

Forest Rights Act & Community Conservation Initiatives in Odisha: Exploring an Alternative Regime of Forest Governance

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Abstract

As with all rural communities, a central factor affecting tribal livelihood possibilities is access to and control over natural resources, in this case both land and forests. A major problem is that traditional homelands of tribal communities have been classified as forest lands vested with the state. In the absence of clearly defined property rights, millions of tribal families living in or around forest land can be deemed encroachers and thereby illegal occupants, continually living under the shadow of eviction. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006” has created uproar since its enactment especially due to the concern raised by the conservation lobby. In Odisha one can take account of two facets of conservation. The communities who have been residing within the protected areas have no legal standing as of today because the state never acknowledges their very existence- an ethical blunder and a blatant human right violation. On the other hand there are thousands of forest protecting communities who have been active and vigilant in maintaining around 12% greenery of the state are hardly find any place in laws and policies. This paper reiterates that there is ample space within the ambit of Forest rights Act that both the facets of conservation, may it be the protected areas or the self-initiated forest protecting groups interest, can well be managed with every concern towards conservation. This paper also delves deep into some of the inherent problematic areas beyond the Forest Rights Act and reiterates that by engaging indigenous and local communities conservation can be a powerful means of coping with the global changes sweeping our planet. It may require a sharing of power not favored by many of the agencies currently in charge; but on the eve of socio-economic and environmental change of great proportions, conservation can no longer afford to consume its precious resources in fighting its best and most promising allies. The paper argues that, so long as the homo- sapiens that form an integral and natural part of this ecosystem, both surviving from the forest and at the same time preserving it, are not endowed with their cosmic right, no amount of laws and acts will help in conserving the natural resources of the state.

Keywords: Forest Right, Conservation, Common Property, Community Forest Management, PESA, (CCAs) Community Conserved Areas, Odisha, India

Introduction

Possibly the most exciting conservation development of the 21st century is the global recognition of community conserved areas. These have been defined as “natural and modified ecosystems, containing significant biodiversity values, ecological services, and cultural values, voluntarily conserved by indigenous and local communities, through customary laws or other effective means” (Pathak et al 2004). The conservation of sites and species by indigenous peoples and local communities is age old; but the fact that these are equivalent in many ways to conventional government managed protected areas has not been recognized until recently. It is only by struggles waged by communities for recognition of their initiatives and rights, along with the work of some international organizations and the exploration

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of new conservation models by some countries that CCAs have burst into global scene during the first few years of this century.

Keeping in view the above developments in international arena and especially after the Vth IUCN World Parks Congress in 2003 and the 7th Conference of Parties to the Convention on Biological Diversity (CBD) in 2004, in an affidavit to the Supreme Court of India on 21 June 2004, Government of India made a very significant admission that 'the historical injustice done to the tribal forest dwellers through non-recognition of their traditional rights must be finally rectified. This marked a historic departure from the colonial perspective that has characterized state regulations of forests, which regards forests as preserves of nature that necessarily should ideally be devoid of human habitation; and which regards the state's role as the sole legal and natural monopolistic guardian of the country's forest wealth.

The Indian Forest Act, 1927, the Wild Life Protection Act, 1972, and Forest Conservation Act, 1980, are all based on the common principle that "any human 'interference' in a forest ecosystem would lead to its destruction". This legal perspective ignores that tribal groups also form an integral and natural part of this ecosystem, both surviving from the forest and at the same time preserving it. Indeed, just prior to its admission to the highest court of the land, the Indian government had ordered on 3 May, 2002 the eviction of all forest encroachers, leading in just four months to the expulsion of around 300,000 impoverished cultivators from over 152,000 hectares. Mass protests and destitution finally persuaded the Government of India to introduce in Parliament on 13 December 2005, the Scheduled Tribes and other traditional forest dwellers (Recognition of Forest Rights) Bill, 2005 and the rest is a sigh of relief to a considerable extent.

