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How the NTCA Defied the Tribal Ministry, its Own Officials to Order Massive Displacement of Tribals For 'Conservation'



Sukriti Vats

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Documents show the National Tiger Conservation Authority was more concerned with eco-tourism in tiger reserves than the land rights of tens of thousands of tribals.



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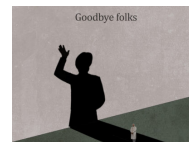
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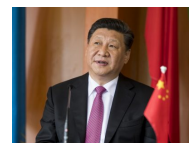
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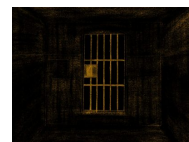
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New Delhi: The National Tiger Conservation Authority (NTCA) seemingly ignored the concerns, suggestions and directions of every single stakeholder, including its own officials and the Ministry of Tribal Affairs (MOTA), while issuing a controversial relocation order in June this year. According to the minutes of meetings of at least three consultations that took place between January 2023 and February 2024, the NTCA was consistently asked to prioritise concerns of the tribal populations in tiger reserves, while implementing the relocation from these areas. Documents accessed by *Land Conflict Watch* show that these meetings involved the NTCA, the MOTA, the Ministry of Environment, Forest and Climate Change (MOEFCC), and in one instance the Union environment minister Bhupendra Yadav himself.

In each meeting, the NTCA was asked to address the grievances of tribal communities, regarding village relocation, by the MOTA, the MOEFCC and its own officials. In addition, the MOTA made it clear that relevant Forest Rights Act (FRA) provisions have to be kept in mind while notifying both, tiger reserves and village relocation programmes – in effect, FRA claims have to be cleared before any relocation, as the claims would then enable the communities to claim compensation and rehabilitation packages.

Despite these internal discussions, on June 19, the NTCA inexplicably sent an order to wildlife wardens of all the tiger states in the country. The order asked to expedite the relocation of 591 villages, comprising 64,801 families, from all tiger reserves.

As per NTCA data, 89,808 families reside in 848 villages in tiger reserves – all are eligible for FRA. Of the total villages, 257 (30%) with 25,007 families have already been relocated. If implemented, the current order would spark one of the largest displacements of people in the name of conservation. Not only does this order threaten the livelihood of one of the most marginalised segments of Indian citizenry, it also allegedly violates several legal safeguards provided to tribal communities.

Several activists and environmentalists told LCW that the current order violates the FRA, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR), the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), 1989, and some provisions of the Wildlife (Protection) Act 1972 under which the notice was issued. According to CR Bijoy, an independent researcher and activist, even the relocations carried out so far have been “patently illegal.”

Amanat Ali, who leads the Van Gujjar Tribal Yuva Sangathan – an organisation that works on rights of indigenous tribes in Uttarakhand – told Land Conflict Watch that the notice has spread fear among the state’s nomadic pastoral communities. Ali said that they were planning to march to Delhi and put forth their demands. “The letter makes us feel like sub-humans,” Ali said, adding that non-forest-dwelling people in the state now think “that we are encroachers.” He said that his organisation was planning to “create a political movement only then our voices can be heard.”

Similarly, in Madhya Pradesh’s Ratapani Tiger Reserve, villagers were holding meetings to decide the future course of action. “About 4-5 villages of the existing 30 villages in the Raisen district are thinking of holding protests,” said Mukesh Tomar, an advocate who works closely with the villagers. Subsequently, **protests** have been staged in at least five tiger reserves, over the past few weeks.

What transpired in the NTCA meetings

It was in January 2023, that Union environment minister Bhupendra Yadav first noted that the settlement of FRA should be taken up on a priority basis, and that this would speed up the process of “voluntary” relocation of the villages.

Four months later, the MOTA placed the issues faced by tribal communities in front of the NTCA, in a meeting held on May 29. The MOTA had unequivocally stated the need for compliance with the FRA before declaring new areas as critical wildlife habitats. Roop Narayan Mandwe, an NTCA official, too, had suggested that the interests of tribal groups must be taken care of in tiger reserves, particularly with respect to the settlement of the rights of these communities.

In the next meeting, on February 29, 2024, Mandwe emphasised the need to use traditional knowledge for conservation instead of a tiger or cheetah-centric approach. Here the traditional knowledge-centric approach referred to the well-documented environment-beneficial practices undertaken by forest-dwelling communities that help in the conservation of forests and wildlife. For instance, the Van Gujjar community’s rotational and migratory grazing practices allow the regeneration of grasslands, seed dispersal, and fertilisation of the forest through the dung of their Gojri buffaloes.

