustains them for 4-6 months depending on the production.

One of his sons has a shop through which he earns Rs 12-15 per day. The other son is engaged as casual labor for 4 months with the Department and earns about 1500 per month. They have 6 goats which is a major source of cash income. (They also revealed that he had a gun and they do hunt animals and sell outside).

**Shatrughan Jhakar:** He belongs to the *Kandha* community and has a family of four members. He was a teacher in non-formal centre. He earns about 1000 rupees per month by selling khandisa/ tati. He gets about 16-17 bags of paddy. Wife is engaged in leaf plate making. They have 12 goats. They used to collect 1-2 tins of teak seeds (paid Rs. 50 per tin) for one and half months. But ever since the Corporation stopped operations about a decade back they do collect teak seeds as there are no traders either to sell the. Though they continue to collect tulo(mahua seeds) and mohula for self-consumption.

(He also informed that teak poles are being smuggled out to Tainsi and other areas with and/or without the knowledge of forest department. The timber costs around Rs 850/cft. Many people are engaged in such smuggling activities for about 6-7 days a month for want of other work.)

### **Information from FGD**

A mixed group FGD was conducted consisting of 4 women and 7 men.

**On Sanctuary declaration:** Most people responded that they know of the Sanctuary declaration since the 1990s. They were not formally informed by the department but got to know from people of other villages and most attributed to knowing about the Sanctuary when the gate was came up at Pampasar which was in the late 1980s.

**On forest dependency and loss of income from NTFP:** People from this village have been mostly dependent on forest for bamboos since all the families are engaged in making bamboo partitions called Khandisa (6\*3 sq. ft), which fetches them anything between Rs.50-60 per piece. There is increased fear among the people in bamboo collection but they continue making these bamboo partitions which are sold to a local trader who comes to buy them. The people also said that bamboo is readily available within a radius of 0.5-1 km from their village. Earlier they were also engaged in teak seeds, mahua seeds, flowers and Kendu leaves collection but now since the Corporation and the KL division have stopped operations inside the Sanctuary they too have stopped collecting these items which fetched them annually Rs1000-1500. Now only mahua flowers and seeds are collected for household consumption. The women also earned from Sal-leaf plate making, they continue to earn but there is increased fear of going to the forest for leaf collection. They said that they earn about Rs1000-Rs.1500 per month from Sal leaf plates sale.

What one gathers from their responses is that they have come to accept things as they are and also that their primary need, that of collecting bamboo is being fulfilled. They also said that the department does not harass them in bamboo collection 'primarily because *FD cannot monitor their activities if they are disallowed they would resort to hunting*'. This village was known for hunting small animals for meat and this was ongoing till the late eighties. Now it's stopped but there are stray cases of animal hunting mostly for meat.

**On education:** There was no infrastructure for school in this village and children either went to Jagannathpur or Purunakote School. Just about six months ago one non-formal education centre was opened in the village under the Education Guarantee Scheme. There are 20 children (9 Girls, 11 Boys) enrolled and attending school under one teacher who regularly comes. There is no building for the school, as of now the village community hall is used as school premises.

**On Panchayat and other Development programmes:** This village comes under the Purunakote Panchayat. The people said that they knew of the schemes and programmes, and that Palli Sabha happens regularly, that recently the village roadwork was also completed. But people were not really aware of procedures and just that their Palli Sabha happens as a case of mere formality (in my opinion), that the people respond they know about Panchayat schemes and programmes.

**On Compensation Policy:** They are aware about compensation and also filed application but to no end. One Mr. Rabi Dehury had gone to Department for 7-8 times for compensation but got nothing and left pursuing the case midway.

**On Health:** The ANM from Purunakote visits regularly and all children are immunized however there are no health centers. Serious cases are taken either to Bantala or Angul district Hospital. They go to Purnakote dispensary for any ailments. Major diseases are gastroenteritis, malaria. There is a malaria centre in this village as well, and anti-malarial are available free of cost at this centre. On water availability

there is one tube well and one well, which are the source of water. Gouda's have 8-10 goats each household and it is their main source of income. They have one SHG group which was initiated 6 months back. The group has 11 members and they deposit Rs.20 per month.

### **RAMIMUNDA**

This is a revenue village located under the Tikarpada Panchayat and adjacent to the Gaindi village. This is a village with only 15 households of which 14 households are Keuta (SC) and 1 Kandha (ST). Most people in this village depend on fishing for a livelihood besides working on their farmlands, working as agriculture labor, etc. The total recorded agriculture land of the village is 60 acres. There are two landless households in the village who primarily depend on fishing for their livelihoods and also work as manual/agriculture labor whenever possible.

### **Individual Profiles**

**Siba Sethi:** He is *Keuta* by caste and has 5 family members including one daughter and one son. He has recorded land. He gets 3 bags of paddy, which sustains the family for 3 months. He is a BPL cardholder. Fishing is a major activity, which sustains them throughout the year. On an average the daily catch of fish that he manages to get is about 2 kg and the maximum catch for a day is 4kg. The fish finds easy buyers as traders from

Angul buy the fish and get a good rate of about Rs40-Rs.50. Dec-Mar is the best fishing season. The fishing households pay a yearly rent of Rs.240 to the Wildlife Division for fishing rights.

**Fakira Sethi:** He is a *Keuta*, with only two members in his family. He is one of the landless household and engaged in share cropping. Gets 3 gunny bags of paddy from share cropping. He also owns 5 goats and fishing also contributes to the household income. He depends on the forest for meeting household timber requirements only.

**Kulamani Palei:** There are seven members in his family. He belongs to the Kandha Community. The household is engaged in agriculture for six months and gets 24 gunny bags of paddy. Also works as daily wage labor. He said that income sources are getting restricted over time as no work comes to their village. When asked about the household's forest dependency, said that the forest department has banned collection of fruits, tubers from the forest and as a result they do not collect these items anymore for fear of being punished by the department.

### **Information from FGD**

One FGD was conducted with about 10 men and 3 women.

**Bhimbadhar Behera, Sudarshan Behera and Subhas Behera** are the three landless households whose primary occupation is fishing from which they earn a daily income of about Rs.100. December to May is the peak fishing season during which they get assured catch in the gorge and the other months there is uncertainty in the fish catch. These people also said that over the years there is a steady decline in the fish catch. However they were unable to cite any specific reasons for the decline. Though landless these households got a good value for the fish they catch and are able to



sustain themselves. Fishing is the main occupation for them. Prawns are also available during April –June, which fetches Rs.120-Rs.160 per kg. On an average each of them manages to get about 500g to 1kg of prawn per day during the season.

**On Sanctuary Declaration:** *Most people responded that they got the information on the Sanctuary in 1990. They got to know from people around them, mostly from the Gaindi village. The department officials did come to the village to inform about the rule to not collect any forest produces about five years ago.*

**On forest dependency and loss of income:** People have been informed of not collecting any NTFP from the forest by the department staff, some five years ago. But most people continue collecting Kendu leaves, mahua seeds and flowers for household consumption only. Some people also engage in illegal timber logging. The forest dependency in case of this village is not too high so they have not been too badly affected by the ban. But yes the Kandha household did complain of not getting to collect tubers and other fruits that they depend on. The villagers also shared some incidents that had happened in the recent past in which the FD staff have taken action against the villagers for no fault of theirs.

One Biranchi Sahoo, a resident of Gaindi village informed that when he had gone to collect mahua from the forest, the forester had beaten him up on the pretext of lighting fire. He claims that he had only gone to collect Mahua and not put fire. A similar incident happened with Sudarsan Routray of Karadapara who was in the forest when it caught fire and he was falsely accused of putting fire and harassed by the department. Timber is logged illegally. He said “no rights on forest as a result of Sanctuary declaration” According to the people here the department constantly deters them from collecting fruits and tubers as they are also the food of the wildlife and in uprooting tubers, holes are formed which can become traps for small animals. *Mahua, tula (Mahua seeds), pita alu* is collected from the forest but in constant fears of FD harassing them.

**On compensation policy:** Only a few people of the village are aware of the compensation rules while most others know nothing about it.

**On Panchayat and other development programmes:** There is no *Palli Sabha* that is held and has no information on Panchayat functions and government schemes. No SHGs have been formed in the village. Though village committee exists in the village, they are not aware of their responsibilities. A school committee also exists. *Palli Sabha* is again just a formality. 3 households of the village avail rice under the Anthyodaya scheme.

**On health:** The nearest health facility is available at Purnakote dispensary. There are no facilities for post and neo natal care in the village. No regular immunization program is undertaken in the village. The Anganwadi centre is at Gaindi, which is about 4 km away. Food for the infants is available there. But none of the households bother to avail the facility primarily because of the distance.

**On Education:** The school was established about 5 years ago, only now they have been able to mobilize grants for the school building, work for which was ongoing when we had gone for the data collection. The teacher at this school is from Gaindi and therefore regularly comes to the school. There are a total of 15 students in the school. But students drop out after 5th standard as there is no school in the vicinity after 5th standard.

This village though close to the Tikarpada range office is not as well informed as Gaindi which is just a few more kilometers away from it. Most people in this village are just about functionally literate and can only sign their names. Lack of education may be inferred as a reason for them not having enough information or even ask for what is their right.

**On migration:** Two households from the village migrated to Athmallik two years ago for want of income sources in and around the village.

**JAGANNATHPUR**

This is a mainstream village just a few kilometers away from the Pampar range. This is a big village and is powerful politically. This village is a commercial centre for all other villages within the Sanctuary and appears more like a small town situated within Sanctuary limits. There are 252 households in the village of which 20 households are landless. 150 households have land holding between 1- 1.5 acres. 82 families have less than 1acre land holding. Total agriculture land of the village is 650acres. 184 families are BPL card holders. The dominant caste group in this village is that of the Chasa followed by the Haadi (SC). The Malhar community is engaged in honey collection and casual labor. The SC community depends on the forest for bamboo for weaving while most other caste and tribal groups are not as dependent on the forest for their livelihoods.

<b>Caste wise Households</b>	
<i>Brahmin</i>	1
<i>Kolha</i>	4
<i>Malhar</i>	6
<i>Kandha</i>	20
<i>Haadi</i>	65
<i>Chasa</i>	156

**Interview with the Panchayat Secretary**

We had an interaction with the Panchayat Secretary - Musa Sahoo. He informed that cultivation of paddy and labor are primary occupation of the people in the village. Before the declaration of sanctuary people used to collect Kendu leaves. 8 months people were engaged in bamboo cutting for Titagarh paper Mills. However, after the sanctuary declaration there has been no out migration.

People still collect mahua, tulo, jhuna (lac), bamboo, timber but mainly for household consumption but not for sale. People also illegally collect small timber/bamboo from the forest. He also felt that Government needs to allow some concession on collection of small timber. They are not satisfied due to the ban on the forest for any kind of forest produce collection. Government declared sanctuary in 1972.

**Individual Profiles**

**Budhia Nayak** belongs to the Kolha community and is a landless farmer. He has seven family members and is a BPL card holder. He gets 35kg rice from Panchayat

which sustains them for five months. He owns five goats which provide some earning for 2 months. Forest sustains them for 3 months. The household collects mango, jackfruit, honey, pita alu, and Kendu leaves. He earns Rs 3000/ from selling mango, jackfruit and honey in three months. He also earns by illegally selling Kendu leaves. The amount of earning was not revealed by him. He is also engaged as agriculture/casual labor. Through agriculture labor he earns Rs 25-30 or in kind. Other work that he engages with includes road construction, WHS which earns him Rs 20 per 100 cft of earth work.

He had no idea of Sanctuary declaration but aware that collection from forest is banned. Since the village is powerful, FD has little control. Illegal extraction of timber is being done. He is not satisfied with the amount of timber that he gets.

**Govinda Mehera:** He has a family of 6 members and belongs to the Chasa caste. He has 2 children who go to school. He has a land holding of 0.5 acres. Paddy production amounts to 3 gunny bags which can sustain for 2 months.

He has eleven goats and also earns through bullock trade. He earns a profit of 1000-1500 annually from this trade. He also collects mango, jackfruit, and Kendu leaves which earn him Rs 400-500 per month for three months. He also collects timber and bamboo which he supplies to rich households in the village. He also has plough/bullocks which also earns him some amount.

He is harassed by the department but bribes them to get away.

He came to know about the declaration of sanctuary 10 years back. Since he has no alternate livelihood sources he is involved in illegal harvesting of timber.

**Nanda Pradhan:** He has six family members and a land holding of 3 acres. Gets 16 gunny bags of paddy annually. From *sariya* (an upland paddy variety) and mustard he earns Rs 1000-1500 per year. He has 0.5 acres of banana cultivation through which he earns Rs. 10000 per year if elephants do not destroy. In 2005 elephants destroyed bananas for which he filed for compensation but did not get anything. He has 2 Holstein cows. He earns Rs2500 per year from the sale of milk.

One of his sons goes to school. Others are too young to attend school. He came to know about the sanctuary 10 years back through newspaper. He collects timber and bamboos from the forest to meet his household requirement.

Most households in this village have a diversified their sources of income and are better off than their counterparts in other villages of the Sanctuary. Despite rules and regulations, people because of their political clout continue logging timber in large quantities and there is a flourishing trade of this in the village. About 40% of the households are very poor and find hard to make two ends meet. Forest dependency for subsistence only comprises of fuel wood and household small timber requirements.

### **Information from FGD**

A focused group discussion was conducted with 8 people, including 4 women, all of whom belonged to the OBC group. It was difficult to get the others to sit for such a discussion in this village.

**On Sanctuary Declaration:** They also inform that though they report about crop destruction they do not get any compensation. Before 1990s foresters, MLA (A.P Singh) informed them about the Sanctuary.

**On forest dependency and loss of income:** People depend on timber and Bamboo from the forest which they collect illegally. They want this to be legalized. If they transport bamboos and timber by cycle they are seized.

Most people depend on agriculture for only about five months and in rest of the months they work as labors either in agriculture or in Panchayat work etc. They do not go outside their area for work as they feel they are more harassed there. Previously each family used to earn Rs2000-3000 from Kendu leaves and about 200 households were involved in this work. People engage themselves in illegal work when no other work is available.

**On health:** On use of traditional medicines they said they do not know any medicinal plants and depend on vaid in Athmallik and Tainsi. There is a PHC (actually a dispensary) which was established 8 years ago. It has 1 ayurved doctor, 1ANM and one dresser. However people are not satisfied with the medical facilities. No ANM comes despite posting. There is no change in health status and for most people the nearest Health facility is available at Bantala.

