

# AIFFRS Perspective on Protected areas and Sanctuaries

## *Lessons from the ISB study*

### **Background:**

Protected areas cover 16.51 m hectares of this country (5.02%) comprising of 4.05 m hectares (1.03%) in 104 National Parks. 11.98 m hectares (3.64) in 551 Wildlife sanctuaries, 4.36 lakh hectares (0.13) as conservation reserves and 52.52 (0.02%) thousand hectares as Community reserves. The percentage of area under forest cover is 70.08 m hectares (21.54%) with the geographical area being 328.73 m hectares. The plan is to bring the area under forest cover to 108.48 m hectares (33%), which means that forest cover has to increase by 38.4 m hectares. Plans exist to declare more areas under National Parks and sanctuaries these have not been disclosed to the people, the report “***Deliberate Delay in Execution of Forest Right Act: A Report Based on Evidences Collected Through Right To Information Campaign by Bhil and Garasiya Tribe People in Rawatbhata Tehsil in Chittaurgarh District Rajasthan***” by Institute for Ecology and Livelihood Action (IELA) and Badad Mazdoor Kisan Sangathan (BMKS) members of AIFFRS as also the report “***Deliberate Deprivation of Forest Resource Rights and Forced Eviction of Indigenous Communities - Violation of FRA, 2006 in Sariska Tiger Reserve, Alwar, Rajasthan***” prepared by IELA and KRAPAVIS.

The report “*The Status of the Forest Rights Act (FRA) in Protected Areas of India A Draft Report Summary?*” Covering 30 Pas in the country by Eleonora Fenari and Neema Pathak point out that implementation of FRA has been tardy and almost nonexistent. It further points out that the illegal NTCA (National Tiger Conservation Authority) order dated 28<sup>th</sup> March 2017 (order number 1-7/93 PT) led to the complete stoppage of rights recognition in sanctuaries. The study also highlighted that “*despite CFRs having being recognized, CFR Management Committees (CFRMCs) and in some cases CFR management plans having been drawn up by the gram sabhas, there have been few efforts from the state forest departments to move towards co-existence and supporting and recognizing protection, regeneration, conservation and management of CFRs by gram sabhas. Only three cases where some efforts in this direction have been made and in two of these, this has been possible only because of the sustained efforts of the gram sabhas and support from civil society actors and in one the initiative was taken by the district administration supported by civil society*”. The report also recorded violations related to

- Notification of Critical Wildlife Habitat.
- Discrepancies in the process of recognizing claims
- Not allowing the exercise of rights even where the same had been recognised
- Relocation procedures
- Human rights

There is also militarization of the Forest department to create terror among the people.

### **Lessons from the ISB study**

The ISB study points out the total absence of rights recognition in the case of pastorals and fishers, though recently some progress was made in Himachal Pradesh where 28 CFRs have been recognised. Along with these three States of West Bengal, Uttarakhand and Himachal the other States of Maharashtra, Jharkhand, Odisha, Rajasthan, Gujarat, Chhattisgarh, Andhra, Telangana, Karnataka, Kerala and Tamil Nadu the study and other work done by AIFFRS show how Community Forest Rights and the process of creation of Federation can

help in addressing issues related to conservation and livelihoods in Protected Areas. The Federation in Chhota Udepur District for example has come out with a pledge to conserve the natural resources of their landscape and this was the basis for an eight day Mahayatra in the region covering 220 Kms, addressing 8,000 people from 80 villages. In Jharkhand a procedure for assertion of community rights has been developed by Jharkhand Jungle Bachao Andolan and has been taken to over 500 villages in the State. In West Bengal, Dakshin Banga Matsyajibi forum has been in the forefront of mobilizing the fishing community for assertion of rights in Sundarban Tiger Reserve despite the lack of the rights recognition process.

The experience of Gadchiroli in Maharashtra helps to understand concretely how gram sabhas can be mobilised as an effective organisation for managing not just the forest resources but financial resources as well. The Forest Management and Protection Committees have come out with procedures which provide a road map as to how the money earned from the forest can be used by the community. Essentially the money earned is divided into three parts. The first is for payment of wage to the forest produce collectors. The second is dividend paid to members of the gram sabha irrespective of their participation in collection as their participation in conservation is important. The third is used for investment and at times of crisis in the village. In Amravati, Khoj has done pioneering work in relation to showing how CFR rights and proper access to forest produce can help address issues related income generation and malnutrition facing the forest dependent communities.

### **Way Forward**

1. Federation of forest users' needs to be formed which can lay claim to the Protected area.
2. Community Forest Rights (CFR) defining individual rights within the area of jurisdiction of the gram sabha or from where its members depend on forest produce.
3. All India Front for Forest Rights Struggles (AIFFRS) will lobby with Minister of Tribal Affairs (MoTA) to get Federation approved as users of the forest. The individual right recognition based on specific individual usage approved by the gram sabha and Federation.
4. Federation to lobby with State Governments for implementation of FRA process in their region and collaborative action between Minister of Tribal Affairs (MoTA), AIFFRS and the Federation to work out process of recognition of rights in Protected Areas.