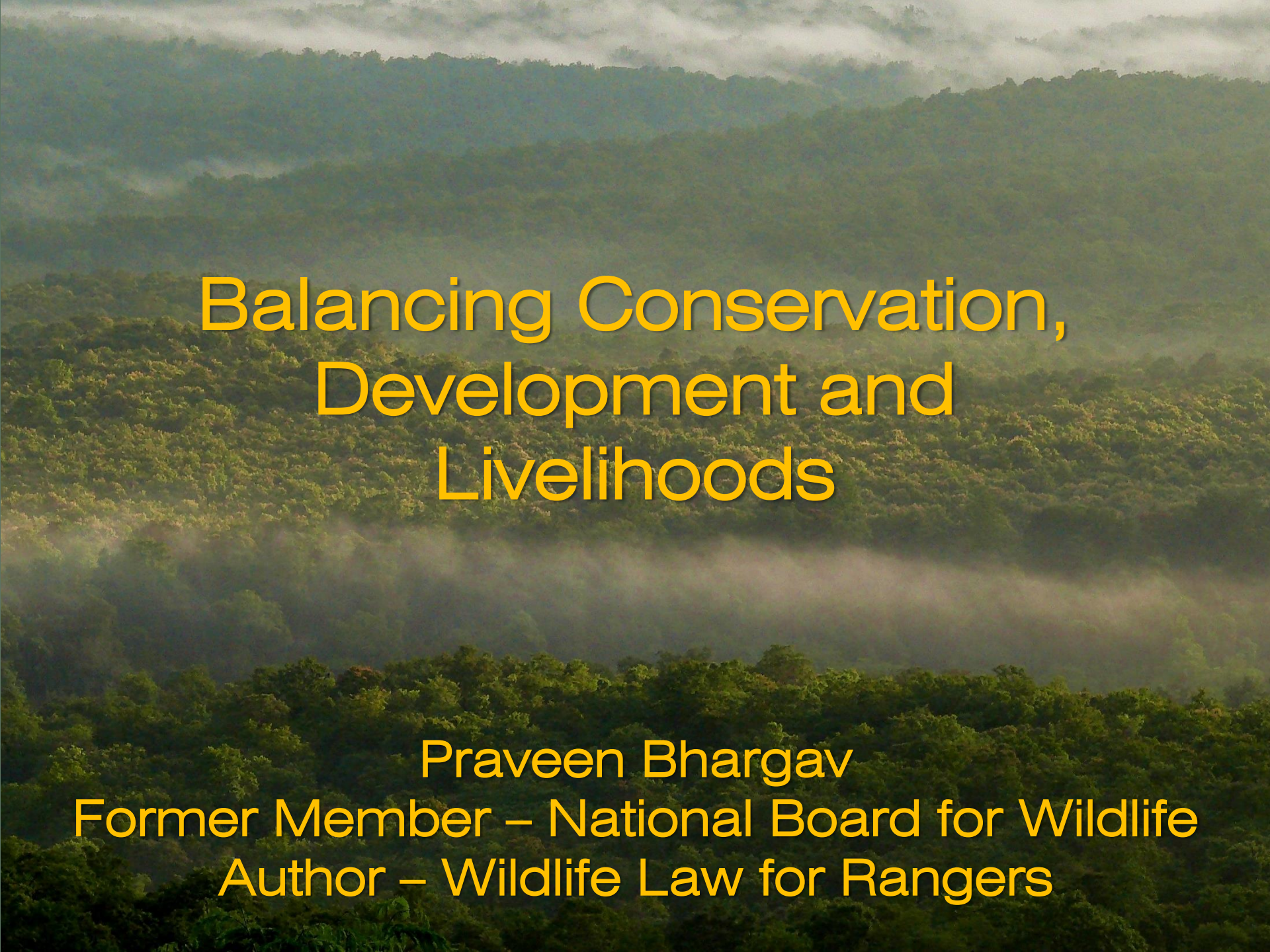




Balancing Conservation, Development and Livelihoods