**On education:** There is an Upper Primary and ME School which was established long back. There are 4 resident teachers and people are satisfied with the education system in the village. 40% are neo literates. Children go to school till 7th standard but beyond that there is no school so the children help in household activities.

**On Panchayat functioning and other Development programmes:** They do participate in pallisabha including women. When any resolution of work is passed in Palli Sabha for a village, villagers undertake that work. No outsiders are involved. They feel that more Panchayat works are coming in recent years. Currently the PWD work on road construction is underway.

There are 8 SHGS which were started 2 years back with the help of Anganwadi worker. 5 SHGs have availed loans for goatery. The SHGs are a mix of BPL and APL families. 1st loan of 10,000/-.

**On compensation policy:** It came from the discussion that one person named Dandadhar Pradhan's bull was attacked by and eaten by RBT two years back. He didn't file any application and no compensation as a result.

**On migration:** 5-6 youths have gone to work in Gujarat since 2 years mainly to work as unskilled labor.

In the discussion it also came out that women are dependent on men for everything. Only in agriculture women help and contribute to the household income.

There is an EDC in the village. They get one month of work through the EDC. One year they got 50,000 for construction of WHS. Forest Department has made a check

dam for elephants but people thought that it was for moisture enhancement of their downstream agriculture.

### **Key Issues that need to be addressed**

The study shows that the scenario of the people residing within these Sanctuaries is not at all satisfactory. People have for long already been grappling with concerns relating to poor or inadequate health services, lack of developmental work, illiteracy, unsatisfactory awareness and implementation of compensation policy, lack of information, non-participation in the governance process etc. That being the case, a ban on NTFP collection and trade has only made matters worse in terms of increasing economic impoverishment and thus aggravating even further their sense of helplessness and disempowerment. Some of the key areas that need to be kept in mind are as follows:

- **Dependence on NTFP.**

Most communities that were interviewed in the course of the study have been residing in the area since a long time. Some villages in Satkosia that were settled by the British in the early 1900s are about 70-80 years old. Similarly most villages within Baisipalli have been residing in the region for many years (some even a few decades). All these villages have been affected by the ban of NTFP and have lost a considerable source of assured income from it. Though Fuel wood and other small timber collection ( to meet household requirements) is not affected to a great extent, people live in a constant fear of being accosted and harassed by forest guards even while collecting for domestic purpose ( However this is not uniformly true as some respondents also said that the forest department allowed them to collect timber for household requirements ). Quite a few tribal groups have been affected as these curtailments of access to some critical food sources (for eg. Tuber) has affected their food intake habits, thus posing a serious threat to the food security of the people residing in the Sanctuary. The worst affected are communities/villages that depended on Kendu leaves, Sal leaves and seeds, teak seeds, siali leaves, etc. In Satkosia, bamboo operations that were undertaken in the region for about eight months of the year previously brought as assured income for all households in the region. There is a clear loss of Rs.8000-10000/- p.a/ per family as a result of stalling the operations since the late 1990s.

- **Health and Education**

The status of health and education is no different here than the rest of the country. If at all, the apathy is much more obvious. Conservation policies, while they were being drafted should have taken cognizance of the already existing fact of poor quality of these services across the rest of the country and considering the fact that about 3-4 millions would be affected. made strong provisions to preemptively address these issues through the policy recommendations. What has actually happened in fact is that due to their strong conservation bias have many a time lead to prohibitions of collection of forest produce for even legitimate domestic purpose (that is allowed by the WLPA). One offshoot of this has been the declining dependence of these communities on traditional medical systems, and in most communities that our team visited, the vaid<sup>87</sup> was no longer able to provide health care for the people within the PAs. So on the one hand, the quality of health provided by the government system was minimal and on the other, the earlier sources could no longer be depended on to the extent it earlier was

- **On development schemes and programmes.**

In Baisipalli, all development work has been stopped. Villagers (for eg. Gochabari) claimed that they were not allowed to build even houses. Neither has the forest department taken any initiative in other development activities like building roads etc. In Satkosia, though in recent times quite a few villages have been able to get their village road constructed, the approach roads to most of these villages were still far from satisfactory. In many cases ( for eg. Jokub, Asanbahal and Salar) they did not even exist or were in need of repair. There is surely much more scope of development work but no efforts are made to channelize funds flowing to these regions.

- **Awareness of compensation policy**

Out of the four villages in Baisipalli, only people from Gochabari seemed to be aware of compensation policies by way of having applied (though without any success) in the past for the same. On the other hand, in Satkosia, people across villages seemed to be aware of compensation policy. However not one of the respondent of the research survey seemed to have availed compensation. A common refrain was that the process was tedious and complicated and the amount rarely if ever matched the efforts that goes into filing and processing a compensation application. There were many cases of compensation claims being filed but in most cases follow-ups on these claims were given up as the trouble involved in doing so was rarely worth the compensation amount that they would finally receive. Most of the time, what they finally received was much lesser than the actual losses incurred by them.

- **Access to information, participation and awareness of rights**

The need and concern for securing one square meal a day overpowers all other interest in exercising or even knowing of their basic rights and duties. Obviously to the communities being part of any governance process is a far cry; they first need is to secure their livelihoods and basic needs for survival. Any enquiries into

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<sup>87</sup> Community healers practicing traditional medicinal systems and acting as repositories of custodians of traditional medicinal knowledge.

understanding their participation in planning processes or for that matter in knowing of their rights shows that they have little awareness about these matters. There is an urgent need to disseminate information among communities so that they are more aware and are able to exercise their rights.

- **Conservation versus People**

Clearly the indifference of those in power for the economic and social well being of the communities staying within these forests has had a ripple effect vis-à-vis the concern these same communities have for conservation. Traditionally these forest dependant communities have played an important role in fostering conservation and maintaining an ecological balance. In the long run, insensitive policies/ judicial strictures that in the name of conservation alienate these same people from their sources of economic and spiritual sustenance will only be counter-productive from the point of view of both; people and conservation. This can already be witnessed, although in a very nascent manner, with the onset of indifference (in some case down-right hostility) some of the people living within Baisipalli and Satkosia displayed towards conservation concerns. If not nipped in the bud, this can well lead to even more serious problems for the future of conservation.

To address any one of the above issues is to acknowledge the importance of addressing all of the above issues in a holistic manner. This will require a clear understanding and appreciation of the fact that all of them are seamlessly interconnected. Most importantly it will require an acceptance of the fact, a fact that is not only based on a theoretical hypothesis/assumption, but also one that has time and again been proven through the Histories and Traditions of forest dwelling communities, that people are not only important for conservation, but that they are also necessary for the same. Only when this is acknowledged by the powers that be, will policies and schemes evolve that take into consideration the economic livelihood and social well-being as being equally important for Conservation.

**Appendix I**  
**Provisions regarding *Palli Sabha* in Orissa Gram Panchayat Act 1964 amended till 1994**

*Palli Sabha* and its function

1. For every village within the Gram, there shall be constituted by the State Government a Palli Sabha, provided that where the area comprised within a ward constituted for the Gram under Section 8 consists of more than one village there shall be only one Palli sabha for such ward.
2. Each Palli Sabha shall consist of all persons registered by virtue of the Representation of the People Act, 1950 in so much of the electoral roll for any Assembly Constituency for the time being in force as relates to the area in respect of the Palli sabha and the said portion of the roll shall be deemed to be electoral roll of the Palli Sabha.
3. The Palli Sabha shall meet annually in February every year and may also meet at other times in the manner prescribed.
4. The person representing the Palli Sabha area in the Gram Panchayat or if there be more than one such person, or from the list of all such persons in order of preference to be determined by the Gram Panchayat, shall preside over the meeting of the Palli Sabha and in the absence of all such persons at the meeting at the appointed time, those present at the meeting may elect one from amongst themselves to preside over the meeting.
5. The members present at any meeting of the Palli Sabha shall form the quorum for such meeting and the proceedings of the meeting of the Palli Sabha shall be recorded and authenticated by its President :  
Provided that if any member of the Palli Sabha files a complaint either in writing or in person in the next meeting of the Gram Panchayat challenging that the proceedings have not been correctly recorded by the President, the Gram Panchayat may in its discretion, summon another meeting of the Palli Sabha, to consider the same issue or issues, to be held in the presence of a member of the Panchayat not connected with the Palli sabha, duly authorized by the Panchayat in this behalf; and the recorded proceedings of this meeting, if duly countersigned by the said member of the Panchayat shall be taken to be final.
6. It shall be the duty of the Palli Sabha at its annual meeting in February each year to give its recommendations to the Gram Panchayat in respect of the following matters in so far as such matters relate to the Palli Sabha area, namely:
  - a. The development works and programme that may be taken up during the ensuing year, and
  - b. The annual budget estimate submitted by the Gram Panchayat under Sub-section (1) of Section 98.
7. Nothing in this section shall apply in respect of a Gram comprising of one village only.



## Appendix II

English/Botanical names of various NTFP collected and crops that are cultivated by people in the villages of the Satkosia Sanctuary region

Local name	English name/Botanical name
<i>Mahua/mahulo</i>	<i>Madhuca indica</i>
<i>Sal</i>	<i>Shorea robusta</i>
<i>Kendu</i>	<i>Diospyros melanoxylon</i>
<i>Siali</i>	<i>Bauhinia vahlii</i>
<i>Chareigudi</i>	<i>Vitex peduncularis</i>
<i>Bhui nimba/Chireita</i>	<i>Andrographis paniculata</i>
<i>Patal garuda</i>	<i>Rauwoulfia serpentina</i>
<i>Char</i>	<i>Buchnanania lanzan</i>
<i>Amla</i>	<i>Emblica officinialis</i>
<i>Harida</i>	<i>Terminalia chebula</i>
<i>Bahada</i>	<i>Terminalia bellerica</i>
<i>Jaisanda</i>	<i>Litsea glutinosa</i>
<i>Dantari</i>	<i>Acacia sinuata</i>
<i>Barada</i>	<i>Bauhinia racemosa</i>
<i>Bhadalia</i>	<i>Opila mentaceae</i>
<i>Pita alu</i>	<i>Dioscorea bulbifera</i>
<i>Kadba</i>	<i>Dioscorea pentaphylla</i>
<i>Moong</i>	Green gram
<i>Biri</i>	Black gram
<i>Kolatha</i>	Horse gram
<i>Mandia</i>	<i>Raagi</i>
<i>Suyan</i>	Finger millet

### Species that are being promoted under the Jagannath Van Prakalp

Local name	Botanical name
Phasi	<i>Anogeissus acuminata</i>
Mahanimba	<i>Melia azadirachta</i>
Asan	<i>Bridelia retusa</i>
Dhaura	<i>Anogeissus latifolia</i>
Gambhari	<i>Gmelina arborea</i>
Moi	<i>Lannea coromandelica</i>
Kadamba	<i>Antocephalus chinensis</i>
Kanso	<i>Hymenodictyon excelsum</i>
Simli	<i>Bombax ceiba</i>
Paladhua	<i>Erythrina indica</i>
Kauchia	<i>Doispyros sylvatica</i>
Debdaru	-

### Appendix III

#### Discussions with DFO, Satkosia Wildlife Division and Personal Impressions

In the last week of May when the study was ongoing, and 4 villages were already done with, our research team had gone to the DFO office to appraise him of the progress in the study. The discussions mainly hinged upon what were the leads that we were getting. It was a discussion that spanned more than an hour and was good for the fact that the DFO was interested in what we had known and understood and they seemed to echo the DFO's personal observation on the condition of the people living there. The DFO showed keen interest in what we were doing and seemed to understand our language. Besides other things our team shared its experiences of what the situation was and people seemed to have accepted the condition ( of being poverty-stricken) and had internalized the belief that poverty was here to stay forever, to an extent that the reasons for the same were seen as *being a part of a fate*. Hence from their point of view, this grinding poverty was a fact of life against which they were defenseless and about which nothing could be done. To an outsiders like us the conditions in which people lived were grim, the livelihood scenario did not either seem to be promising, but most people responded as if that had been their fated way and *there really was nothing to be done to improve the situation*.

The DFO too agreed to the fact that ever since bamboo operations and other forest operations stopped in the Sanctuary, the livelihood sources of people have gotten limited. There is an urgent need to design interventions that can increase the returns from agriculture. Particularly the DFO pointed to the fact that since agriculture throughout the region was rain fed, there was a need to enhance agriculture through provision for irrigation. There was scope for improvement in agriculture and Angul provided a good market for the sale of the produce and therefore something must be done about it. Besides this our team reiterated the fact that merely enhancing agriculture would not help as there is a need to also promote agriculture that is eco-friendly and does not come in conflict with ecological functions of many other creatures for which the Sanctuary is a haven. Another important aspect that the DFO indicated was skill enhancement for the people especially people who work with bamboo. When inquired if getting bamboo would be an issue for such craftsmen he said that the department is willing to give bamboo at a minimal cost to such workers but Organizations like Foundation for Ecological Security (FES) should look for options to train bamboo craftsmen towards skill enhancement. The DFO agreed to the fact that the living conditions of the people within the sanctuary need to be improved if the Sanctuary is to be protected. However this issue can only be suitably addressed if the need to take the people residing inside into confidence is appreciated ( if protection and management of the Sanctuary is to be strengthened).

We also spoke at length at the need to build the capacities of field staff of the sanctuary management, to make completely aware of the rules and laws and thereby be able to provide right information to the people that they constantly interact/deal with. It was heartening to know that the DFO was concerned for the people living inside given all the bans and sanctions that have come in as a result of the Sanctuary.

### *Personal impressions...*

The entire time spent during the study was truly revealing in terms of visits to some of the remotest villages of the Sanctuary, the grim and difficult conditions in which people have been living and the sheer acceptance of a 'fatalist vision' that people have come to live with. Not once did the people stop to share a smile with me while also sharing their stories, trials and tribulations of living inside the Sanctuary. A situation that was shocking to me, the conditions in which people lived, the struggle to even manage one square meal a day was normal by their standards and that is indeed the level till which poverty is been internalized among communities residing in the Sanctuary. It is simply so difficult to paint the impressions in just black and white because the shades are all of grays.