Against a colonial legacy of commercial timber harvesting and rampant hunting, the dawning of India's conservation era since the early 1970s has resulted in the creation of an extensive network of protected areas – national parks, tiger reserves, and wildlife sanctuaries, buttressed by a formidable legislative and institutional framework. A landmark event in this conservation history was the passing of the Wild Life Protection Act in 1972, which provided for the constitution of state wildlife advisory boards, sanctuaries, and national parks; the total protection of 133 endangered species of mammals, birds, and reptiles; and strict penalties for violations of the Act. The following year saw the launching of the central government - sponsored "Project Tiger" scheme with substantial financial and advisory inputs by the World Wildlife Fund. Initially implemented in nine reserves, each divided into Core and Buffer Zones, Project Tiger advocated an 'Ecosystems Approach' for the elimination of all forms of 'Human Exploitation' in the former and the 'rationalization' of activities in the latter. Its mandate was strengthened through further legislation: the 42nd Amendment Act to the Indian Constitution in 1976, which enabled both Parliament and state governments to pass legislation relating to forest and wildlife conservation with national law prevailing in the event of conflict. This Amendment also included two new articles: Article 48-A which reinforced the State's role in protecting and improving the environment and safeguarding forests and wildlife, and Article 51-G, which described the protection of the environment, forests, and wildlife as 'the duty of every citizen of India'. This was followed by a further spate of activities: the creation of a Department of Environment in 1980, upgraded five years later to a full-fledged Ministry; the Forest Conservation Act of 1980, which prohibited states from denotifying reserve forests and restricted their use for non-forest purposes; and the Environmental (Protection) Act of 1986 empowering the central government to coordinate all activities relating to resource management. In 1986 and 1991, further amendments were made to the Wild Life Act, including a total ban on trade in animal products; protection for specified plants; greater restrictions in sanctuaries; and increased penalties and powers of prosecution for wildlife wardens.

At the close of the century, this legislative commitment to wildlife conservation has led to a dramatic increase in protected areas from 65 in 1970 to 554 in early 2000, covering 4.69 percent of the country's total land area. But within this extensive network, conflict has been endemic. Surveys conducted in the 1990s revealed clashes between Forest Department/Project Tiger staff and local residents over poaching, illegal grazing, coercive relocation programs with woefully inadequate compensation packages, and human and livestock deaths caused by animal attacks in 47 out of 222 protected areas. This is hardly surprising given the presence of at least 3 million people, mostly

belonging to scheduled castes and tribes, who live inside over half of India's protected areas without access to basic facilities and often under severely restrictive regimes. To add to this disturbing scenario, competing economic agendas of state governments have led to the de-notification of portions of several parks and sanctuaries for mining, road and dam construction, all of which have undermined efforts to conserve these areas (Haan.A, 2003).

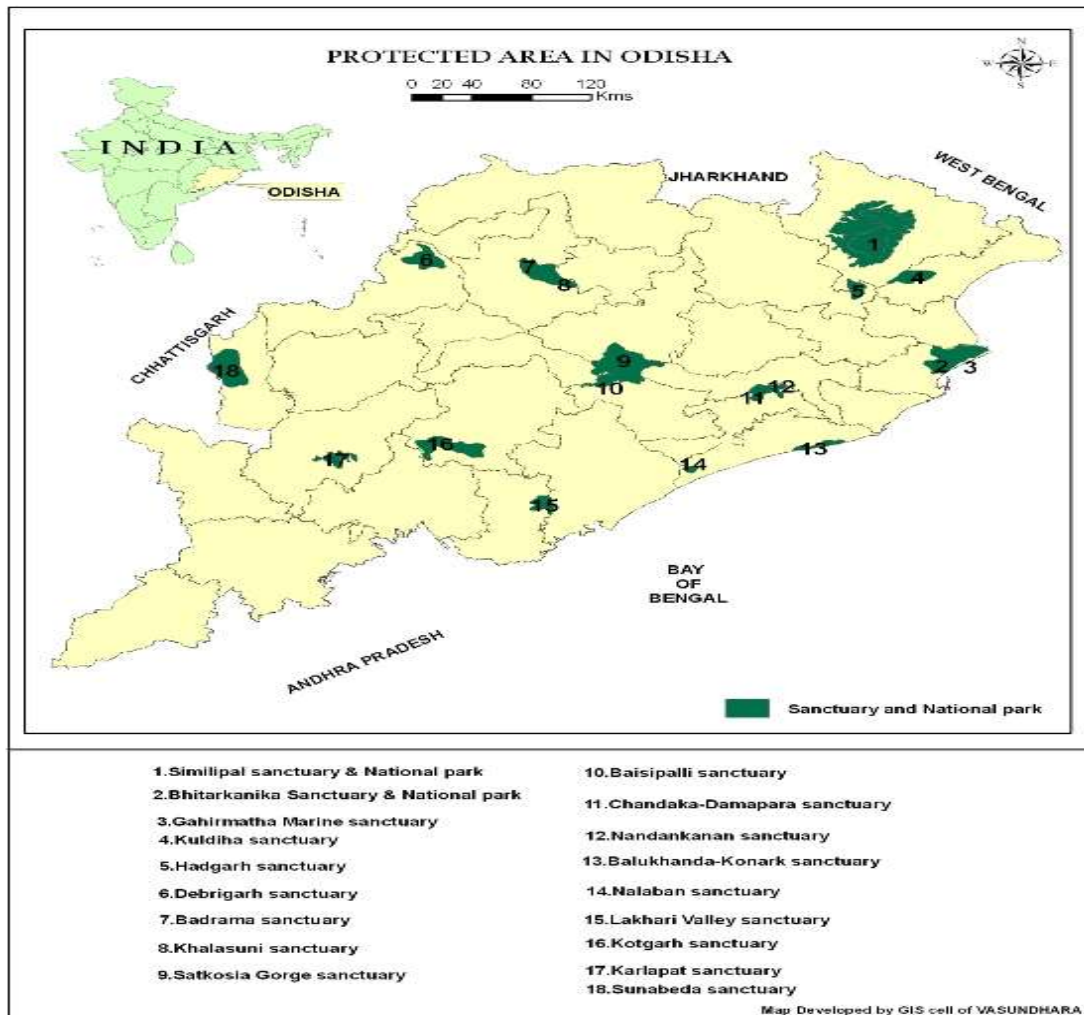
The aforesaid conservation initiatives have its own merit and especially in the present context every national and international forum have started giving serious thought on global warming and such related development. Nevertheless, amidst these entire clamors no state can leave aside the genuine livelihood concern of its largest bulk of population of aborigines and other traditional forest dwellers. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 Act speaks about the historical injustice since long and provisions laid down for a transparent and judicious recognition of their rights over forest resources. The Act has also institutionalized the process of community conservation as a corollary to resource governance.