Praveen Bhargav

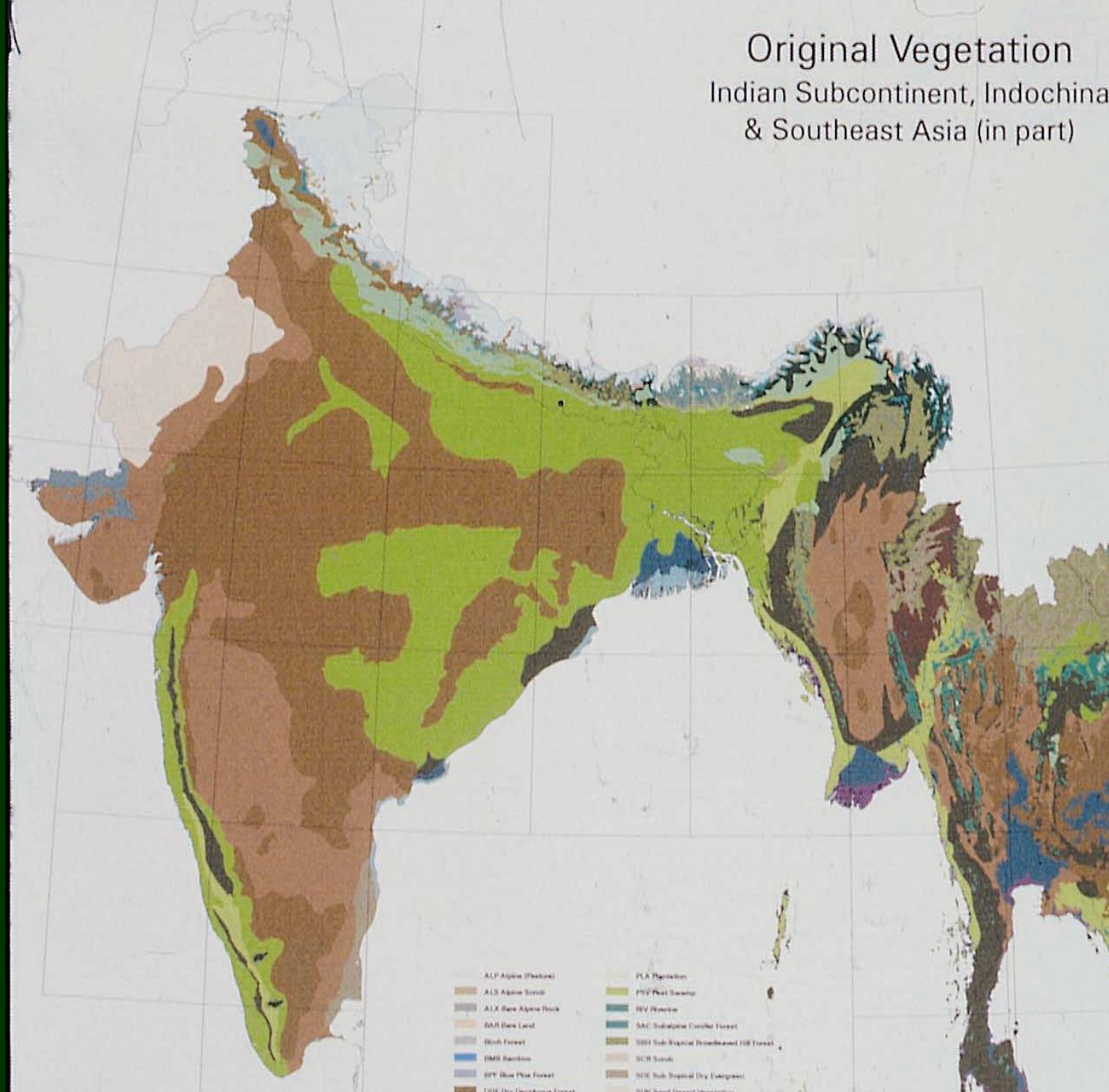
Former Member – National Board for Wildlife