For one, the Sanctuary despite all the timber smuggling and wildlife poaching, is alive and wildlife exists despite all the disturbances. There are still many untouched, pristine pockets that house rare flora and fauna which is far from being explored and brought to light. But alarm bells ring too as to how long can nature hold fort to this continuous onslaught on her... sure this need to be urgently stopped if we wish to safeguard this natural heritage that is a store house of biotic diversity. The increasing cases of human-animal conflict are sure an indication for growing numbers to infer the least. One needs to understand the phenomena better to recommend any solutions in order to ensure the survival of both.

With the forest operations having been stopped almost a decade and half back and with the enforcement of the recent ban on NTFP collection, the livelihood scenario is gone from bad to worse. Work sources are hard to come by, people travel to far off places in search of work in some cases while in others they have simply resigned to fate. Most have accepted the grim situation and just learned to live in the condition. Health and education facilities are a far cry from what can called as basic minimum. Most schools are just another infrastructure in the village, without any regular teacher or even if there is a teacher he/she handles 3 or even 5 classes at a time. The education system across the country and especially in rural areas needs much improvement to say the least and it is even worse in a Sanctuary area that is remote, malaria prone and with no basic infrastructure. Primary health centers are located far in between and not easily accessible. The ANM regularly visits or so say people but the facilities provided are far from adequate. People hardly rely on the PHC because the doctor is rarely around, for most the nearest health facility is Angul district Hospital or Bantala PHC.

Personally it has been an enriching experience in data collection, for once I fully realized the scope and extent of work that is possible in these habitations that can be geared towards conservation. Despite the restrictions, communities have not rampantly engaged in illegal activities partly out of fear of being punished and partly because they are feel absolutely disempowered from even considering this option. If today we do say the Sanctuary is being plundered of its resources, it is more because of pressures other than the ones residing inside the Sanctuary. The people living in

vicinity only act as conduits and are just victims of an oppressed system with no other alternative available to them. By saying this I do not merely want to say that the communities/people are sacrosanct but that the entire problem needs to be analyzed from a holistic perspective rather than simply pointing the fingers at the people living there. In saying this I also mean to say that there is a scope for involving people in Sanctuary management and without their active support no conservation initiative can be successful. If the department is placing emphasis on eco-tourism as an option for enhancing incomes, it needs to be carefully scanned to see how much do the locals really get engaged in any activity that is geared towards promoting eco-tourism. During the study, we came across many locations that can be potential sites for herbivores sighting and can be thus developed. The abandoned infrastructure of the department in Asanbahal can be brought to good use to develop into a place for sighting herbivores that would also mean some incomes for at least two people of the village one as caretaker and another as a guide. Many such other locations exist that can be utilized and in complete co-operation with the locals there. The aim should also shift from big cats and elephants to smaller herbivores, avi-fauna, and flora trails of orchids, ferns etc. This way the Sanctuary would also be addressing needs of extremely niche tourist populations who would not be a harm to the ecology. At the same time tourist awareness must be made part of any tourism projects that the department may be planning. Because without the awareness and education tourists can become more of a nuisance than an incentive for the Sanctuary.

Information on schemes, programs, rules and provisions are limited to a powerful few within these communities or the ones who have faced some trouble and learnt by probing into it. The information that people do have in most cases is as much as is essential, nobody wishes to know about rights and duties. The state is looked upon as a provider and if it is unable to deliver, there isn't any questioning. In that sense the citizens are disempowered to the core and all due to web of poverty in which they are caught, which has caught on to their imagination as well. It's really the concern for survival that overpowers all other imagination to question/know of their rights and duties. A certain culture of silence is slowly but surely been cultivated in connivance with the machinery of the State. There are empowering legislations that are being brought in but they can only be effective once people are aware of their own rights. An alternative culture of knowledge and learning is to be cultivated among them that may not only be able to ensure many a services that the State ought to provide for but also free them from the vicious cycle of poverty. This indeed is the dichotomy within our governance structure that empowers and disempowers at the same time.

## Annexure II

### *Case Study*

### **Ecodevelopment and Other Initiatives in Great Himalayan National Park, Himachal Pradesh**

#### **Contents**

- a. About Great Himalayan National Park
  - i. Background
  - ii. Location and Extent
  
- b. History
  - i. People, Livelihoods and Conservation
  - ii. Ecodevelopment Initiatives
  - iii. Eco-tourism
  - iv. Settlement of Rights
  
- c. Current Situation
  - i. Conflicts and Contradictions
  - ii. Implications of restrictions for the park dependent communities and conservation
  - iii. Other Developments
  - iv. Ecodevelopment Issues
  - v. Status of Settlement of rights
  - vi. Post eco-development initiatives (WSCG – A Post –COB Strategy addressing Gender concerns and efforts towards ensuring community participation)
  - vii. Other Initiatives
  - viii. What is to be Done?
  - ix. Learnings for the Future

#### **About Great Himalayan National Park**

##### *Background*

The Great Himalayan National Park was established in 1984. Following an elaborate survey that was conducted by an international team<sup>88</sup> of scientists in the 1980's, the findings of which revealed a relatively low human pressure in the area, the exceptional condition of its forests and the unique biological diversity that it displayed; it was thought that this would probably be an ideal location for a constituting a national park that could conserve and represent the rich biodiversity of the western Himalayas (The park is especially known for having one of only two protected populations of the Western Tragopan, the Himalayan Tahr and Blue Sheep , and an endangered population of musk deer.) The decision to constitute a national

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<sup>88</sup> Gaston & Garson, 1981

park was quite in keeping with the fact that the World Conservation Monitoring Centre had already identified the Western Himalayan region as one of the five Centers of Plant Diversity and Endemism in India that required urgent protection.

### ***Location and Extent***

The Great Himalayan National Park is located within the Kullu - district of the northern state of Himachal Pradesh in India. The park is spread over an area of 754.4 sq km. Its northern, eastern and southern sides are naturally protected by High mountain ridges and peaks.

### **History**

### ***People, Livelihoods and Conservation***

Many small villages (Around 160 villages, approximately 14,000 people) inhabit the five-km wide belt on the western side of the park. Population distribution across Range, Panchayats, Wards and caste is roughly as below (Source: management plan):

Name of Range	Total No. Of Panchayat	Total No. Of Wards	Total no. Of Villages	No. Of Households			Total No. Of households
				GC	SC	OBC	
1	2	3	4	5	6	7	8
Tirthan	7 Panchayats	31	72	1013	335	14	1362
Jiwanal	4 Panchayats	22	98	483	279	10	772
Sainj	3 Panchayats	7	28	205	69	0	274
<b>GHNP</b>	<b>14 Panchayats</b>	<b>60</b>	<b>198</b>	<b>1701</b>	<b>683</b>	<b>24</b>	<b>2408</b>

About 26% of the population is below poverty line. Around 36% of the population is illiterate and around 29% belongs to other than general category and depend on the natural resources for their livelihood. The GHNP was used by these very people for a variety of resources.

Though for almost all families, land cultivation provides subsistence for some portion of the year, it is also true that bulk of the population also have historically depended on the park, mostly seasonal, for a variety of resources to meet their annual income requirements. These include:

- grazing of sheep and goats (6-7 months from April onwards) based on clearly defined grazing runs. The wool of the animals is generally used to meet the family requirements. Occasionally animals are also sold for their meat.
- extraction of medicinal herbs (at various points in summer, but best after August 15th) that is sold to a burgeoning pharmaceutical and cosmetics industry.
- collection and sale of morel mushrooms (April-May), which is also considered a delicacy in many parts of western Europe.

It is estimated that around 35,000 sheep and goats (local 25,000, and migratory 10,000) grazed in the park during the summer months. Estimates about the number of people involved in collection of medicinal herbs and mushrooms (*Morchella esculenta*) from this area each year range from around 2,500 to 4000. Be that as it may, conservation concerns, by attempting to exclude human presence from the park, have pitted the brilliantly colored Western Trogopan against the grazing and plant collection activities of the local populations. Some of the reasons<sup>89</sup> for these exclusions are premised on the belief that:

- Presence of herders with their sheep is responsible for over-grazing the meadows resulting in loss of plant diversity and soil erosion
- Herd movement through the forest disturbs the Western Tragopan when it is nesting and has a potentially serious consequence for the chick survival
- Large number of people combing the forest floor for guchhi (morels, an edible fungus) disturb nesting Tragopans.
- Medicinal herb extraction has escalated to a point where some species are reportedly on the decline, far less visible and smaller in size than just a few years ago.

### ***Ecodevelopment Initiatives***

Some attempts however have been on and are still going on to some extent, to at least alleviate if not reverse the effect of these restrictions through various ecodevelopment initiatives.

In 1994, aided by the World Bank, a 5 -year duration Forestry Research Education and Extension Project (FREEP) was initiated. In this project, Winrock provided hands-on training assistance to the Indian Council of Forestry Research and Education (ICFRE). Wildlife Institute of India consultants collaborated with national counterparts in conducting multi-disciplinary institutional reviews and in identifying research priorities. This five-year technical assistance project had a technical and operational plan for the research and development of the entire forestry research system for India. (Source: [http://www.winrockindia.org/nrm/cp\\_ifreep.htm](http://www.winrockindia.org/nrm/cp_ifreep.htm)) A sub-project titled **Conservation of Biodiversity (CoB)** was also formulated as part of the larger FREEP Project from 1994. This was also with a view of testing participatory biodiversity conservation that links *protected area management with local social and*

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<sup>89</sup> Chhatre, Saberwal. 2006

***economic development programs.*** For this, GHNP received approximately US \$2.5 million over five years.

The ecodevelopment initiatives have resulted in two changes in land use around the park. A 5 km area from the park boundary has been delineated as the ecodevelopment zone (or Ecozone) for carrying out integrated conservation and development activities based on the ecodevelopment principle. Most of the above mentioned 160 villages comprising of about 2,300 households fall in this areas (265.6 sq. km). The other change involved the constitution of the Sainj Wildlife Sanctuary (90 sq km). This was created around the three villages of Shagwar, Shakti and Marore. This was necessary in order to avoid relocation of these villages as would have been required by the Indian Wildlife Protection Act, 1972 which prohibits settlements within a national park. This virtually divided the GHNP into two parts. On the south of the GHNP is another protected area known as the Tirthan Wild Life Sanctuary (65 sq. km). This has no human habitation.

These 4 units, GHNP, Ecozone, Sainj and Tirthan Wild Life Sanctuaries form a total area of 1,171sq. km collectively referred to as the Great Himalayan National Park Conservation Area (GHNPCA) and is administered by the park authorities.

Subsequent to the completion of the externally funded ecodevelopment projects, the Park authorities have been attempting positive interventions related to the welfare of people in the Ecozone . This has primarily taken the form of efforts towards addressing gender and livelihood concerns while striving to ensure community participation (Please see below section on Post Ecodevelopment initiatives )

### ***Eco-tourism***

The Ecozone, a 5 Km area adjacent to the Park contains villages that have historically had some economic dependence on the resources of the land incorporated into the Park. The formal designation of the Park boundaries and the resulting loss of these resources has economically impacted these villages. In recognition of this adverse economic impact, trekking as an Ecotourism activity that is nature friendly, sustainable and involving environmental education while providing an alternative source of income for communities living close to the Park is being encouraged at the Great Himalayan National Park (GHNP). Trails ranging from relatively easy day walks in the Ecozone to challenging week or longer treks through arduous terrain are offered (Ref: [www.greathimalayannationalpark.com/GHNP\\_ecotoreks.htm](http://www.greathimalayannationalpark.com/GHNP_ecotoreks.htm))

### ***Settlement of Rights***

The GHNP was finally notified as a park in 1999. The settlement of rights in the GHNP has been done on the basis of the Anderson settlement, which was written in the late nineteenth century (Anderson 1894). It is based on the names of families listed in that settlement, and a total of 349 families were granted monetary compensation to the tune of Rs. 1,56,00,000. Though restrictions to the park (after



settlement of rights) has had its impact on the livelihood options of the people, the extent of these restrictions and their actual impact on the people has not been fully studied or documented. But it remains a subject, if not of speculation, at least of hot debates and disagreements between the various stake-holders (see more on this in the **current situation** section).

## **Current Situation**

### ***Conflicts and Contradictions***

The current situation is amply marred with conflicts, issues and contradictions, especially in relation to restrictions on access to the park resources after final notification, the settlement of rights of people, and ecodevelopment initiatives since 1994. Not in the least are these contradictions apparent in the stances and postures the contending stake holders seem to be taking, where on the one hand they strongly state their own needs and beliefs, but on the other hand also claim to understand/accept the others' point of view. For example villagers while complaining about the restrictions imposed by the Park, also accept the need for some restrictions on resource uses, and park authorities while taking strong action on making GHNP 'inviolable', accept the human need to resolve the life and livelihood problems of the people.

### ***Implications of restrictions for the park dependent communities and conservation***

1. Guchhi and medicinal herb sales together contributed an average income over Rs. 10,000 per family in villages around the park (Tandon 1997). Though the restriction was not actually forcefully imposed until about a year ago, ever since 2005, when it was actually put into effect<sup>90</sup>, it (the restriction) has meant a loss of livelihood for the people. Guchhi collection was a very important source of income. Local inhabitants call it 'Gods Gift/Nature's gift' for people who do not have any other avenues of income. Villagers from a local village Barnagi, claim that they would collect at least 1 kg of Guchhi (priced at about Rs. 7500/- per kilo gram) every month.<sup>91</sup> Unlike the Kullu valley, where there is a thriving apple and tourist industry, a denial of access to park resources has meant a serious livelihood and financial blow to the bulk of the population. This has thus directly and indirectly led to impoverishment of the people at two levels:
  - a. Their reduced access to resources for basic survival and livelihoods;

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<sup>90</sup> According to Ms. Shilpa Tiwari, currently a PhD candidate at the School of Oriental and African Studies (SOAS), University of London, England & Mr. Ghuman Singh of Navrachana, both the activities medicinal herb collection and grazing continue to lesser or larger extent even to this day. Local people (those being indigenously from the area) are relying less on medicinal plant collection to meet livelihood needs. Also now there is an increased competition to sell as market demands for medicinal plants are being met by 'outsiders' such as migrant labor from Nepal.