Odisha—A Fact Sheet

Odisha has a total population of 36.81 million, which accounts for 3.57% of the total population of India. The scheduled tribes (ST) and scheduled castes (SC) constitute respectively 22.13 and 16.53 per cent of the total population. There are 62 tribal communities have been designated as Scheduled Tribes of which 13 have been recognized as Primitive Tribal Groups. Nearly half the State's area (44.70 %) is under Schedule V of the Indian constitution with a total population of 9,870,884 (2001 census), out of which 68% is constituted by tribal population and 20 % is constituted by Scheduled Caste population. According to Haans & Dubey, in 1999-2000, 73 % of the Scheduled Tribes in Odisha were below poverty line as compared to 55 % and 33 % respectively for Scheduled Castes and General Castes. The estimate for 2003 elevates this number to 87% of Scheduled tribes living below poverty line.

Data collected by Kundan Kumar in his paper "Dispossessed and Displaced" tells us that almost 8111.55 sq. km. (5%) of Odisha have been declared as protected areas (Sanctuaries and National Parks). The majority of these protected areas are located in the Scheduled V areas or unclear areas where there is a large concentration of tribal population (Kumar. K, 2006). Leaving aside the total forest resources on which the tribals have been critically depending upon for livelihood concern, the tale of protected areas in Odisha is an alarming one. The irony is that, due to Government apathy, the procedures laid down by the rule of the act have never taken in its spirit and the implementation process seems to be very casual.

To a considerable extent, Odisha portrays a very confusing scenario as far as the different shades of livelihood and conservation initiatives are concerned both from Government, NGO and activists point of view. Literature and independent research on protected areas gives a stunning picture of the plight of tribal and other traditional forest dwellers in Odisha. It also initiates a fresh debate whether such a large populace and its life and livelihood will be thrown away for the sake of conservation or not. Conservation Need is not a new one. Rather Conservation Politics is a completely new theme constructively engaged in disenchantment of the people living in these areas. Amongst the least debated provisions of the Act, which is considered extremely important, is the one providing communities the right to protect and manage any traditionally conserved 'community forest resource', and to impose penalties on anyone violating traditional rules of conservation. Across India, a quietly growing phenomenon that many conservationists who only roam around in national parks and sanctuaries have been blind to is that of community-conserved areas (CCAs). There are hundreds of such sites, where tribal or other communities are conserving natural or semi-natural ecosystems, very many with significant wildlife or biodiversity value. We believe this is only the tip of the iceberg, as everywhere we have gone to investigate such sites, we have been told of dozens more. For all the acrimony of the debate on the Act one should be hopeful that there would be a resolution between conservationists and human rights activists (and amongst various strands within these sections).