Author – Wildlife Law for Rangers

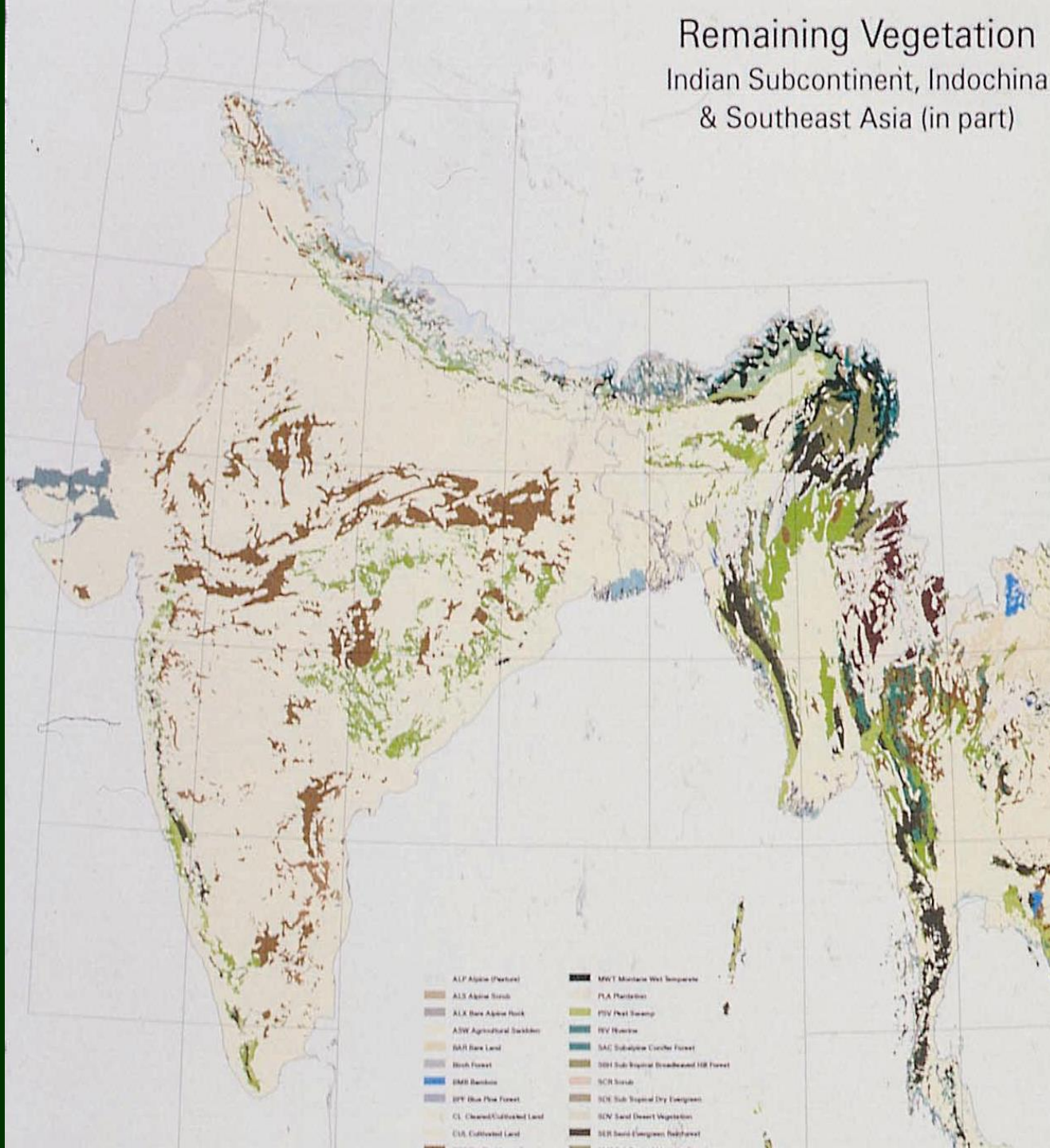


“For a long time after the first prehistoric humans from Africa set foot in India, ecological conditions that are assumed as a fundamental premise of the bill prevailed at least broadly. Since the advent of agriculture, the subcontinent has seen successive waves of agricultural expansion. Fire, axe and plough have replaced jungles with farms. Fragmentation and its consequences have followed, leaving us today with about 10% land area under somewhat natural looking forests, about 3.5% of it under designated nature reserves”

Original Vegetation Indian Subcontinent, Indochina & Southeast Asia (in part)



Remaining Vegetation Indian Subcontinent, Indochina & Southeast Asia (in part)