<sup>91</sup> Ashwini Chatre & Vasant Sabraval in 'Democratizing Nature' cite a study by Vinay Tandon (1997), Chief Conservator of Forests, that the combination of guchhi and medicinal herb sales contributes an average income of over Rs. 10,000 per family in villages around the Park

- b. Their reduced ability to generate income through sales of medicinal herbs and guchhi;<sup>92</sup>.
2. Even after the final notification in 1999, the park management had not created too many problems and people were being allowed to graze their sheep/goats and also allowed to collect medicinal herbs, NTFP and guchhi. The ban however was forcibly brought into effect only since 2005. So far around sixteen ‘damage reports’ had been made and some challans<sup>93</sup> had been cut as a measure indicating the Park Managements’ seriousness. Reportedly the villagers from Dharasingal, Chipani and Mashiar have borne the brunt of this so far. Restrictions on grazing<sup>94</sup> has had some, probably unforeseen, consequences for the people in park-adjacent villages. For example, our meeting with the inhabitants of village Barnagi, where prior to restrictions around 400 sheep/goats used to be grazed within the precinct of the park, revealed the fact that restrictions have had a serious detrimental effect on the livelihood options left to them. Our discussion with the villagers revealed the fact that due to restrictions on grazing, many people, being unable to maintain their livestock, have been forced to sell off their sheeps/goats. This in turn has affected their agricultural practices as now there is less manure for cultivation, and which has affected land productivity. The loss suffered in terms of land productivity in turn thwarts their ability to produce enough food for domestic consumption. On the other hand, as they are forced to sell off their sheep, they are also in danger of losing their traditional occupations like knitting. The situation becomes a bit more complicated than this. Now that they are forced to sell off their goats/sheeps, they tend to sell most of the lot that they own. Earlier since they had a good number of sheep/goats in their stock, they would make an additional income by selling of 4-5 goat (@Rs. 3000-4000) each year. Now this has also stopped. This is still not the whole story. Young people, who traditionally went to forest for herb collection, grazing etc. related activities etc. now prefer other options like tourism, teaching in Kullu, becoming trekking guides etc. So there are indirect reasons due to the Park-related restrictions that are responsible for the need to sell livestock. But what is also true is that as of now, though efforts are on, the government has not been very successful in creating enough livelihood alternatives for the loss caused by the imposed restrictions<sup>95</sup>.

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<sup>92</sup> According to Ms. Shilpa Tiwari, the situation may indeed even further exacerbate in future as market demands for medicinal plants may peter out as pharmaceutical companies synthetically create the necessary chemical compounds of the plant species -they will then rely less on the actual plant

<sup>93</sup> However according to Ghuman Singh of Navrachana, this has not gone beyond filing a few cases and making ‘damage reports’ against few people without any further action. According to him the department is not strong enough to implement its own dictates.

<sup>94</sup> According to the then Park Director, Mr. Sanjeeva Panday no monetary compensation was given to grazers, and neither were alternate sites for grazing though this was promised at the time of the settlement of rights.

<sup>95</sup> The villagers complained that the Government has not made any “Pravdhan” (provision) apart from encouraging small nurseries/gardens & employing a few people as porters, cooks & guides. “How many people can be supported from such small scale initiatives?” they asked. Ghuman Singh of Navrachana not only concurred but even went further by asking where the entire World Bank fund disappeared (see section on Ecodevelopment Issues).

3. Although there is little data to suggest caste, class or gender differentiated use of park resources, it is quite likely that the reduced access to park resources has impoverished or will further impoverish those sections of the populace - the scheduled castes, who are also the most marginalized economically, and depend upon manual labor and the natural resources of the PA for their survival and sustenance.
4. Restricting people's access could have its own price for conservation. It is well documented fact that exclusion from Protected Areas has generally seen an onset of indifference if not outright hostility towards issues of protection and conservation of forests and wildlife, even from people who were earlier themselves conscious of the need for restraints on resource use. It could even lead them to facilitate ( or look the other way round if the see) poaching and timber theft, though so far there are no significant reports to this effect.

### ***Other Developments***

At one level, the state government, by forcing restrictions on people's access to the park resources in the name of conservation, has ensured a loss of secure livelihood for the people depending on these same natural resources for survival. At another level, the same state government, by pursuing a heedless policy of undertaking the construction of several hydal-projects across the Sainj and Tirthan<sup>96</sup> range, all in the name of development (and by deleting/de-notifying areas that were formerly a part of these sanctuaries; for more, see section on **Status of settlement of rights** below), has further threatened both; livelihood and conservation concerns of the affected areas and people.

#### **Box 1**

##### **Development or Destruction?**

A hydroelectricity project<sup>97</sup>, the Parbati Hydel project is being built in a portion of what was formerly part of the proposed Great Himalayan National Park. Our team, during its visit to the site and in discussions with the affected people discovered the ramifications this project has had for both **conservation** and **people**. Some of these are:

1. Part of the area that was carved out of the proposed Park, had some of the finest bamboo forest and was ideal habitat for the Western Tragopan that is already listed as endangered.

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<sup>96</sup> According to the latest news, the Tirtahn river has been exempted from any kind of Hydel Project construction by an order of HP govt. We do not have any official confirmation on this as of now

<sup>97</sup> This is only an indication of what is about to happen when work for other hydal-projects gets underway.

2. Talks with local people, Mr. Pritam Singh (Ex-Pradhan of Raila Panchayath), Mr. Jaisingh (President- Bhartiya Kisan Sangh), Mr. Dhyan Singh (President- Bhartiya Mazdoor Sangh) and Mr. Ghyan Chand Negi ( General secretary- Bhartiya Kisan Sangh and General secretary- Bhartiya Mazdoor Sangh)

revealed following issues that need urgent attention:

- a. Loss of income in herb collection, grazing and agricultural activities
- b. Non-provision of alternative sources of livelihood
- c. Health problems like cough and fever due to continuous unsettled dust in the air and noise pollution.
- d. Damage to crops and land due to dust
- e. Non-compensation for crop damage\
- f. despoliation of sources of water

Building of a wide road which will go to the site and the building of the dam itself, a labor force of 5-6,000 people, three times that of the current population, will (and has) settled in Sainj Town. The influx of so many people is likely to lead to rapid deforestation of adjoining slopes.

### ***Ecodevelopment Issues***

Though considerable resources flowed to the Park during the ecodevelopment phase, there seems to be widespread agreement that not much was achieved in terms of either (a) providing alternative livelihood security to those restricted from accessing resources from the Park, and (b) bringing local people on board in the management of the Park and surrounds. In particular, the following flaws have been noted in a number of studies:

- 1 Ecodevelopment committees were formed in a number of panchayats. However, it was the more powerful people, the upper caste<sup>98</sup> men who comprised the bulk of those present on these committees<sup>99</sup> Many of the members of the ecodevelopment committees were also members of the Devta (or deity) committees interested in building temples rather than looking at livelihood options.

2. Ecodevelopment funds have not been used for generating livelihood options. Funds have been used for temple repair in many villages, building of bridal paths, some water holding tanks, and rain-shelters. It seems that funds were eventually spent on civil works of this kind. Obviously this has not had the requisite impact on the income generating capabilities within any village. As a

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<sup>98</sup> Though this is true of economically well off upper caste men, upper caste composition is not necessarily looked upon as an advantage. For eg. most of the villagers in Barnagi are poor Rajputs. They were ruing the fact that despite being poor, there are no schemes for them unlike for those belonging to scheduled caste tribes.

<sup>99</sup> Baviskar Amita 2002

result, the use of park resources by villagers appears to have continued until last year (2005) when more effective restrictions were reportedly enforced.

3. Ecodevelopment initiatives under the COB project suffered<sup>100</sup> on multiple counts:
  - a. Lengthy government procedures to obtain financial sanctions for the proposed works under the project.
  - b. Lack of training for the PA staff to handle their new responsibilities under the project.
  - c. Lack of establishing the mechanisms of a process-approach, micro level planning details, local community's involvement, and coordination among various developmental agencies and NGOs in the area.
  - d. The villagers remained alienated from the process of their involvement in the park protection. Ghuman Singh of Navrachana lays the blame squarely on the park management. As he so succinctly put, "participatory conservation attempts are frustrated by bade bhai (Forest authorities)."

There were at least 2 attempts at micro planning. One was during the third year of the project by SPWD and other was in the fourth year by the forest department year. The park had engaged the services of the Society for Promotion of Wasteland Development (SPWD), a non-government organization (NGO), to prepare the micro plans. The SPWD made an indicative micro plan based on which the Park staff did a full-fledged exercise. The CoB Project with its emphasis on the formation of eco development committees (EDCs) to undertake the village level activities through micro planning developed 16 micro plans. Each micro plan unit was to have a village EDC (VEDC). As these villages, some comprising of several hamlets, were spread across large distances, it became very difficult to organize meetings of villagers under one micro plan. As a result the effort towards VEDC failed. Even the World Bank Implementation Completion report (ICR) for FREEP states that "The 16 village committees formed during project period are defunct.". As mentioned above, the park had engaged the services of the Society for Promotion of Wasteland Development (SPWD), a non-government organization (NGO), to prepare the micro plans. This attempt failed due to the lack of a proper interface between the SPWD and park staff. The VEDCs formed during the CoB project remained non-functional. Micro planning in the later attempt (in the 4th year) was also mostly done without much involvement of the local villagers. A problem with the micro-level planning process is that people, as was revealed during talks

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100 The World Bank, under the COB project at the GHNP, stopped all project financing on December 31, 1999. Its Implementation Completion Report (ICR) for FREEP stated that "At GHNP, the processes in formation of local level institutions and micro planning left much to be desired. There has been little or no impact on the ground from eco development investments".

with villagers, are generally unaware of the purpose of micro planning exercise. They confuse micro-planning exercise with development planning activities and tend to ask for, say a road instead of IGA (income generating activities) schemes. The villagers of Barnagi claimed that though at that time the ACF had also visited them, these things were not discussed. And no one from outside educated them. Thus one of the interesting aspects we found was that while people complain vocally about the loss of livelihoods due to the Park's closure (or partial closure), the micro-plans don't seem to reflect this. This was also corroborated in talks with the then Park Director, Mr. Sanjeeva Pande. According to the Park Director, it is not difficult to put livelihood options in the micro plan. To really address this issue, "one has to go from house-hold to house-hold". A micro-plan has to be done in a participatory fashion. Mistakes were made. According to the director, the micro plan, in order to properly address the issue of livelihood options, must also be in consonance with the management plan (especially chapter 6,7,8). Ironically the management plan itself is "pending approval". As mentioned above, at one level, this is a problem of invoking peoples participation in the process of making micro-plans, at another level it is also a problem of "an inability to translate the needs of the people into livelihood options" while making the micro plans by those who actually give shape to it. The process itself is not understood. According to Sanjeeva Panday the livelihood issues will need to be reflected more strongly in the micro plans especially now that some of them may get funding from the money that NHPC101 has set aside for the Park. According to him the livelihood issue is not only related to micro planning but also to micro financing.

### ***Status of Settlement of Rights***

1. The final notification was issued in 1999, fifteen years after the 'intention' to constitute the sanctuary was declared, Settlement of rights for an area constituting 160 villages, 2300 house holds and a population of around 14000 was done within a matter of few months. There is a story behind this. This story revolves around the building of a Parbati hydel power project<sup>102</sup> in a portion of what was formerly part of the proposed park. "On May 28, 1999, the Himachal Pradesh government deleted 1060 ha. from Jiwa Nal valley of the Great Himalayan National Park. The ostensible reason was the presence of two villages in the area. But this is patently absurd, for these villages contain a tiny handful of families who do not need such a large area. The actual motive

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<sup>101</sup> In 2001, when Govt. of India granted permission to NHPC to use about 88 ha of forestland under the Forest Conservation Act 1980, it imposed a condition that the NHPC will have to give a total amount of 35.40 crore as funds to the HP Govt., out of which 15.40 crore would be used for Conservation of Flora and Fauna in and around GHNP & the remaining amount was to be used for Conservation of Endangered species in H.P. Both the project proposals were to be made by the Wildlife Institute of India in consultation with Chief Wildlife Warden Himachal Pradesh. These were submitted to by the WII to the Forest Department of HP in 2005.

<sup>102</sup> See Box 1 on situation at the site of Parbati Hydel project.

is the proposed Parbati Hydro-electricity Project, which was stalled so far due to the Park's existence."<sup>103</sup> It seems that the then Prime Minister was to inaugurate the Parbati Hydel Project in the month of December 1999. However in order to enable the Parbati Hydel Power Project to come up in the Jeeva Nallah, a project that had been pending with the government for a number of years, the requisite portion of the Jeeva Nallah would have to be deleted from the original demarcation of the park boundaries. The final settlement that was conducted in 1999 appears to have been timed to enable this deletion. "The settlement order came at just the right time for the project proponents; the District collector recommended deletion of this part of Jiwa Nal from the Park, and the state government quickly (within one week!) processed the recommendation".<sup>104</sup> As mentioned above, the settlement of rights was done on the basis of the Anderson Settlement report (1894). The final Settlement is based on the names of families, a total of 349, as listed in that report. The government has provided compensation (to the tune of Rs. 1,56,00,000) to these families. It is well worth asking the question as to what is to happen to those families<sup>105</sup>, which are not listed in the Anderson report. Even assuming that one family is equal to one house hold (which obviously is not always the case as one house hold can house more than one family), this means that only around 16% of the all the house holds have been compensated. Clearly, the decision to provide compensation only to those who are listed in the Anderson Settlement report, reeks of disregard for the remaining 84% who will not be compensated.

2. At the time of settlement of rights, those who were not listed in the Anderson report were reassured that based on their claims of long-standing customary usage of grazing meadows alternative areas would be provided to people to graze their goat and sheep. However this has not happened.
3. The collection of Gucchi was not listed in Anderson's settlement. As noted above Gucchi is a major source of income. As according to Vinay Tandon, Chief Conservator of Forests, a family made close to 10,000 rupees annually from gucchi and medicinal herb collection. However no compensation was provided for this loss of revenue from Gucchi collection. The majority were not compensated or provided alternative extraction areas for their loss of access to herb producing alpine meadows in the park.

***Post -ecodevelopment initiatives (WSCG- A Post-COB Strategy addressing Gender concerns and efforts towards ensuring community participation )***

Based on the learning's of the abovementioned exercise, the park authorities embarked on the idea of small Women Saving and Credit Groups (WSCGs....more later) where the Park staff facilitated introduction of Income Generation Activities

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<sup>103</sup> Kothari 1999

<sup>104</sup> ibid

<sup>105</sup> Not a single family in the village (Barnagi) that was visited by our team, figured in the Anderson report. Needless to say, from the perspective of the villagers no settlement of rights had happened.