Community Conservation Initiatives in Odisha

Odisha stands apart from other states for providing numerous examples of community based and self-initiated institutional arrangements for protection and management of forest resources. Popularly known as Community Forest Management (CFM), such initiatives are found in almost all the district of the state, with higher concentration in Nayagarh, Bolangir, Mayurbhanj, Koraput, Dhenkanal, Nabrangpur and Phulbani districts. Thus a large forest in Odisha now is *de-facto* common property managed by communities though these are *de-jure* state property. Community forestry initiatives are manifestations of rural community's response to forest denudation. Usually the leading role is being played by the poorer and marginalized sections of society, whose lives and livelihoods are embedded in forests (Johari.R).

Besides livelihood concerns ecological effects of forest degradation have also played a significant role in inducing forest protection by local communities. CFM initiatives have brought recognition and pride to many villages and have been a strong driving force motivating the non-protecting villages in the neighborhoods to undertake protection and regeneration of degraded forest patches. CFM has thus resulted from a desire to save forest patches for posterity and also quite strikingly from an urge to assert the villager's control over the forest patch that is otherwise open to all.

Table-1: NUMBER OF VILLAGES & POPULATION IN THE PROTECTED AREAS IN Odisha (Population as per 2011 census)

Sl.	Protected Area	Status	Number of villages	Number of households	Number of inhabitants	Location
1	Simlipal	Proposed National Park	4 core villages (Management plan, Forest Dept. Govt. of Odisha-1987-88 to 1996-97) Kabatghai , Jamunagarh, Jenabil , Bakua	Kabatghai-20, Jamunagarh-18, Jenabil-27, Bakua-21 Total-86	Kabatghai-115 , Jamunagarh-96 Jenabil-145, Bakua-80, Total-435	Mayurbhanj
2	Bhitarkanika	National park	Nil		Nil	Kendrapada
3	Badrama	Deemed Wildlife Sancturay	72 including hamlets (Survey, Sambalpur Integrated Development Institute); 25 Revenue villages*			Sambalpur
4	Gahirmatha Marine	Finally Notified	Nil		Nil	Kendrapada
5	Bhitarkanika	Wildlife Sanctuary	410*		2 lakhs*	Kendrapada
6	Satkosia Gorge	Deemed Wildlife Sanctuary	5 2* 102 - Vasundhara, 2004		37,825 (2001 Census)	Angul, Cuttack, Nayagarh
7	Hadgad	Deemed Wildlife Sanctuary	16*		6538*	Keonjhar
8	Nandankanan	Deemed Wildlife Sanctuary	Nil		Nil	Khurda
9	Baisipalli	Deemed Wildlife Sanctuary	35 - (Satkosia Praja Surakhya Samiti),		5874 (2001 Census)	Nayagarh & Boudh
10	Kotgad Wildlife	Deemed Wildlife Sanctuary	62* 65 - (Office of DFO,Baliguda)		9178* 9911 - (Office of DFO,Baliguda)	Phulbani
11	Chandaka	Deemed Wildlife Sanctuary	47*		-	Khurda & Cuttack
12	Khalasuni	Deemed Wildlife Sanctuary	10*			Sambalpur
13	Kuldiha	Deemed Wildlife Sanctuary	20 (Vasundhara)		-	Balasore
14	Balukhand Konark	Deemed Wildlife Sanctuary	36 villages. 5 inside the sanctuary 31 adjoining the boundary line. (RO of Konark as quoted in Issues in Sanctuaries and National Parks in Odisha)			Puri

15	Debrigarh	Deemed Wildlife Sanctuary	7 villages Debrigarh, Mundakati, Lambipalli, Jhagada – Behera and 3 more villages to be included.	Debrigarh-8, Mundakabi-35, Lambipalli-15 Jaugadabehera-21, Total-79	Debrigarh-30, Mundakabi-183 Lambipalli-68, Jhagadabehera-152 Total-463 (1 st three villages have STs only and the 4 th is a mixture of ST and OBC)	Sambalpur & Bargarh
16	Lakhari Valley	Deemed Wildlife Sanctuary	23* 51 - (Vasundhara)		2145* 6945 - (Vasundhara)	Gajapati
17	Sunabeda	Deemed Wildlife Sanctuary	75* 62 - (District Collector ate Office, Nuapada)		22,000 approx (Vasundhara)	Nuapada
18	Nalabana	Deemed Wildlife Sanctuary	Nil		Nil	Khurda, Puri & Ganjam
19	Karlapat	Deemed Wildlife Sanctaury	52 including 3 un-surveyed villages (Vasundhara)		1455 (Vasundhara)	Kalahandi
20	Simlipal	Deemed Wildlife Sanctuary	65 including 4 in the core area (Wild Odisha 04')		12,000	Mayurbhanj