Ecological, Legal & Social Dimensions

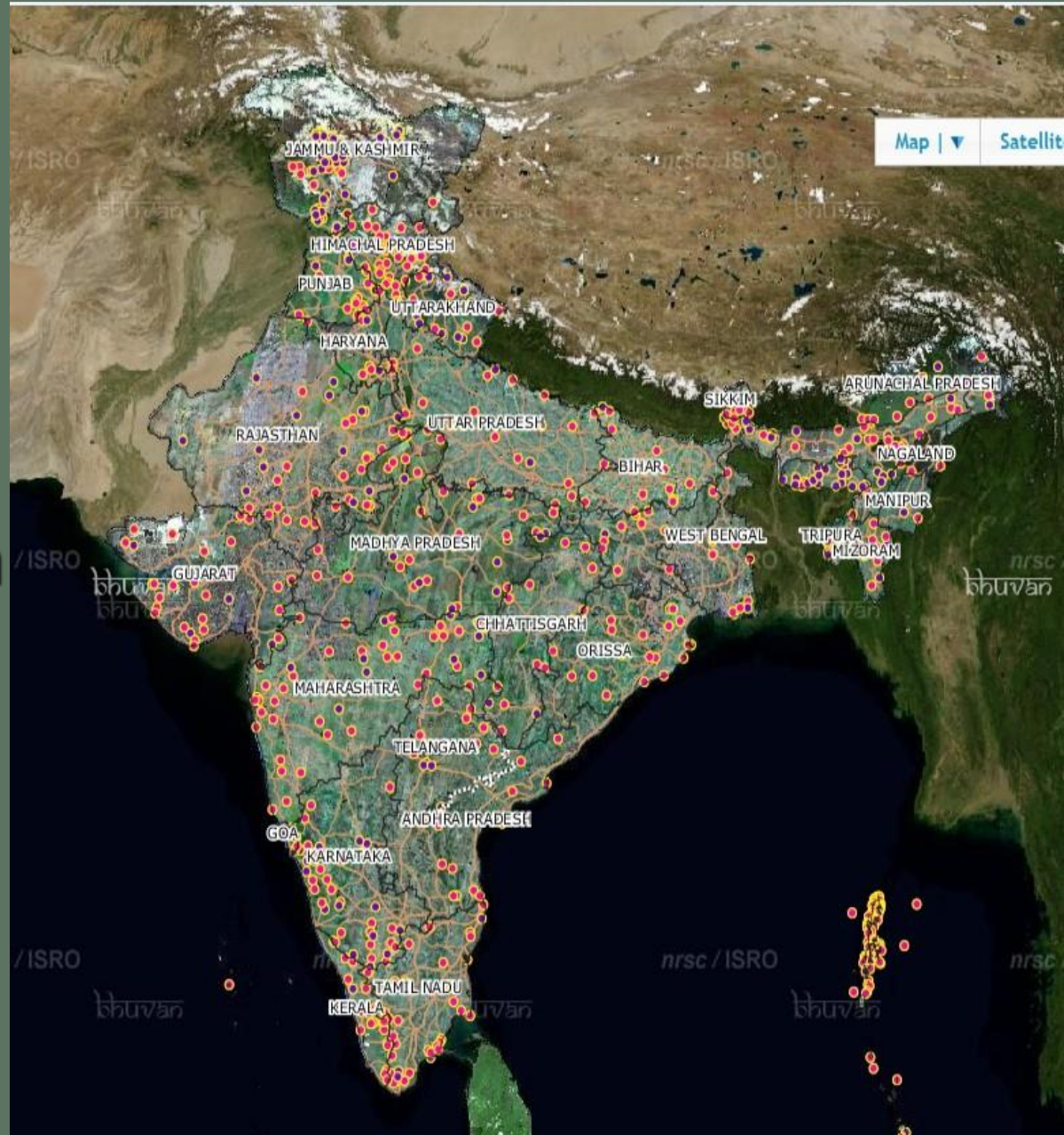


670 National Parks and Sanctuaries

~ 1.60 L sq. km

<5% of India's
Landscape

Source: WII
December 2020