(IGAs) like vermin composting, apricot oil production, hemp based products, handicrafts, ecotourism, street theater. In the Ecozone of the GHNP, as is generally the case in India, the women of a poor household hardly have any say in the matters of the panchayat (local village council) or in village level programmes sponsored by the government agencies or NGOs. With a view towards organizing and empowering them, a women-centered intervention was begun at the GHNP. The effort was towards organizing these poor women in small savings and credit groups through a micro-credit Programme. The PA management undertook a capacity building and monitoring Programme for 12 selected women's group organizers (GOs) from the buffer zone. The group was kept small (about 10 to 15 poor women). These groups are known as Women Saving and Credit Groups (WSCGs). A micro credit Programme was introduced to bring the poor women together to save a small amount (like one rupee a day). Each member of the WSCGs was to save one rupee a day (in extreme cases where the women are so poor that they cannot save even one rupee per day, they are given daily wage opportunities in the medicinal plant nurseries of the forest department so that they can actually earn the amount they will later save) and when the savings of a group reached about Rs. 3,000, the Park staff facilitated introduction of Income Generation Activities (IGAs) in these groups.. The GOs and WSCGs have together organized themselves into a community-based organization called SAHARA (Society for Scientific Advancement of Hill and Rural Area), a body registered under the Societies Registration Act, 1886, which provides ongoing support to the WSCGs in group formation, skill development for IGA and marketing of produce. Vermicomposting, a major IGA was taught to the GOs who in turn trained the other members of their WSCG.

The Park needed vermicompost for its ten medicinal plants nurseries in the ecozone. The Park staff purchased vermicompost from the members of the WSCGs from their homes, hence the market virtually reached at the homes of these poor women. Other Income generation activities like, Medicinal Plant Cultivation, Stone Oil Extraction: Handicrafts/Souvenirs, Wage Labor, Ecotourism, Street Theater were introduced in the more than eighty villages comprising of about 8 to 9 hundred such women whose households were earlier dependent on the Park's resources such as medicinal plants for their livelihoods. All this started in the year of 1999 when the WB project was ending at GHNP. As part of the big picture, the small WSCGs were to be federated at the Panchayat Ward level (about 150 to 250 Households or HHs are in one open Panchayat Ward) for micro planning, which in turn were to be part of a Panchayat based micro plan.

Any patriarchal society is based on and characterized by discrimination against women. The hill society at GHNP is no different. This is all the more true where among the poorest households; women are twice discriminated; for being poor and for being women. The status and well being of women is directly related to their ability to participate in decision making. This is all the more true where important village-level decisions like closure of areas from grazing and other uses to allow regeneration, restrictions on grazing or collection of fodder and fuel wood, choice of tree, fodder and grass species to be planted, and location of and access to water



bodies/ sources, directly affect the work burden of women. A meeting with a WSCG from a village Gahidhara (HH: 30, Population: 200) and comprising mostly of the high caste Rajpoots, on the outskirts of GHNP, revealed the fact that the formation of the WSCG has indeed played a very positive role towards not only income generation, but also women empowerment (in-fact 2 women from WSCG had also been elected as pradhans in village panchayat elections). In fact, though earlier there was a lot of opposition from the male fraternity, the situation has changed for the better. Now the advantage is obvious to the men and they support their wives in doing WSCG related activities. Though it took them about 2-3 years to really accept the fact that their wives are equally capable of income generation, they now “have learned to compromise” (As Shakti on of the WSCG Group Organizer said) on house-hold responsibilities whenever their wives have to attend meetings and go on WSCG related duties. In fact their acceptance of the success<sup>106</sup> of the WSCG is so total that some men even attend the WCG meetings (though without interfering). In fact as mentioned above, the spouses of many of these women have also been employed and organized into an ecotourism group to work as guides, cooks, camp organizers and porters. However, the number of so employed is hardly sufficient enough to offset the effect of loss of livelihood due to restrictions to the whole community. Much more needs to be done.

### ***Other Initiatives***

In 2000, the HP Forest Department was developing a project to get support from DFID. Based on the learning's at the GHNP, the DFID supported project was also to incorporate the concept of WSCGs, as being federated at the Panchayat Ward and then Panchayat levels. This Project after some initial hic-ups was finally launched in 2003-04. The director, because there was no Project or state funding at GHNP, tried and got funds for five Panchayats of the GHNP ecozone from the DFID supported Project. This was called the HP Forestry Sector Reform Project or HPFSRP. The HPFSRP selected five Panchayats in each of the eight Territorial and three Wildlife circles in the state. At GHNP ecozone micro plans were developed for the five out of twelve Panchayats, starting from the WSCGs, then at the Panchayat Ward level and finally at Panchayat level. Thus now a micro plan for each of the Panchayat Ward and Panchayat has been prepared by the villagers or a Ward Development Committee (WDC). There is an elaborate process for the micro planning developed by the HPFSRP that was used at the GHNP ecozone. In fact, now all the twelve Panchayats are under this micro planning process.

Alongside the above process, Mr. Sanjeeva Pandey, in his capacity as a Park Director, wrote a Management Plan for the GHNP (2005-10). This Management plan incorporates Panchayat level micro plans in a manner that elicits local community support for the efforts towards biodiversity conservation at the Panchayat or Ward (villages) or WSCG levels. Most of the Management Plan prescriptions are to be implemented both by the community members and the Park staff in collaboration.

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<sup>106</sup> Even the World Banks Implementation Completion Report (ICR) for FREEP in acknowledging its success at GHNP states, “ women's saving and credit groups have been successful”.

This is perhaps the first "Livelihood based Approach" management plan in India that does not follow the conventional Wildlife Institute of India management plan preparation guidelines. However the plan has not yet been approved by the state government. As mentioned above, this Plan tries to address the issue of livelihood for biodiversity conservation. In its Planning approach, it acknowledges the fact that post the Settlement of Rights (1999), restrictions on access to the park resources, "may have some negative effect on the livelihood of the local community, given their high dependence on herb collection and livestock grazing". Hence the management plan stresses on the need for a strategic approach that "aims at bringing about a change in the relationship between the natural resource base including the park and the immediate and long term livelihood needs of the local communities from the open access arrangement to an increasingly participatory mode of joint management involving all stakeholders". It emphasizes the fact that a Livelihood based Approach will need to recognize that:

1. Biodiversity conservation is possible only through active support of the local community
2. There is a need to gain a more informed understanding of the livelihoods of different stakeholder groups and the major influences that shape them.
3. Such an approach is primarily based on analysis of livelihoods of the local people with a focus on such (poor) people who have been dependant upon the Park's resources, and who are currently worse off as a result of restrictions on access to natural resources..
4. The gap between macro policies (Himachal Pradesh Participatory Forest Management Rules, 2001) and micro realities (at the village level) and vice versa needs to be bridged

Most importantly, this approach is defined as "**a way of thinking about objectives, scope and priorities for development, to enhance progress in poverty elimination**". At GHNP, The livelihoods based approach is primarily routed through **women's saving and credit groups** ( discussed elsewhere ). The idea is to create sustainable livelihoods that can "help people cope with and recover from stresses and shocks and maintain or enhance their capabilities and assets both now and in the future, while not undermining the resources base". It earmarks as a goal- the need to "link the village level development issues (local livelihoods) with the conservation of biodiversity at the Great Himalayan National Park" by integrating environmental, social and economic issues into a holistic framework.

The management plan recommends that a strategy at the Great Himalayan National Park be evolved that will "be based on sound principles of participatory management of natural resources wherein active *preparations* are made to take joint decisions about biodiversity conservation by the local communities and the Park administration.". According to the Management plan, the "best learning at the Park is that if we genuinely want to contribute to biological diversity conservation, we need to first resolve the socio-economic issues of the local people. The habitat of wild animals and plants will be better protected if the local villagers stand by the forest guard and assist him/her in protection of natural resources". Some of the short and long-term objectives/recommended actions that would help achieve these ends are:

- (i) To assess the strengths and assets of the natural resource dependent community members (with an emphasis on the women of poor households) to establish explicit links between the management plan activities and livelihood priorities of these people.
- (ii) To facilitate organizing of sustainable community based organizations, user groups of rural poor and women, preferably with strong linkages to the local village councils known as Panchayats. and establish biodiversity conservation efforts at Panchayat level through the consultative process of micro planning
- (iii) To develop a capacity building Programme for the members of WSCGs, other User Groups and Park staff on the basis of local practices and experiential learning, especially with reference to the alternative income generation activities, strengthen the existing capacities and identify new partnership opportunities between the Park management and the communities.
- (iv) To improve methods of identification, appraisal, implementation and evaluation of developmental or income generation programmes so that they better address the livelihood priorities of the local people and facilitate conservation of the Park's biodiversity and which will help reduce/mitigate tensions between locally identified needs for greater livelihood security and wider concerns about environmental sustainability.

As mentioned above, at GHNP, at present the livelihood-based approach is primarily through the WSCG. Accumulating a sizeable amount of savings, the WSCGs has started participating in other asset building activities and except for Vermicomposting (for which the Park nurseries are ready buyers), all other activities such as apricot oil extraction, handloom weaving, hemp based handicrafts, organic farming, medicinal plants cultivation, etc., have been decided by the WSCGs with a little facilitation from the Park management. Ecotourism activity is an introduction primarily for the male members of the WSCGs.

### ***What is to be Done?***

From the above, it is quite clear that none of the ecocodevelopment and subsequent efforts by the forest Department however well meaning have adequately compensated for what people lost in terms of access to resources within the Park. There are serious equity issues (inter-village, within villages, between valleys) involved in the benefits being generated by eco development (and more recently, ecotourism), and most people continue to remain outside the purview of any collaborative or participatory management regime. As against the earlier exclusionary model of conservation that were based on a western model and which do not necessarily apply to Indian conditions (where communities have lived in close communion with the forest for centuries), Ecocodevelopment is often touted a panacea that takes care of both Conservation and Livelihood. However as applied to GHNPC,

this has revealed serious limitations and contradictions, the most important one being that while the state alienates People on hand, it seeks, on the other hand by allowing outsiders like tourists etc. to enter the park it generates hostility towards both the Park and the Park Management that undermines and threatens its own good intentions This is an issue of genuine empowerment of the people as against an implementation of an ‘empowerment model’ that it is top driven. Imperative is the need to involve village people at all levels of planning and management. Current initiatives towards eco development, for all the good intentions that lie behind them, are nonetheless top driven. A common refrain amongst people we met was that ‘we are not against development or conservation’, but what about alternate ‘Pravdhan’. In fact people were themselves willing to suggest some options in terms of what can be done. Some of which are listed below:

1. Alternatives techniques and technologies could be provided that will enable the villagers to be self-reliant. For example, if a technological solution, like a handloom is provided by the government, then they would not be forced to sell off their livestock as they can start cooperatives for woolen wear. The government focus could then be to help them market their products; for eg. the kullu shawls. This will yield good income. Today people use old technology and hence work is slow.
2. WSCG members knit sweaters, chatais etc. However they need better marketing help They also need facilities like electricity, work-place if they have to work in the evenings (most work the farms in the day-time). This kind of support will go a long way.
3. While acknowledging the importance of restriction for conservation and also the possibility that presence of people activities, excessive grazing may be responsible for declining<sup>107</sup> of plant population and also may disturb wild animals or infect the wild animals with the disease which the sheep/goats may already be infected with, people also feel that the chances of people resorting to hostility towards conservation goals would be less if conservation was carried out by dividing the geography where some area was open for people and some was not. This would necessitate that no area should be permanently restricted. A better solution is to have a rotational restrictions, say of 10 years that allows for regeneration over an area, while other area can be made available (which in turn will be subject to restriction in future).

### ***Learnings for the Future***

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<sup>107</sup> It is noteworthy that these assumptions are questioned by Sebrawal et al who states that the evidence “in support of these arguments is at best tenuous”, as “long term” studies over the past 5 years by WII fail to establish a declining populations and neither, according to him, are these researches able to establish a causal link between human activities and the condition of biological resources in the Park. On the contrary, he sites another WII research (Mathur and Mehra 1999) that suggests that there is little evidence to prove that grazing are having a negative impact on the parks plant resource.

The Park Director acknowledges the fact that conservation is not going to come through only economic empowerment. Social and Political empowerment of the communities living in and around Protected Areas is also required. However it must be said that within these constraints, the current Park Director, of course within his own precepts and ideas, has shown sincerity and sensitivity in trying to find solutions. As the Park Director himself very succinctly put, "Let Sociology precede Ecology". Though there may have been concerns regarding over-exploitation of medicinal plants, technical and social inputs could have resulted in continued harvesting without damaging the plant or its ecological functions, though of course it could then not have been declared a national park (or the relevant parts where access was to be allowed could not have been so declared, they would have had to get legal protection as a sanctuary or under Acts other than the WLPA). The general lesson from this is that while declaring and planning a PA, the rights/needs/practices of local people should be properly considered, and given full weightage in taking decisions regarding the resource uses and other management aspects.)

## Annexure III

### ***Case Study***

### **Relocation and rehabilitation from Satpura Tiger reserve, Madhya Pradesh**

- a. Report on first field visit (8-9th March, 2006) made by Kalpavriksh Team to the Satpura Tiger Reserve, specifically to the relocated village New Dhain
- b. Report of the second field visit (6-8th June, 2006) of Kalpavriksh team to Satpura Tiger Reserve (New Dhain, Sakot and Khakhrapura Villages)

#### **Report on first field visit (8-9th March, 2006) made by Kalpavriksh Team to the Satpura Tiger Reserve, specifically to the relocated village New Dhain March 2006**

A team from Kalpavriksh comprising Ashish Kothari, Neema Pathak, and Milind Wani visited the village of New Dhain where the villagers of Dhain have been resettled from the Bori Sanctuary area. The purpose of this particular visit was to study the success and weaknesses of the relocation process, and draw from these, lessons for the future. The visit was brief, but we managed to have a detailed discussion with the villagers (in two separate groups, one with men, and one with women), walk around to see the lands and water-points, and discuss our observations with SDO Shri Bhadauria and Range Officer Shri Shrivastava. We also had a discussion, prior to the visit, with DFO Shri Parihar and another discussion, after the visit, with Field Director Shri Rajpoot. Separately, we also had some discussions with local peoples' groups. The documents we were given by the Forest Department and by these groups were also perused.