* Wild Odisha '04

Source- (1) Wild Odisha, S.C.Mohanty, C.S.Kar, S.K.Kar, L.A.K.Singh, State Wildlife Organization, Forest Dept. Govt. of Odisha, Oct, 2004
(2) Odisha Protected are Network (OPAN) & Compilation by Vasundhara, Odisha

Enough people on all sides of the spectrum are convinced that both forest dwellers and wildlife have been given a raw deal, that the biggest problem is not one against the other but the juggernaut of industrial development versus both, and that therefore a unified approach is the only way to protect both environment and livelihoods.

Table 2: VSSs, VFPCs and Unregistered Groups in Forest Management in Odisha

Sl. No	Forest division	No of VSS	Area Protected (In Ha)	No of VFPCs formed	Area Protected (In Ha)	No of Unregistered groups	Area protected (In Ha)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Angul Circle							
1.	Angul	256	37586.18	98	17751	28	NA
2.	Athmallik	84	7017.36	155	26254	0	0
3.	Athgarh	77	7349.59	76	7207	0	0
4.	Dhenkanal	112	13774.98	148	30550	68	3996
5.	Keonjhar	730	16322	197	20697	4	0
	Total	730	82050	674	102459	100	3996
Berhampur Circle							
6.	Puri	28	5580.0	83	17507	10	2003
7.	Nayagarh	5	585.0	55	10824	44	7049
8.	Ghumusar (N)	22	702.0	55	28617	0	0
9.	Ghumusar (S)	85	13489.3	160	35058	0	0
10.	Parlakhemundi	518	46639.0	106	10237	0	0
11.	Phulbani	473	29504.0	214	54237	143	5102
12.	Baliguda	206	10378.0	56	34280	00	0
13.	Boudh	162	52222.6	150	5260	10	760
	Total	1499	159099.9	879	196020	207	14914
Sambalpur Circle							
14.	Sambalpur	423	58941	11	1615	0	0
15.	Rairakhole	97	9676	111	45986	11	425
16.	Deogarh	62	3103.96	222	34477	188	30308
17.	Bamra	256	22396.66	138	26349	0	0
18.	Sundergarh	437	48110.17	59	11715	10	489
19.	Bonei	119	496.452	145	32016	0	0
	Total	1394	150724.24	686	152158	209	31222
Koraput Circle							
20.	Jeypore	466	27628.24	139	10058	196	58493
21.	Nawarangpur	371	31995.06	503	115796	0	0
22.	Rayagada	748	48133.55	586	105464	0	0
23.	Balangir	325	36882.31	457	98351	38	6216
24.	Kalahandi	669	52840.00	551	164115	12	0
25.	Khariar	270	21268.00	81	8276	0	0
	Total	2849	218747.16	2317	502060	246	64709
S.T.R Baripada							
26.	Karanja	22	2164.2	220	36729	7	0
27.	Baripada	191	21822.37	152	19372	0	0
28.	Total	213	23986.57	372	56101	7	0
Grand Total		6685	634608.12	4928	1008798	769	114841

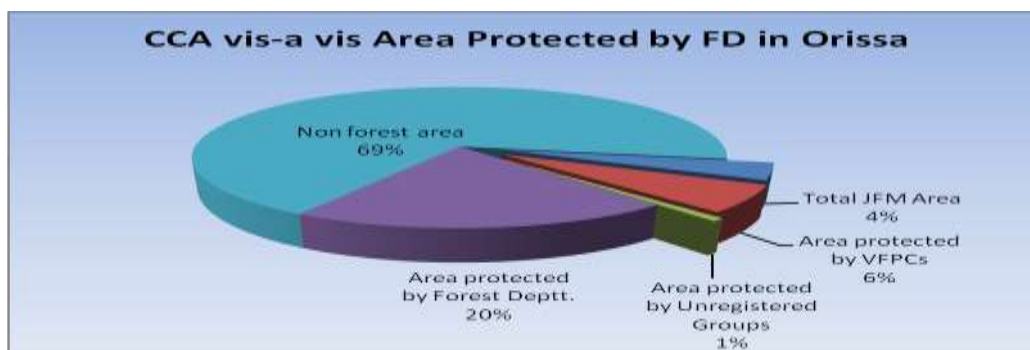
Source: State Level steering Committee (SLSC) and Nature and Wildlife Conservation society of Odisha (NWCSO). 2003. *Odisha Biodiversity Strategy and Action plan*. Prepared under National Biodiversity Strategy and Action Plan, Ministry of Environment and Forests (Government of India).