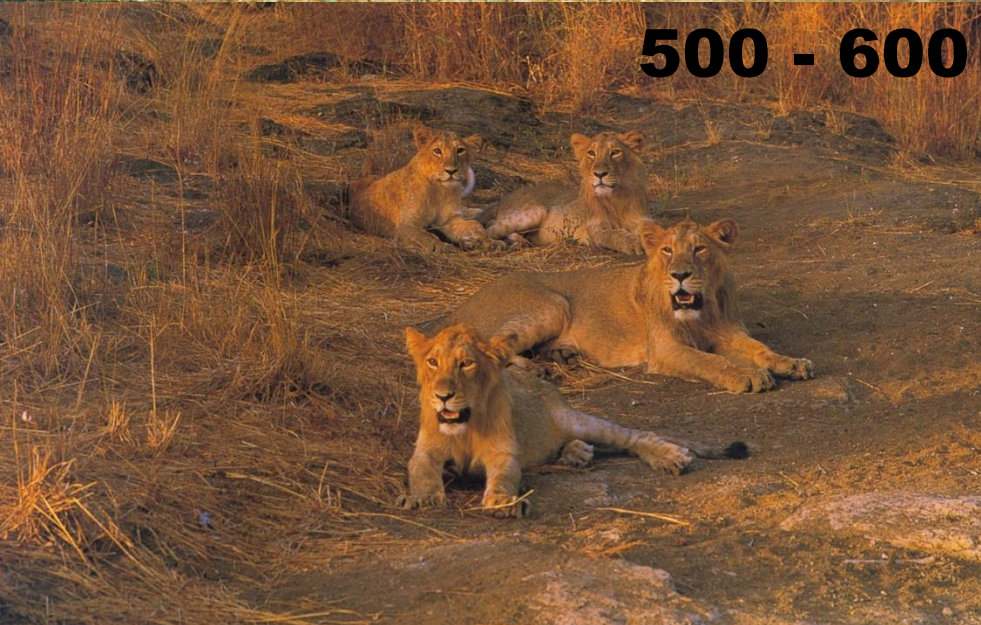
2500 - 2900



2500-3500



500 - 600



20,000 - 25000



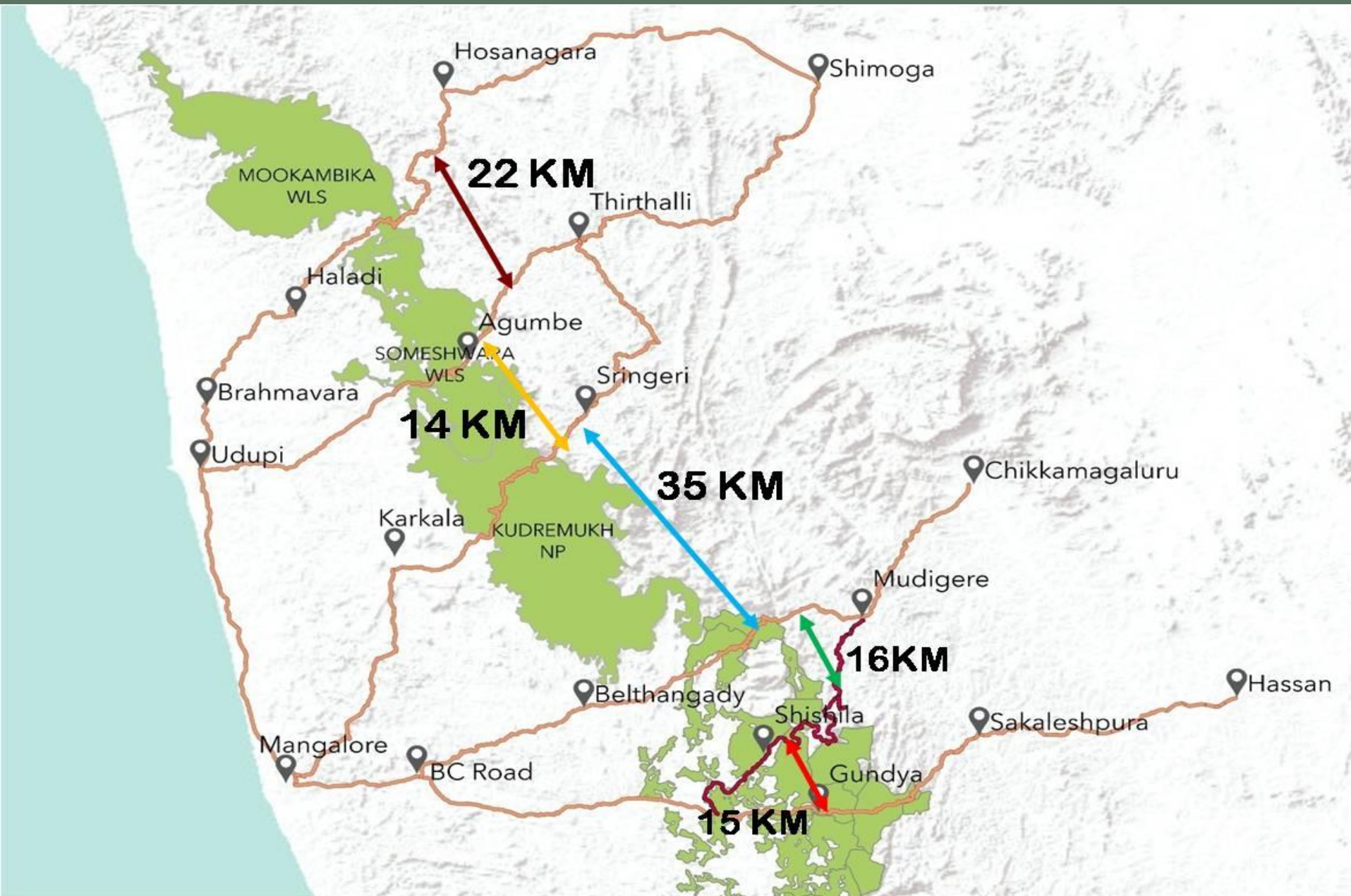
**Breeding
Populations < 2 %
of former range**