A brief write-up on our key findings is given below.

#### **Positive Highlights**

1. As a commitment of the settlement process, 5 acres of land was promised to all families (constituted by adults above the age of 18). This promise has been fulfilled, except in one case, where it seemed that efforts were being made to sort out the issue soon.
2. Houses have been built for most of the families, with the design and construction under the control of the families themselves. The local staff needs to be commended for this.
3. As a part of the relocation package, only Rs. one lakh had been provided by the central government. Given the clear inadequacy of this amount, the Forest Department has attempted to raise resources from other sources (such as the Park Development Fund), or access facilities from other departments by talking to the Collector. This needs to be acknowledged and lessons from this could be learnt for relocations elsewhere and in future.

4. Positive efforts towards creating livelihood opportunities for at least some of the villagers have been undertaken by the Forest Department, with several villagers being provided jobs as firewatchers and other forest-related tasks.
5. Overall, the Department has shown itself adaptable to the changing situation, and open to learning lessons from failures and weaknesses, though not necessarily or always quickly enough. Considering that this is the first village to be relocated, unanticipated situations have had to be handled proactively and sensitively.

### **Areas of Concern**

1. One of the most important areas of concern for the villagers and affecting the quality of their daily living is the lack of availability and access to water sources, particularly for irrigation. Though tube wells and bore wells have been provided, but the tube wells themselves did not have pumps till a few days before our visit. The open well that we saw was practically dry. **The adequacy of water, which is basic to any human survival, should have been one of the most important aspects to have been dealt with early in the process of resettlement.** This issue needs to be addressed on a priority basis. During our conversation with the local staff we were assured that this will indeed be done.
2. Though 5 acres of land has been allocated (per family), quite a substantial part of this is still full of tree stumps and roots, making cultivation very difficult. **As in the case of water, we feel that since land is the most important means of survival and livelihood, this aspect needs to have been looked into early in the resettlement process.** This land needs to be cleared on a priority basis especially in the light of cultivation activities that need to be undertaken prior to the monsoons. Local officials also assured us that all land will be cleared by June, which we hope will be achieved.
3. The land being allotted is still forestland, the village remains a forest village, and this could mean loss of opportunities that are normally available to only revenue villages. The village needs to become a revenue village as soon as possible, and villagers should be given titles to their land. We were told that this would happen along with the proposal to convert all forest villages (outside of protected areas) into revenue villages, a proposal that is currently pending with the government.
4. About 20 hectares of the land that has been given to the relocated villagers had been occupied by nearby village called Dobjhirna (which, according to official records, is an encroachment since the last 4-5 years). Considering the fact that the said land had been identified for relocation of Dhain as far back as 1990, it is surprising how subsequent encroachment by Dobjhirna's inhabitants was allowed, or passed unnoticed, by the FD. This has led to an unnecessary conflict situation and some violence that could have been easily avoided. It is also a fact that Dobjhirna's villagers are quite poor and in need of land or alternative livelihood sources, and even if an encroachment, their case needs to be looked at in a humanitarian manner. Mr. Rajpoot informed us that there was

a proposal to give them revenue land in the nearby village, but this fell through due to political interference. Not having had the opportunity to go into this in detail we would refrain from making any statement on this situation. We appreciate that such a proposal was put forward, and urge that the same be revived so that the ongoing tension between Dobjhirna and Dhain is resolved.

5. The road to the village needs to be made a fair-weather one, considering the fact that rains would soon be approaching. Access to village would be near impossible if something is not done soon enough. One of the reasons why the people reportedly found this relocation acceptable was the advantage of easy access to towns for reasons of medical health, trade, jobs, etc, and it would be ironical if the poor road were to curtail such access for several months of the year.
6. There seems to be an absence of any written commitment, in the form of a Memorandum of Understanding or an Agreement that clearly states the obligations, terms and conditions of relocation. Having such a clear MOU will help institutionalize the relocation process, provide transparency, reduce possible misunderstandings and spread of rumors about what has been promised, and empower the villagers to claim redressal in the event of non-fulfillment of the resettlement package.
7. Prior to the relocation, there was a strong dependence of Dhain's villagers on the forest for survival and sustenance. This included wild foods (especially important for nutrition and during drought or crop failures), medicinal plants, NTFP for consumption and sale, fodder, fuel, and so on. As senior forest officials mentioned to us, these people were not very used to agricultural way of life. Considering the fact that agriculture as a livelihood form was therefore going to take time to get established, care should have been taken to provide either similar forest resources or adequate alternatives for the same. With the exception for mahua, fuel, and fodder, which are available (mahua in fact in larger quantity than at old Dhain), not much is available. This could be affecting their food security and livelihoods, though in the absence of a comparative socio-economic survey, it is not possible to establish the precise impacts.
8. Insufficient additional sources of income or life sustaining forest resources seems to have forced the villagers to resort to sale of head loads. Women are the main actors in this activity. Women of Dhain have never been involved in sale of wood in the past. Finding their place in an existing market is proving difficult and an undesirable task for the women. On the other hand head load sale is considered to be destructive for the surrounding forests. We suggest that when villages are relocated from a forested area, attention should be paid to ensure that their interaction with the new environment is positive, leading to conservation of resources, especially by ensuring access to livelihood sources. As more villagers are shifted to this site eventually there could be severe competition for natural resources, if such steps are not initiated in advance.
9. A considerable number of trees (officially, over 30,000) were felled (indeed a large patch of forest was cleared), for the resettlement. We were told that a rapid faunal assessment of this area was carried out. However, a full wildlife



survey, and an impact assessment of this clearance, should have been carried out. In the absence of such an assessment, it is not possible to state what ecological damage the resettlement process may have caused, and how this compares to the reported ecological gains of taking the village out of the earlier location.

10. There is a feeling amongst villagers, perhaps justified, that for a certain period during the winter of 2005-06, rehabilitation efforts considerably slackened, and that it was because of considerable pressure from them and from people's groups that the government renewed its activities. Although villagers were appreciative of the efforts taken by the Forest Department, they were also critical of unfulfilled promises, and insecure that unless there is a continued external pressure, the Department may stop paying attention. It is possible that if there was a written Agreement with them and the knowledge of where to go for redressal if commitments are not being fulfilled, such insecurities will not arise.

### **Learnings for the future**

**(in particular, for any further proposed resettlement from Satpura Tiger Reserve)**

1. In future an MOU with detailed timeline for the relocation process should be signed between the Forest Department and the villagers, both at a community level and at the level of each family. This will help in transparency of the process, will enable villagers as well as the Department to keep track of progress, and allow corrective measures wherever required. This will also ensure that villagers/FDO are not only aware of the deliverables due but also of their specific and respective responsibilities. This may even help institutionalize the relocation process, so that its success is not dependent on one or a few sensitive officials.
2. For such a project with complex ecological and socio-economic ramifications, it is necessary that external agencies be involved in initial assessments and planning, and in monitoring the progress of relocation. Ideally the agencies could be from outside the concerned state or at least from outside the immediate region. The primary purpose could include, apart from monitoring of progress, to also provide positive and negative feedback and recommendations on the relocation process.
3. It is imperative that some basic needs be taken care off, **prior** to the relocation. For example, in the case of agriculture-dependent resettlement, the land should be made cultivation-ready, and water supply needs to be ensured in advance (this of course in consultation with the concerned community as Mr. Rajpoot stressed). Failing this, with the best of intentions, the relocation process will invariably invoke resentment from the relocated villagers, and resistance from other similarly affected villages. Some officials mentioned that this may lead to wastage of resources in case the villagers do not finally shift, but we feel that such a risk is worth it, given the sacrifice the villagers are being asked to make.

Some officials also said that prior preparation may not give villagers choices over land operations and house construction; to tackle this, we suggest that people be involved at every stage of planning also, but that the actual shift take place after the basic readiness is ensured.

4. The current central government norm of Rs. 1 lakh per family is simply not enough. Recommendations of the Tiger Task force report on relocation can be used as a benchmark to work out the financial packages due to each family. And as shown in the Dhain case, state governments should also ensure that all relevant departments are cooperating and putting in their resources/human power into the process.
5. To avoid conflict situations with existing settlements, an assessment of the proposed resettlement site and its existing uses, a projection of possible inter-community conflicts, and other such aspects should be carried out prior to the relocation.
6. A full socio-economic baseline survey of the village to be resettled should be carried out before the resettlement, so that subsequent monitoring can establish the change in quality of life after resettlement.
7. Full ecological impact assessments need to be carried out to compare the projected benefits of relocation with the potential negative impacts of the resettlement, especially in situations where forests or other natural ecosystems have to be diverted at the resettlement site, or where the resettlement might significantly increase pressure on such ecosystems.

The above observations are based on a short trip to the Dhain village and represent our preliminary understanding of the situation. We hope to get a more detailed insight during our subsequent visits to this and other affected villages within/around the tiger reserve. The scope of our study is to understand appropriate circumstances under which relocation of villages takes place, processes that need to be put in place to carry out relocation in a way that is ecologically sound and socially just, and implementation of such processes. We are also looking at situations and processes that will be required for developing a co-existence model for villages that remain inside PAs, since it is clear that a substantial number or even majority will not be relocated.

In all such situations, the twin imperatives of effective conservation of wildlife, and securing livelihood/survival rights of people, are our frame of research.

**Report of the second field visit (6-8th June, 2006) of Kalpavriksh team to Satpura Tiger Reserve (New Dhain, Sakot and Khakhrapura Villages)**

August 2006

*(Note1: this report is in two parts: (1) Observations on New Dhain relocated village; and (2) Observations at Khakharapura and Sakot villages, Bori Sanctuary.*

*Note2: Please see Appendix I for official response from and communication with the Forest Department of Madhya Pradesh government)*

**1. Observations on New Dhain relocated village**

*(Note: For easy reference we offer our comments along with the points of concern that we had listed in our earlier letter of 16<sup>th</sup> March. At this second visit, we were not accompanied by any forest staff member or anyone from any NGO; however, at the village, we were joined by the RFO Shri Rajeev Srivastava.)*

11. **Water availability:** We had raised as one of the most important points of concern, the lack of availability and access to water sources, particularly for irrigation. During our first visit, it was found that though tube wells (6) and bore wells had been provided, the tube wells did not have pumps till a few days before our visit. The open wells that we saw were practically dry. In our earlier note, we had emphasized that **“The adequacy of water, which is basic to any human survival, should have been one of the most important aspects to have been dealt with early in the process of resettlement.”** and that **“This issue needs to be addressed on a priority basis.”** During our conversation with the local staff and with the Director in March, we were assured that this will indeed be done.

**Current status:** The status of water availability remains almost the same. Two more hand pumps for drinking water have been provided through intervention with the District Collector. However, in the case of irrigation, villagers complained that though all the tube wells have been fitted with pumps, since electricity supply was a problem, adequate irrigation was simply not possible. The status of the bore wells remains the same. In our discussions (on the day of our visit to New Dhain) with Mr. Parihar, this concern was acknowledged and he mentioned that they were looking at the possibility of routing water through a nearby canal. However as per Mr. Rajeev Srivastava’s observation, this may not be easy or even possible to achieve as New Dhain village is about 16 feet above the canal. According to the FD, a proposal for a survey to connect the village with Semri Feeders has been sent to the Department of Tribal Welfare. If sanctioned, this could ease the power shortage problem. Also, the district administration has determined that villagers of New Dhain would be considered as BPL consumers of electricity. However, these measures will take time, which means that this year too the villagers will have to extensively depend on the adequacy or otherwise of the monsoons.

12. **Land preparation:** Though 5 acres of land had been allocated (per family), quite a substantial part of this was still full of tree stumps and roots, making cultivation very difficult. As in the case of water, since land is the most important means of survival and livelihood, this aspect needed to have been looked into early in the resettlement process. We had stressed that **“This land needs to be cleared on a priority basis especially in the light of cultivation activities that need to be undertaken prior to the monsoons.”** Local officials had also assured us that all land would be cleared by June.

**Current status:** This appears to have been done satisfactorily. Additionally, to help with agricultural productivity, the district administration has decided to supply cultivators a mini-kit of seeds for the coming season of cultivation.

13. **Legal status of land:** The land being allotted was forestland, the village remained a forest village, and our concern about this was that this could mean loss of opportunities that are normally available to only revenue villages. We had stressed that the **“village needs to become a revenue village as soon as possible, and villagers should be given titles to their land”**. We were told that this would happen along with the proposal to convert all forest villages (outside of protected areas) into revenue villages, and a proposal was pending with the government.

**Current status:** The status remains as is. In our discussions, Mr. Parihar stated that this would happen in due course of time. It is very important that this does actually happen soon as this is an important issue for not only the New Dhain, but also for other villages (such as Sakot and Khakhrapura) that are earmarked for relocation (see below, more on this). ***Of most serious concern is the reported condition that MoEF has put, that forest land used for relocation from PAs will legally remain forest land; the state government needs to be transparent to the relocated people (and those slated for relocation) whether they are able to get this condition relaxed or not.***

14. **Previous occupation of land:** About 20 hectares of the land that has been given to the relocated villagers had been occupied by the nearby village Dobjhirna (which, according to official records, is an encroachment since the last 4-5 years, and according to the villagers, about 12-15 years). This has led to an unnecessary conflict situation and some violence that could have been easily avoided, either by ensuring that on humanitarian considerations Dobjhirna was given alternative land, or by giving some other piece of land to Dhain villagers. Dobjhirna’s villagers are clearly quite poor and in need of land or alternative livelihood sources. Mr. Rajpoot had then informed us that there was a proposal to give them revenue land in the nearby village, but this fell through due to political

interference. Not having had the opportunity to go into this in detail, we had refrained from making any statement on this situation, except to urge that the same be revived so that the ongoing tension between Dobjhirna and Dhain is resolved.