The existence of about 10,000 forest protecting communities (Table-2) protecting around 10-12 percent of the total forest area in the state is strong evidence of extensive spread of CFM which has evolved over a period of time. According to a study undertaken by Asoka Trust for Research on Ecology and Environment (ATREE) on impacts of CFM in Kandhamal district which comes under schedule Vth area forest cover shows an increase from 53.7% to 67.2% in the study area between 1991 and 2001. The study findings attribute the increase in forest cover to protection of forests by local communities. A similar observation has also been made in the State of Forest Report (1999) published by Forest Survey of India showing a remarkable increase in forest areas in Mayurbhanj and Balangir districts between 1997-1999 because of existence of protection efforts by the villagers. The proceedings of the National Workshop on JFM, Ministry of Environment & Forest 2005 say:

“.....The practice of joint Forest Management started in early 1950s. Its the first state to issue the resolution in this regard in August 1988. There are 9778 JFM committees managing about 0.82 million ha of forest area of the state. About 1.7 million families are involved in this programme of which around 0.7 million families belong to the Scheduled Tribes...”

Despite the huge contribution of community forest protecting groups, they hardly find any place in laws, policies, administrative programmes or budget allocations. Although many of these initiatives exist on Government lands, villages often find it difficult to solicit support from the government while discharging their duties. This entails that community forestry initiatives should be recognized as a system of forest governance, and financial and other support should be extended to them as and when required. Many community initiatives are struggling trying to create livelihood options linked to their conservation efforts. In many community forestry initiatives villagers are seeking help in creating some natural resource based enterprises or increases in productivity (Pathak.N, 2009).

India's National Forest Policy, 1988 aims at maintaining 33 percent of country's geographical area under forest and tree cover. The forest cover in the state, based on interpretation of satellite data of Oct-Dec 2006, is 48,855 Sq.k.m which is 31.38% of the state's geographical area which again below the recommended forest area. Pie chart in figure 1 shows that around 11% of total forest area of Odisha is being protected by the community.



Source: OFDC, Govt of Odisha/State Level Steering Committee (SLSC) and Nature and Wildlife Conservation Society of Odisha (NWCSO), 2003. Odisha

Again it is always a conservative estimate as we don't have a correct, all pervasive assessment of exact number of village forest protecting groups as well as other unregistered forest protecting communities in the state. Even after deducting the 11% from the 31% of forest cover that we have as of today, again the rest 20% of the forest having all kinds of protected areas can never be said being exclusively protected by the forest dept or for that matter the state or the central government. In simple arithmetic term one can very well dismiss the claim that even half of the forest resources of Odisha and for that matter India are being preserved and protected by the forest department. It is simply because of the fact that different studies have shown that moving people out of protected areas

has resulted in a disruption of a number of processes, with potentially negative consequences for the ecosystems themselves. The “Sariska” case is an eye opener for all.

Livelihood & Environment

Presently, the problem with regard to conservation and livelihood concern has gone beyond a limit, wherein the corridors of judiciary have taken a lead role. In Odisha, cases have already been filed in the Hon’ble High Court, questioning the different facets of the act. The most horrible part of these cases not only stems from the conservation concern rather some of them have started questioning the veracity of PESA. One needs to understand that the present legislation as is stated in its preamble does not aim to legitimize the encroachments. Rather it aims to recognize the legitimate rights of Forest dwelling communities, which had not been recorded properly during consolidation of state forests. But most important part of the whole debate is to examine whether the “The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006” or FRA has a space for the conservation concern or rather the scope of legitimate community forestry initiatives within it. However FRA prescribes that all future creations of “inviolable” conservation zones and curtailment of rights in protected areas shall require the “free, Prior, and informed consent” of tribal people who live on such land. It also emphasizes that all forestlands—irrespective of location and category— that have traditionally been used by tribal communities will henceforth be treated as “community forest resources” and says that forest dwellers can act decisively in conserving such resources. What is most important, the FRA says that recognized rights of forest dwellers include conservation of forests and biodiversity (Section 5).

The FRA empowers holders of forest rights and their Gram Sabhas to

- protect the wildlife, forest, and its biodiversity;
- ensure that adjoining catchment areas, water sources, and other ecological sensitive areas are adequately protected;
- ensure that habitats of forest-dwelling scheduled tribes and other traditional forest dwellers are preserved from any form of destructive practices affecting their cultural and natural heritage;
- ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity that adversely affects the wild animals, forest, biodiversity, and natural heritage are complied with.