Threat from ill-planned development projects



Linear intrusions – impacts Ecology and Economy



High intensity vehicle borne tourism





The myth of harmonious co-existence

Statement of objects: "...the rights of forest dwellers include... maintenance of ecological balance...who are integral to the very survival & sustainability of ecosystems



Impact of Rights inside PAs



The Legal dimension

- FRA was meant to recognize pre-existing rights but being implemented as a Land grant law to recognize successive waves of ineligible claims;
- The FRA in **pith and substance** falls within entry 18, “Land”, in List II. States have exclusive powers to make laws. Therefore, Parliament has no powers to make laws with respect to the subject “land”.
- Article 19(1) (d) (e) -Fundamental right to move and settle anywhere; Article 13 - Laws inconsistent with or in derogation of the fundamental rights void.

The Social Dimension

- More than 50 lakh ha of forest have been granted since 1950; Such inalienable land grants have repeatedly failed Bhoomi Swami rights, Eksali grants, Grow more food/ Singhdeo schemes and encroachment regularization;
- 6000 people in 600 sq km with 60 tigers, 600 + elephants and a market 6 km away is a sure-shot recipe for disaster for both people and wildlife.
- Voluntary Resettlements – win-win solution
- Annual budgetary outlay (MoTA, TSP/STC) for 10 crore tribal people -over 1.25 lakh crores for 299 schemes. Is it not legitimate to ask why tribal people are still languishing?