**Current Status:** The potential for conflict between Dobjhirna and Dhain remains the same. In fact villagers of New Dhain asked us to request the Forest Department to raise a steel-wire fence between the two villages. They claim that the Dobjhirna villagers continue to cross the ‘border’, steal fuel wood, pluck *mahua* fruits, etc. On their part, the villagers from Dobjhirna were adamant that they have been subject to unjust treatment, that they will not be further cowed down, and that they will continue plucking Mahua etc from what they consider as “their” land. They were also clear that even if they are provided with a new site, they would move out only after ascertaining that the land provided is cultivable and provides adequate avenues for fuel wood, NTFP collection, and the water provision is as adequate as at their current site. Given this, we once again strongly urge the government to look in providing alternate land and/or alternative livelihoods to affected residents of Dobjhirna. We would also like to stress that such conflicts could manifest themselves in future relocations, if not addressed in advance (more on that below).

15. **Access road:** We had observed that the road to the village needed to be made a fair-weather one, considering the fact that rains were due in June. We had raised a concern that “**access to village would be near impossible if something is not done soon enough.**” One of the reasons why the people had found this relocation acceptable was the advantage of easy access to towns for reasons of medical health, trade, jobs, etc, and we were of the opinion that “**it would be ironical if the poor road were to curtail such access for several months of the year**”.

**Current Status:** Digging for road construction has just about begun, with less than one kilometer having been dug at the time of this visit. There is no way that the roadwork will be completed before the monsoons. Moreover, it seems that the planned road was to pass through the farming land of one Badriprasad Singh from Khurda village, resulting in splitting the farmland into 2 parts. The villagers of Khurda claim to have stopped further road construction. If this is true (we did not get to see any legal document regarding the stay), this will further slow down the process of road building. Clearly, the government needs to move urgently on this, and it is distressing that there has been such inordinate delay making it impossible for the villagers to have road access even this monsoon. Along with the non-availability of water, and the lack of preparation of land prior to or immediately after the relocation, this lack of road access despite it being one of the carrots to persuade villagers to relocate, shows serious faults in the planning of the relocation.

16. **Agreement with village:** We had observed that there was no written commitment from the government, in the form of a Memorandum of Understanding or an Agreement that clearly states the obligations, terms and conditions of relocation. We had raised the point that having such a clear MOU “would help institutionalize the relocation process, provide transparency, reduce possible misunderstandings and spread of rumors about what has been promised, and empower the villagers to claim redressal in the event of non-fulfillment of the resettlement package.”

**Current status:** To our knowledge, the status remains the same, though the idea of a MoU or Agreement was appreciated by Mr. Rajpoot in our earlier visit. We cannot overemphasize this step, particularly in the light of not only the experience of the people of New Dhain, but also from the point of view of the expectations of the other villages from within the sanctuary (for eg. Sakot, Khakhrapura) which are slated for relocation. If the government is serious about relocation, there is no reason it should not put its commitments on paper.

17. **Availability of forest produce:** Prior to relocation, there was a strong dependence of Dhain’s villagers on the forest for survival and sustenance. This included wild foods (especially important for nutrition and during drought or crop failures), medicinal plants, NTFP for consumption and sale, fodder, fuel, and so on. During our first visit, senior forest officials had told us that these people were not very used to agricultural way of life. We had stated in our letter that “**Considering the fact that agriculture as a livelihood form was therefore going to take time to get established, care should have been taken to provide either similar forest resources or adequate alternatives for the same**”. With the exception of *mahua*, fuel, and fodder, not much else seems to be available at New Dhain. Our concern was that this could be affecting their food security and livelihoods.

**Current Status:** There seems to be no measure to address this issue. One problem is that without a baseline survey of the forest dependence, and monitoring of the current situation with regard to how these needs are being met, it is not possible to gauge the nutritional, health, and socio-economic impact. We feel that such a survey is urgently necessary, followed by immediate steps to compensate for the loss of forest produce through appropriate plantations, or other inputs.

18. **Fuel wood dependence and forest damage:** We had drawn your attention to the fact that insufficient additional sources of income or life sustaining forest resources post-relocation, had forced villagers (mostly women, though even some men are involved in this) to resort to sale of fuel head loads. We had also pointed out that the women of Dhain have never been involved in sale of wood in the past, so finding their place in an existing market was proving difficult and an

undesirable task. On the other hand, we had also stated that “head load sale is considered to be destructive for the surrounding forests” and had requested that when villages were relocated from a forested area, attention should be paid to ensure that their interaction with the new environment is positive and leads to conservation of resources rather than destructive and causing destruction of the same resources on which their livelihood depends. Our point was that if more villagers are shifted to this site, as is planned, there would be severe competition for resources, with potential conflicts and ecological damage.

**Current status:** The problem remains the same, and bound to become more severe. One alternative source of livelihood that the Forest Department has initiated, which could partly alleviate the problem, is sericulture. This is being promoted with the expectation that it will help all the families earn substantial income. This project will require about Rs. 36 lakh. This needs to be monitored to ensure that as many families as possible gain from it; but clearly more livelihood opportunities are also urgently needed.

**19. Ecological damage at relocation site:** A considerable number of trees (officially, over 39,000, as told to us by Mr. Parihar) were felled (indeed a large patch of forest was cleared), for the resettlement. We were told that a rapid faunal assessment of this area was carried out. However, a full wildlife survey, and an impact assessment of this clearance, should have been carried out. In the absence of such an assessment, it is not possible to state what ecological damage the resettlement process may have caused, and how this compares to the reported ecological gains of taking the village out of the earlier location.

**Current status:** We have twice asked for a copy of the rapid fauna survey that was reportedly done for the forests that existed at the New Dhain site prior to relocation. This has not been made available. It is difficult to comment further without seeing this. Our observations on the implications of this for *any further proposed relocations*, however, remain valid; thus far senior officials have orally agreed with us on this, but we are unaware of whether such a step is being contemplated.

**20. Compensation and relocation amount per family:** One of the issue that we had raised in our earlier communication was about the inadequacy of the Rs. one lakh per family amount allotted by the central government. Officials informed us that they themselves had raised the issue with MoEF.

**Current status:** It seems that the Forest Department has made efforts to augment the amount from the central government, by channelising money from the state and district administration. This is commendable. However, an additional issue came up on this second visit. It seems that the villagers were under the impression

that the entire Rs. 1 lakh was to be given to them, with the government spending additional resources from its own coffers for clearing land, building roads, providing electricity and water, etc. Clearly there was a misunderstanding or a miscommunication between the officials and the villagers. This has caused serious unhappiness among the villagers, rightly or wrongly, as they feel cheated, and are even suspicious that some of “their” money may have been siphoned off in the name of social spending. It is necessary to be absolutely transparent about this in future, with a clear explanation of the proposed use of money for relocation, and transparency in the use of the funds.

**21. Efforts by the district administration:** In our previous visit we had been told that the FD was pro-actively seeking the help of the District Collector and other departments to provide assistance at New Dhain.

**Current status:** A number of commitments have been made by the district administration to alleviate some of the problems of New Dhain. This includes (apart from those mentioned in the items above) a decision to attach the settlement with the Khurda Panchayat, to avail of various government schemes including social security and pension (a proposal for which has been mooted to the district panchayat office). Already a proposal for 7 people for old age pension and 1 person for social security pension been forwarded to the Babai Development Block (DB). Names of the BPL villagers from the Sohagpur DB have been transferred to the Babai DB. Additionally, health workers would be assigned to New Dhain so that the people can avail of basic health services, and the village has been attached with the Semri Veterinary hospital. Finally the villagers have been included in the voters’ list of Babai Tehsil. These are positive steps, and it is expected that the district administration will continue to extend a helping hand to New Dhain.

## **2. Observations on Khakhrapura and Sakot villages, Bori Sanctuary**

( Note: During our visit to these sites, we were accompanied by a forest guard. However, he was requested not to be present at the meetings with the villagers. These meetings were therefore held only between the villagers, and us with no outsiders being present. We did not have a chance of meeting with officials after the visit to discuss our observations).

Discussions with villagers at Khakhrapura and Sakot revealed a number of major issues of concern. These are described below, followed by our conclusions about next steps.

### ***a. What the villagers told us***

**1. Willingness to relocate:** It seems that the villagers of Khakhrapura (represented by a group of about 4 residents) were shown a place, at Jhirna, for relocation. They had not liked this place, as it contained stony land and not much forest/pasture, and had communicated this to the Forest Department. The villagers had suggested a place called Bhadakda (Compartments 19-20).



However they were told that currently they ought to accept the land at Jhirna, and later they would be moved to a place that would satisfy them. These 4 people were then made to sign a *panchanama* (consent). This was reportedly done at the behest of an ex-minister called Shri Pratap Singh. However, as of now, the entire village seems to be against the relocation to Jhirna. As matters stand, even if sufficient arrangement for water can be made, they claim they will not go due the reasons stated above. The villagers claimed that they had made an application (another Panchanama) stating that they do not accept the validity of the first Panchanama. However they could not procure a copy of the same.

The villagers of Sakot are categorical that they will not move out unless they are absolutely convinced that they will not have to face the problems that have been felt by the New Dhain villagers (“We will not go...we have seen what has happened at Dhain”). In particular, they are apprehensive of the government’s failure to provide adequate water. Currently, they have water available from the nearby Tawa reservoir. The land that they have is also of a good quality. It seems that these villagers have had interactions with the New Dhain villagers who have advised them to not move out unless water provision is guaranteed. As one villager very succinctly put, ‘*agar pani nahi to matlab nahi*’<sup>108</sup>.

**2. Livelihood insecurity:** About 2 years ago the villagers from both the villages were stopped from collecting Tendu leaf. This has affected their earning capacity (though they could not state exactly by how much). They said that earlier the Forest Department was the main employer for Tendu leaf collection. The villagers from Khakhrapura asked us to request the Forest Department to restart this activity, as it was a critical source of livelihood. Livelihood generation through wage labor is an important issue for the inhabitants of both villages, but wage labor options are very inadequate, with a fraction of the people able to avail of them.

Residents of both villages are under the impression that NTFP and fuel wood collection is prohibited even for domestic consumption, though forest officials claim it has been stopped only for commercial purposes. Villagers claim to have been frequently harassed by forest staff, and asked to pay bribes to collect NTFP and fuel wood even for home use. Sometimes, they claim, their collection has been confiscated. As matters stand, they do collect forest produce like *mahua* and *gutti* surreptitiously, always under the feeling that they are doing so illegally.

For both villages, other current sources of livelihood are cultivation (2 seasons) and grazing. However this is only at a bare survival level. Alternative options that will help generate real income through various government schemes is what they are looking for. As mentioned above, the Khakhrapura

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<sup>108</sup> Roughly translates into “There is no meaning (to life) without water”

villagers are not very happy with the new site, both in terms of the quality of land being given for cultivation and also in terms of the lack of density of surrounding forest and land for grazing. They feel that what little advantage they have at the current site to eke out at least a minimum subsistence existence will also be lost once they move to the new place near Jhirna. As one villager put it: **“what is the point in moving out to a place where grazing will stop and cultivation will be difficult ?”**. Similar was the apprehension of the Sakot villagers. Dependence on the forest for grazing and fuel wood, current restrictions notwithstanding, is still quite high. A move into the outskirts that may lead to competition with other similarly relocated (as well as earlier) settlements, for access to forest resources is not something that they are looking forward to. One of the villagers voiced this concern: **“we may per chance get good land and maybe the current issue regarding water provision may get solved. But where will we get fuel wood or forest produce? This will be our greatest loss”**.

**3. Road access:** The villages, as they are currently located, are quite deep into the sanctuary. One of their current problem of the most severe kind is of approach. The road to and from the main highway is extremely bad for travel. This is one reason (other than lack of livelihood options), why they are willing to consider the option of relocation. But knowing the continued problems that New Dhain is having with regard to road access, villagers Khakhrapura and Sakot are suspicious about the Forest Department’s commitment to the relocation process. As one villager at Khakhrapura put it: **“They say that they will keep our relocation site ready...however we know that at New Dhain, the people are quite distressed due to the fact that neither the roads were in place, nor the land had been cleared for cultivation , nor were adequate water provisions made”**.

**4. Compensation amount:** The issue of how much compensation they will get in hand, that New Dhain residents have raised, is also bothering the residents of Khakhrapura and Sakot. They feel that they should at least get Rs. 50000/- per family (if not the full one lakh), and that the government should spend for roads, electricity, schools, etc out of a separate budget. Some villagers also said that the resettlement process is not at all transparent about financial matters.

**5. Compensation for trees to be lost:** A very important point raised by one of the village elders from Khakhrapura was that over the years they had helped raise many trees in the adjacent forest as well as within the village. Should they not be compensated for the trees also? Another villager from Sakot mentioned that the forest also serves the purpose of cremation (*samadhi*). Was this fact taken into consideration when their relocation was being planned?

**6. Legal status of land:** Inhabitants from both the villages are aware of the fact that the land that has been given to Dhain still belongs to the forest. They clearly say that they must get revenue *pattas* to the land, for greater security and to be able to avail of a number of benefits such as procuring loans.

**7. Access to information:** Another important point is that they do not know under which law or act they are being asked to relocate. They say that they are ignorant about such matters, and when asked, the forest staff does not explain.

**Villagers at both villages categorically stated that they were unwilling to move, unless the above issues are sorted out.** The impression that we gathered from our discussions with the villagers left us with an uneasy feeling that the manner in which consent was sought from both the villages left much to be desired. As noted above, villagers claim that only four people from Khakhrapura were initially involved in signing the consent (which was opposed by the remaining villagers). If the claim of the villagers is true, a general consent from the entire village was later acquired only when they were assured that their demand for a different site would be addressed. The villagers claim that no action was taken to meet this demand. The villagers of Sakot on the other hand claimed that they were coerced by indirect (‘ Abhi hatne se phayada hai, baadmain jameen nahi milegi, ek na ek din to hatna hi hai!’) and direct threats (‘ Dhamki diya..isiliye humne haan kiya’). Even if only part of the above is true, it is nevertheless the case that the villagers are extremely anxious about what awaits them when they do actually relocate. In particular, they are very concerned about the availability of the following: water for irrigation and drinking, access roads, cultivable land, school, and medical facilities or hospital.