Further, these Acts talks of recognizing rights on only forest areas those are already under various kinds of use. The Act has also prescribed a framework of procedures to identify eligible claimants through Gram Sabhas and committees constituted at various levels involving Government officials /elected representatives while excluding ineligible encroachers. Hence, the question of legitimizing ineligible encroachers under the present law does not hold true. That the apprehensions regarding loss of forests is unfounded as the granting of rights under Forest Rights Act is only concerned with recognizing rights to land already under cultivation.

The key has been the creation of institutional structures to face the challenges of outside forces and internal change, changes in behavior and management strategies, and enhancement of livelihood options to reduce excessive pressure on natural resources. There are literally thousands of such sites, some of them well documented, if only we as conservationists cared to look (Singh,N & Kumar,K. 1993)

Table 3: Forest Area Diverted to Non- Forest use in Odisha (From 2005 to 2012)

Sl. No	Year	Number of Projects	Area diverted to non-forest Use (In Hectare)
1	2004-05	27	1219.06
2	2005-06	20	1711.74
3	2006-07	15	508.18
4	2007-08	23	1493.71
5	2008-09	9	1274.39

6	2009-10	28	2207.23
7	2010-11	17	911.83
8	2011-12	23	2425.10

Source: - Economic Survey, 2005-12-Annexure-6-2

The organizations and campaigns rigorously fighting for the conservation and environmental concerns should not be biased in their approach. Their concern till date might have gained strength if they would have highlighted the extent of rich forest land diverted for different non-forestry purposes. The details of the same till 2008 have been given in the table (Table-3). Let's make the peoples movement more vibrant so that the livelihood concern must not faded away in these unnecessary hue and cries. Odisha has a long history of self-initiated conservation process with every care to livelihood concern. Once the tribal brethren ensured and endowed with their cosmic right, they will themselves be the best vigilant watchdog of the entire forest resources of the state and the country as a whole.

Conservation of resources by communities is a part of livelihood insurance and is linked with other environmental and social dynamics. Conservation initiatives can lead to other social reform in the village, e.g., equity, empowerment etc. On the other hand other social processes such as efforts towards generating empowerment may lead to initiation of conservation. Conservation therefore cannot be seen in isolation from other social, economic and political processes within the community. Forest Rights Act allows for a greater role and empowerment of Gram Sabhas in determining claims, managing forests they have traditionally conserved, checking processes destructive of forest dwellers habitats, and protecting traditional knowledge. It also allows for greater livelihood security for traditional forest dwellers who have been unjustly denied tenure, and mandates that any displacement and relocation can only happen by consent. It provides a greater possibility of community involvement in government managed Protected Areas. If applied meaningfully and transparently, this act could lead towards many forms of co-management and to greater livelihood security than is possible in current management regimes of forests, including in the national parks and sanctuaries in India. One of the most critical lessons learnt from community conserved areas is that areas important for biodiversity conservation are often important for the survival and livelihood security of traditional communities. The issue of people within the official protected areas has plagued conservationist for decades. Increasingly there is a recognition that livelihoods will need to be integrated without compromising the existence of ecosystems and species. Many community conserved areas provide valuable insights into how this can be done.

Looking into the dimension and magnitude of problems associated with the life and livelihood of communities either within the corridor of protected areas or the communities associated with community conserved areas, we must look beyond the ambit of the Forest Right Act. A single central act simply cannot act as a panacea for all the problems associated with the issues of livelihood and conservation from different standpoint. Hence in order to strive for a happy blend of the two, one need to consider some of the pertinent management principles as envisaged by *Ashish Kothari*, (*Kothari.A,2006*) an acclaimed environmentalist as follows:

- Community conserved areas should be recorded as part of the national protected area system, and communities recognized as protected area managers.
- Systems of rights and responsibilities, building on traditional or customary arrangements, need to be established or strengthened.
- There is a need to support participatory monitoring and evaluation of community conserved areas initiatives by providing appropriate resources and capacity-building for communities.
- Even in Protected areas, conservation that attempts to keep communities out of the decision making process and or out of the sharing of benefits, is unlikely to be successful for long. Community support is needed to achieve long term conservation objective. There is no substitute for engaging with people. Indeed public communication and collaboration can significantly enhance conservation objectives and outcomes.