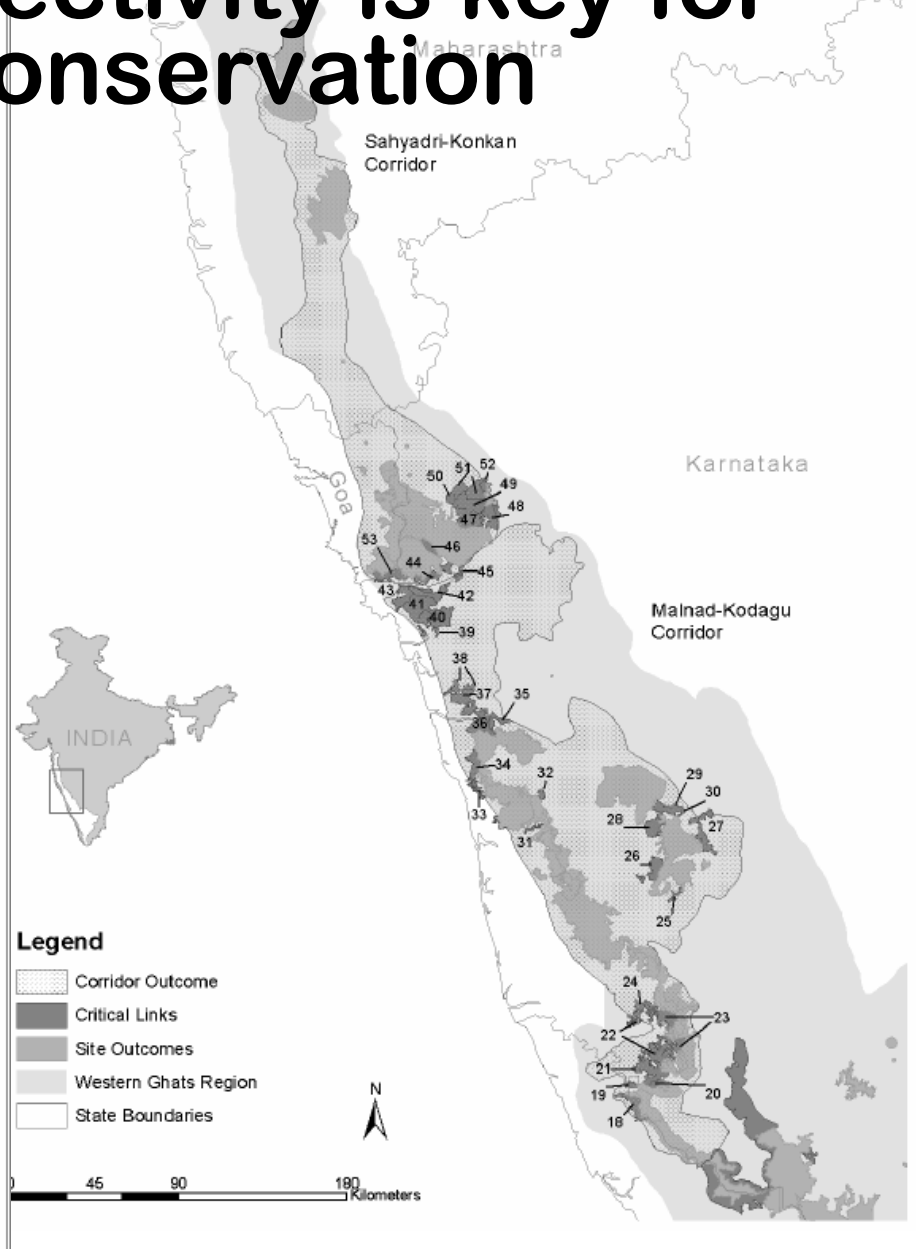
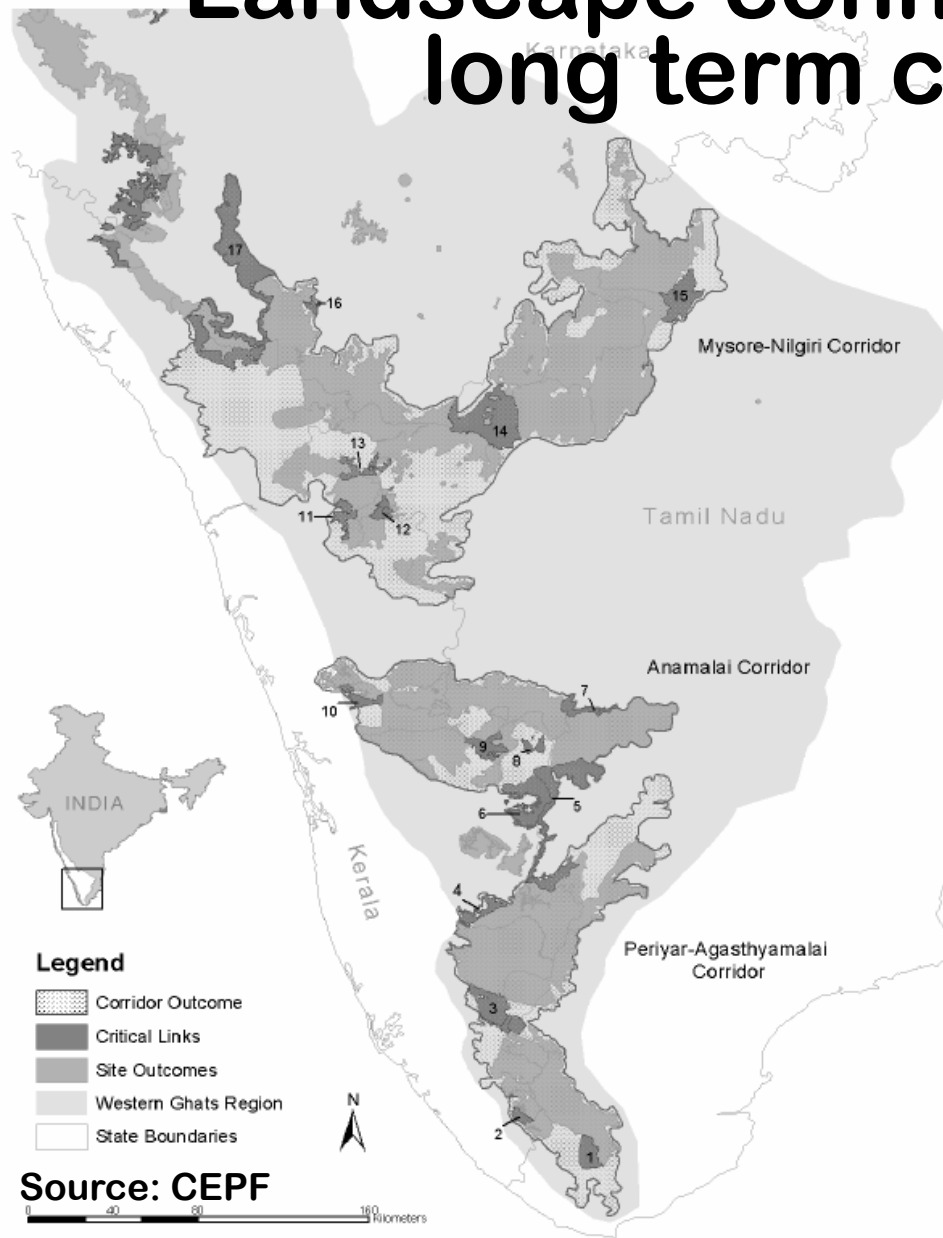
Voluntary resettlement- a win-win solution