#### ***b. Our observations***

The official claim of the relocation of Khakhrapura and Sakot being “willful relocation” is questionable from two perspectives. First, willful relocation presupposes that the villagers have two or more genuine options open to them, including that of staying on in their present location and having access to essential survival and livelihood sources. It is interesting that a number of multilateral and bilateral donors are beginning to recognize forced restriction on access to livelihood resources as being tantamount to forcible relocation. For instance, the World Bank's new policy statements not only explicitly broadens the coverage of the policy from situations of involuntary “taking of land” through expropriation, but extends it also to situations of “*involuntary restriction of access to legally designated parks and protected areas, resulting in adverse impacts on the livelihoods of the displaced persons.*” (World Bank, OP 4.12 art. 36). Further, the policy also explains what is understood by “involuntary restrictions” and to whom it

refers. It states: “*For the purposes of this policy, involuntary restriction of access covers restriction on the use of resources imposed on people living outside a park or protected area, or on those who continue living inside the park, or protected area, during and after implementation.*” (OP 4.12, Note 9). In other words, the current situation in these two villages (as elsewhere in Satpura Tiger Reserve) is already akin to forcible relocation. . . .in other words, villagers are being put into a situation in which they have no choice but to accept actual physical relocation. We do not consider this acceptable. It is vital that the villagers be given a genuine choice, of *either* staying on with basic survival and livelihood options being open to them as full rights, *or* relocation with an acceptable rehabilitation package.

This is where the second point becomes vital. An acceptable rehabilitation package needs to be credible and demonstrably viable. The villagers’ observations of, or information on, the relocation problems at New Dhain does not make them trust that they will get what is promised to them. The government needs to resolve its own lack of credibility in the eyes of the villagers, if it hopes to convince villagers of its commitment to a proper rehabilitation process.

Additionally, the Government needs to anticipate and prevent a potential conflict situation that may arise between the old and the new settlers at the site of relocation. It will have to take cognizance of the conflict that ensued between the Dhain and Dobjihirna villagers and plan accordingly to avoid a similar conflict for resources. Adjacent to the site that has been identified for Sakot’s relocation is a village called Naya Kheda. Naya Kheda is composed of the Tawa dam oustees who settled at their current site around 1970. Naya Kheda is already facing problems like scarcity of water, land, electricity etc. They access the area that is now earmarked for Sakot for the purpose of collecting Tendu, Mahua, Saj, Achar, Nevri Behada, Kosham, Jamun etc. They also access the same land for grazing. These villagers are aware of the impending relocation of Sakot and are already feeling threatened by the same as they are aware that this will to quite an extent affect their access to fuel wood, NTFP and medicinal herbs. It will also curtail their grazing land. Thus this is a potential conflict situation, which needs to be anticipated, and decisions on relocation accordingly modified.

### ***c. Our recommendations***

Given the above observations, we urge the following steps:

1. **Open discussions on relocation issues**, with the residents of Khakhrapura, Sakot, and any others slated for resettlement, in the presence of a team of independent observers from conservation and social action / human rights groups, and officials of not only the Forest but also Tribal Welfare and other relevant departments. These discussions must make it clear to the villagers that there are at least two options available to them: one for staying on with full rights of access to survival and livelihood resources that are in consonance

with critical conservation objectives, and the second for relocation with a rehabilitation package that is fully acceptable to the villagers.

2. Commissioning, to an independent organization or set of individuals, an **ecological impact assessment of relocation**, including the loss of forests and wildlife at the relocation site.
3. Commissioning, to an independent organization or set of individuals, an **assessment of the potential for conflict** with existing villages at the proposed relocation site.
4. If the village(s) opts for **relocation** after Step 1 above, and the impact assessments mentioned in Steps 2 and 3 do not show serious ecological damage or potential for serious conflict, the following conditions must be met (also in the presence of the team mentioned above):
  - a. Showing various options of lands for relocation, to the satisfaction of the villagers, involving also discussions with existing villages adjacent to such lands;
  - b. Signing of a MoU or Agreement (in local language) between the government and the village gram sabha or relevant village body comprising of all adult members of the settlement, laying out the rehabilitation commitments of the government.
  - c. Written consent from this village body, and from each affected adult individual, that they are willing to move, in accordance with the MoU or Agreement.
  - d. Preparation of the relocation site, especially to make the land cultivable, provision of adequate water for drinking and irrigation, and access road, *before the relocation*.
  - e. Removing the restriction on converting the relocation land to revenue status; or preferably, providing already notified revenue land rather than forest land.
  - f. Carrying out baseline surveys of the resource dependence and other aspects of the villages at their original sites, and working out ways to provide forest produce or appropriate alternatives at the relocation sites.
  - g. Enhancing the amount of money available per family, to at least the Rs. 3 lakh figure recommended by the Tiger Task Force, and making the use of this money transparent to the villagers.

**We have been told that the relocation of Khakhrapura, Sakot, and Bori villages is slated to happen immediately after the monsoon. We do not feel that there is as yet a state of readiness for this, and there will not be till the above steps are undertaken.**

## Appendix I

(correspondence in reverse chronological order)

Dear Pabla,

Sorry, actually what happened is that we realised that we had not sent you the comments formally, so I only requested my team to do that. We will be responding to your comments to the report, shortly. And we would certainly make your comments available to those we circulate the report to.

This report from us should be taken as a second trip report, not as a final report. The final report will happen only after the final trip, and in that, we will incorporate all responses/comments to our previous reports.

thanks, regards,

Ashish

Ashish Kothari

Member, Kalpavriksh

Co-Chair, IUCN Theme on Indigenous/Local Communities, Equity, and Protected Areas

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Dear Ashish,

Thanks for your mail. It appears you have not made any changes in the report after receiving our comments. It would perhaps been better if you had incorporated our views in the report as well. For example, the tube wells have not been charged because the villagers do not want to pay the bills during the monsoon as they may not need irrigation for this crop. That they deliberately want the wells to be connected in the winter should have found place in the report. And so on. As you have not incorporated our comments in the final report, may I request you to please see that any body who gets your report also gets our comments.

Thanks for your suggestions. As you know, the actions suggested by you are already under our consideration.

With best regards.

HS Pabla

[- Show quoted text -](#)

To,

**Dr. P.B. Gangopadhyay**

Chief Wildlife Warden

Madhya Pradesh.

Subject: Report on second Field Visit By Kalpavrikash Team to Satpura Tiger Reserve

Dear Dr. Gangopadhyay,

This has reference to the second field trip made by Kalpavriksh team in the month of June. We had earlier sent you a draft copy of the report by email. Please find herewith

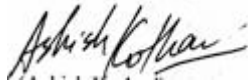
a final copy of the same for your records (this is the same text as the draft report, but with dates and contact details added).

We have since then received a set of responses from Shri Pabla, to which we will send our further comments if any.

Meanwhile, I would urge you to take up the following three concrete suggestions that we discussed during my visit to your office recently:

1. Appointing a team of independent observers and monitors for the RandR process in STR (and other PAs where it is proposed), with a mandate to look into the aspect of voluntary relocation, the conceiving of the RandR package, and its implementation. This is especially critical for the proposed relocation of the next 3 villages in STR (Bori, Sakot, Khakrapura), and for public transparency relating to the government's commitment not to forcibly displace villages. I have suggested a few institutions that could be suitable for this purpose.
2. Commissioning studies of the expected ecological benefits of relocation, and the impacts of the proposed relocation at the RandR sites (especially where good standing forests are being cut for the purpose); and making these studies public so that the reasons for the decision are public.
3. A state level workshop with govt, NGOs, community representatives, and independent experts as participants, where the govt puts forward its plans for (a) relocation, and (b) co-existence, in the case of the state's PAs as a whole.

Thank you, warm regards,



**(Ashish Kothari / Tasneem Balasinoriwala / Milind Wani)**

**Cc:**

Shri R.P.S. Katwal, ADG(WL), MoEF

Shri Rajesh Gopal, Director, Project Tiger, Delhi

Shri H.S. Pabla, Additional PCCF (Wildlife), Bhopal

Shri S.S. Rajpoot, Field Director, Satpura Tiger Reserve, Hoshangabad

----- Original Message -----

**From:** [pabla](#)

**To:** [Ashish Kothari](#)

**Cc:** [P B Gangopadhyay](#) ; [Rajpoot SS](#)

**Sent:** Monday, July 31, 2006 9:33 AM

**Subject:** Re: Draft note on observations from 2nd trip to STR

Dear Ashish,

It was nice to meet you during your trip to Bhopal. There appear to be no real differences of opinion between us as to how rehabilitation should be done. The difference is between what is ideal and what is achievable. We will continue to ensure that everyone of the affected persons is happier than before although we may never be able to achieve it. As discussed, our views on your report (second trip report) are as follows:

1. Water Availability: As you know MP is a water-short state, it is not possible to provide 100% irrigation anywhere. However, we have tried our best in this case to provide as much irrigation as possible. Eight deep tubewells for irrigation are ready to be energized. The villagers do not want to have them electrified before November as they feel that there is no need for irrigation during monsoon

and that they do not want to pay the flat-rate bills unnecessary. It appears to be a wise decision, because once the motors get connection, real struggle for maintenance and payment of bills will start. The concern shown in the report that the water situation is the same is not justified as yet. As informed, we are still trying to have a lift irrigation scheme surveyed and would see if it is workable.

2. Land Preparation: Needs no comments as your team appears to be satisfied with the work. That 100% of the land has been sown this season is a testimony that there is a reasonable chance of people being happy with what we have been able to do.
3. Legal Status: We are equally concerned on the issue and will certainly get them the ownership pattas as soon as it is possible. I would like to inform you that ownership pattas have already been given for nearly 3000 ha of forest land in the case of Palpur Kuno, after GOI verified that the diverted land is actually in the possession of the allottees. GOI's policy is that they do not 'dereserve' the land with the permission for 'diversion' but only after verifying that the land is actually used for the purpose for which it is 'diverted' that they all such dereservation. As you know, the current roadblock is the SC's order dated 13.11.200 in WP 337 which says that there will be no dereservation without SC's permission. We will work with GOI to have this issue sorted.
4. Previous Occupation of Land: The people of Dob Jhirna, who were illegally occupying forest land were offered alternative lands by the district administration but, I am told, they did not accept this arrangement under instigation by some local organization. However, we agree that relocation *per se* is prone to such conflicts and we should try our best to avoid such situations. But it becomes very difficult for us when certain groups start using such situations to build constituencies for themselves. We would request you to use your influence over the local NGOs to help us resolve this conflict by convincing the Dob Jhirna people to look at the alternative site offered by the district administration seriously. Instigating Dhain and Dob Jhirna people to continue to fight is not going to help.
5. Access Road: The road has been done and vehicles can now easily reach New Dhain. It will further be improved after the monsoon. I think your report is unnecessarily critical of the decision to let people move in before the entire infrastructure could be built. I admit that there is always scope for improvement and we would try to do a better job next time. But in this case, it was the people's own decision to move in and build their houses and be present when their lands were being prepared. If we had done everything without the beneficiaries arrived, we would still have been subjected criticism. The image of a construction site is never pleasing to those who expect finished buildings from day one. Such a phase is inevitable in any process.
6. MOU: We agree that people should know what is on offer in writing, and will ensure that it is done in all future cases. A letter will go to all directors soon.
7. Availability of Forest Produce: As your report admits there is no problem as far as mahua, fuel and fodder are concerned for the people of Dhain. As far as other forest products are concerned, there will be trade offs which will come into play. While certain forest produce may not be available, there will be new avenues for earning, more land to cultivate which will help mitigate the effect. However, there is no denying the fact that there should be a clear environmental benefit in relocation and a comparative ecological assessment of both, the original and proposed sites, should be done. We will try to have an assessment done in future, although, a relocation site on the fringes of a forest is obviously less valuable than the land vacated at the heart of a recognized critical wildlife habitat.
8. Fuel wood Dependence and Forest Damage: We will look into this and do hope that the sericulture initiative will certainly provide sustainable employment.
9. Ecological Damage at the Relocation site: As no formal survey for fauna and flora was done, there is no such report. But, we agree that a formal assessment of both the sites should be done. However, the number of trees felled at the relocation site is not the right criteria for assessment. Good lands, which



we all agree should be provided, are always under good forest. Felling of trees for relocation is unavoidable. We can find treeless land but it will rarely be cultivable.

10. Compensation and Relocation Amount Per Family: As you know we have really been able to tap all the sources for making Dhain a good relocation effort. The amount available from GOI is just Rs. 1.00 lakh per family out of which the personal grant is only for house building (Rs. 36000) and an ex-gratia (only Rs. 1000). The rest goes into infrastructure and centralized activities. I am sure, villagers were duly informed of the arrangement and they did agree to the arrangement. However, their memories and commitments are always fissile in view of the pressures from the quarters opposing the government. However, it is accepted that the villagers must be informed of whatever the arrangement, in writing. We will certainly do it in future. We are also trying to improve the package available to us.

11. Efforts of District Administration: No comments required.

12. Observations on Khakhrapura and Sakot villages, Bori Sanctuary: It is the commitment of the government that nobody will be relocated forcibly and they will be moved only to a site which is acceptable to them. We will use all the lessons learnt from Dhain experience to do a better job in future. There is always scope for improving communication with people and we will continue to strive for that. But our job does become more difficult when crafty NGOs start asking leading questions to arrive at predetermined conclusions. But we must admit that people inside protected areas are living very difficult lives, what with all the remoteness and restrictions and one way of helping them is moving them into more suitable habitats. There can be difference of opinion on how to do this.

13 All your recommendations for Khakrapura and Sakot are reasonable and we will try to implement them to the best of our ability.

And finally, we solicit the support of all NGOs interested in long term conservation to help us in making relocation a pleasant experience for the people as well as for the forest department as without relocations from critical habitats there is no future for the animals as well as for those people who suffer from conflict with animals as well as lack of development.

With regards,  
HS Pabla

----- Original Message -----

**From:** [Ashish Kothari](#)  
**To:** [S.S. Rajpoot](#)  
**Cc:** [Dr. H. S. Pabla](#) ; [Tasneem Balasinorwala](#) ; [P.B. Gangopadhyay](#) ; [milind wani](#) ; [Milind Wani](#)  
**Sent:** Thursday, July 06, 2006 10:57 PM  
**Subject:** Draft note on observations from 2nd trip to STR

Dear Shri Rajpoot (and kind attn: Dr. Pabla and Dr. Gangopadhyay),

I am attaching a draft note of observations by our team, from its recent second visit to Satpura TR. Since the team did not have a chance to talk to you this time, we are sending this to you for any reactions or information you may want to send, for our consideration while finalizing the report.

I would appreciate an urgent response.  
thank you,  
Ashish

Ashish Kothari  
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