Conclusion

The objective of public policy should be to harmonize the potentially conflicting interests of people and wildlife resources. For the purpose, both conservation and development programmes must involve the people concerned (forest villages, foresters, development agencies), so they are ultimately successful (Guha, 2003). One issue raised by many critics is; how and who will stop villagers either from being exploited by stakes, or from ignoring the above responsibilities as their own populations and needs increase? This is indeed a valid concern, given that significant destruction has taken place in many forest areas due to these reasons. However, it is also true that where communities have mobilized themselves or been helped to mobilize (as in the case of many joint forest management sites or even some protected areas like some areas in Odisha), they have managed to tackle these problems.

In fact that many of these conservation and environmental efforts have held on for so long against all odds is enough to indicate what they can achieve given an appropriate policy environment. Equally important, they could provide critical lessons for how to manage the official Wildlife Sanctuaries and National Parks of the state, in a way that integrates the livelihood requirements and rights of local people with the needs of wildlife conservation.

Notes

The IUCN Vth World Congress on Protected Areas, or IUCN Vth World Parks Congress as it has become known, is a 10 yearly event which provides the major global forum for setting the agenda for protected areas. Previous Congresses have had a tremendous impact in assisting national governments to create new protected areas, and direct more resources towards biodiversity conservation.

7th Conference of Parties to the Convention on Biological Diversity (CBD) in 2004, adopts the proposed process for the periodic assessment of the status and trends of biological diversity, in dry and sub-humid lands, taking into account national laws, policies and programmes and recognizing the urgency for action in those countries severely affected by land degradation, focusing on strengthening the capacities of developing countries and countries with economies in transition to conduct assessments at the national level and build on the knowledge and structures of ongoing global assessments, as well as national assessments.

The Indian Forest Act, 1927 was largely based on previous Indian Forest Acts implemented under the [British](#). The most famous one was the [Indian Forest Act of 1878](#). Both the 1878 act and the 1927 one sought to consolidate and reserve the areas having forest cover, or significant wildlife, to regulate movement and transit of forest, and duty leviable on [timber](#) and other forest produce. It also defines the procedure to be followed for declaring an area to be a **Reserved Forest**, a **Protected Forest** or a **Village Forest**. It defines what is a forest offence, what are the acts prohibited inside a Reserved Forest, and penalties leviable on violation of the provisions of the Act.

The Wildlife Protection Act, 1972 is an [Act](#) of the [Parliament of India](#) enacted for protection of plants and animal species. Before 1972, [India](#) only had five designated [national parks](#). Among other reforms, the Act established schedules of protected plant and animal species; hunting or harvesting these species was largely outlawed. The Act provides for the protection of wild animals, birds and plants; and for matters connected therewith or ancillary or incidental thereto. It has six schedules which give varying degrees of protection.

Project Tiger is a [Tiger](#) conservation programme launched in 1973 by the Government under its then [Prime Minister Indira Gandhi](#). The project aims at ensuring a viable population of [Bengal tigers](#) in their natural habitats and also to protect them from extinction, and preserving areas of biological importance as a natural heritage forever represented as close as possible the diversity of [ecosystems](#) across the tiger's distribution in the country. The project's task force visualized these [tiger reserves](#) as breeding nuclei, from which surplus animals would migrate to adjacent forests. Funds and commitment were mastered to support the intensive program of habitat protection and

rehabilitation under the project. The government has set up a Tiger Protection Force to combat [poachers](#) and funded relocation of villagers to minimize human-tiger conflicts.

Community Forest Management (CFM) refers to community-based activities which are geared towards the sustainable use of forest. This however, is an oversimplification as evidenced by the fact that the concept of CFM has been evolving over decades but until now, cannot be defined more precisely. This is due mainly to the various forms and contexts in which CFM is found. The complexity becomes even more apparent when one remembers that, apart from communities, NGOs, forestry departments, and donor agencies are all involved in the dynamics of forest management and all have significant impact on CFM with regards to its social, economic, and political aspects.

JFM) Joint Forest Management Lately there has been recognition about the rights of the local people, especially, the tribals and the need to involve them as partners in the protection and management of 148 forests. The National Forest Policy of 1988 envisages people's involvement in the development and protection of forests. The requirement of fuel wood, fodder and small timber such as house-building material, of the tribals and other villagers living in and near the forests, are to be treated as first charge on forest produce. The policy document envisages it as one of the essentials of forest management that the forest communities should be motivated to identify themselves with the development and protection of forests from which they derive benefits. Government of India has requested all the state governments to involve committed NGOs for motivating and organizing village communities for protection, afforestation and development of degraded forestland, especially in the vicinity of habitation and issued guidelines to all state governments (letter No.6-21/89-F.P. Dt. 1-6-990).

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