Three Key Ingredients

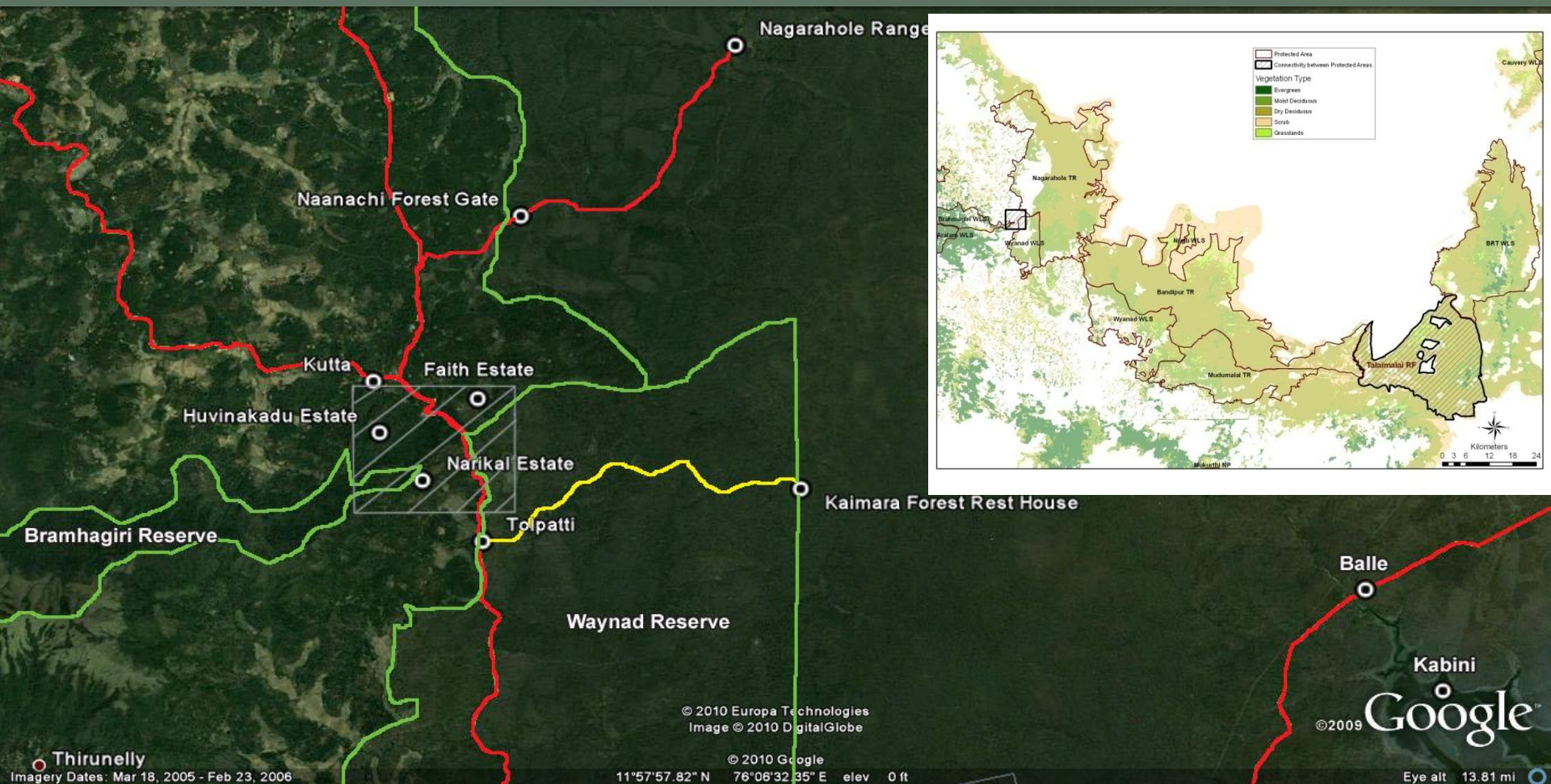
1. Rapport with Community and Pro Resettlement NGOs
2. Identify land in the same taluka/dist. FCA approval
3. Funding – NTCA / State CAMPA / STC

Landscape connectivity is key for long term conservation



Defend scientifically identified corridors and critical links

Consolidate high priority habitats



Minimize fragmentation

Principle of Avoidance





ECO-FRIENDLY
MEASURES TO MITIGATE IMPACTS OF
LINEAR INFRASTRUCTURE ON
wildlife

Test Development policy on the
touchstone of the
Precautionary Principle
and
Inter-generational Equity
doctrines



Thank you