Their mobility and migration activity also helps in preventing forest

fires and maintaining water resources. They are also known to remove weeds/invasive species and plant native trees during their annual Sela Parv festival using customary knowledge.

In response to Mandwe, a MOTA representative added that this approach to conservation will ensure that the “involvement of tribal communities” does not become “prejudicial to their well-being.” The representative suggested that “instructions may be issued from the MoEFCC that benefits accruing from various schemes should be provided to forest right holders in full measure.”

In both these meetings, the NTCA assured the MOTA and the MOEFCC that compliance with FRA was being ensured at the field level, and forest villages were being treated on par with revenue villages.

However, the June order did not even mention FRA claims – it only stated how the slow relocation was a “grave concern” in light of tiger conservation.

In a meeting held in July, a month after the order was passed, NTCA officials were mostly concerned with the management of eco-tourism around the core and critical tiger habitats.

“Tourism outside the core area of tiger reserves should be factored in the tourism plan in the master plan of the Eco Sensitive Zone,” NTCA member Rahul Bhatnagar said, among other things such as the need to develop a centralised portal for booking of facilities in tiger reserves.

It is telling that only the Inspector General, Forest, talked about how the notification of new tiger reserves was causing resentment in tribal communities, and gave suggestions on how to tackle that. One of the IG’s recommendations was that instead of notifying new tiger reserves or Protected Areas, protection of the tigers in non-designated areas could be achieved by professional management of the animal’s population in such areas.

Once a tiger-populated area is designated as a tiger reserve, the local human population often faces the threat of displacement. Although the law permits relocation of villages only on a “voluntary” basis with “mutually agreed terms and conditions,” there have been numerous instances in the past where this principle was not adhered to.

According to the Land Conflict Watch database, there have been allegations of coercive and illegal evictions of tribal villages in Maharashtra’s **Tadoba Wildlife Sanctuary** and Madhya Pradesh’s **Kanha Tiger Reserve**. These actions have been reportedly carried out by forest and revenue authorities under the guise of voluntary resettlement.

What does the letter violate?

The major contention regarding the order is that it quoted Section 38V (4) of the amended WLP, which stipulates that the core and critical tiger

habitats are required to be kept as inviolate for tiger conservation. But the order conveniently omitted one part of the section – “without affecting the rights of the Scheduled Tribes or such other forest dwellers.”

Another Section (O) of WLPA specifically prohibits NTCA from issuing directions that interfere with the rights of local people. Additionally, the act mandates that relocation from a tiger reserve is to be done only when it has been established scientifically and with the consent of Gram Sabha that coexistence of any kind is not possible in that specific tiger reserve. There are examples in the country where traditionally dwelling tribes have coexisted with tigers in the tiger reserves and have aided in conservation. Therefore, any relocation prior to establishing that coexistence is not possible and settling the FRA claims would be “criminal.”

What next?

Activists, experts, environmentalists and citizens have come together to protest the latest order. A collective letter sent to the NTCA, MOTA and the National Commission for Scheduled Tribes stated that the dispossession of forest-dependent communities, which are integral to any kind of sustainable and just model of conservation, will result in conflicts. It was endorsed by many notable activists and environmentalists such as developmental economist Jean Dreze, Chennai-based writer Nityanand Jayaraman, and Sharachchandra Lele, Distinguished Fellow at the Centre for Environment and Development, ATREE, Bengaluru.

They are demanding a withdrawal of the notice and that the NTCA send an immediate advisory to ensure the recognition and vesting of forest rights in all villages in the areas notified as tiger reserves and other Protected Areas. They have also asked authorities to adopt the community-governed model of conservation governance, as enshrined in FRA.

“The issue has been raised for very long by forest dwellers, conservationists, political parties, people’s organisations, media, etc but has had no impact whatsoever. This shows a disregard and inability of the elected government to address such matters that pertain to the masses,” said Bijoy, as he spearheads the protest against the NTCA order.

NTCA official Roop Narayan Mandwe has refused to talk to journalists. Emails were sent to NTCA on September 20 and the MOTA on September 9. This report will be updated if any of these bodies respond.

Sukriti Vats is a writing fellow at the Land Conflict Watch, an independent network of researchers studying land conflicts, climate change, and natural resource governance in India.