

THE TRAGEDY OF CONSERVATION

Relevant for: Environment | Topic: Environmental Conservation, Sustainable Development, and EIA

The Western Ghats. File | Photo Credit: [The Hindu](#)

In 2012, 39 areas covering national parks, wildlife sanctuaries, and reserved forests in the Western Ghats were declared a World Heritage Site by UNESCO. These sites are crucial for their biodiversity value. Ten of them are in Karnataka.

Since the time the Ministry of Environment and Forests began identifying the potential heritage sites, there has been unrest among the indigenous people. When the exercise began, they feared for their existence in lands that they had inhabited for decades. The restrictions on movement following the declaration of these territories as ecologically sensitive areas aggrieved them further.

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Against the backdrop of the enactment of the Forest Rights Act of 2006 in India and the Declaration on the Rights of Indigenous People in 2007 by the United Nations, the people residing in the Western Ghats did not anticipate that they would have to deal with the uncertainty about their future following the announcement of the World Heritage Site.

The indigenous people of the Western Ghats, including the Particularly Vulnerable Tribal Groups, constitute 44.2% of the tribal population of 6.95% of Karnataka. The Western Ghats are also home to a sizeable population of communities like Gowlis, Kunbis, Halakki Vakkala, Kare Vakkala, Kunbi, and Kulvadi Marathi. In the context of the Forest Rights Act, they are treated as 'other traditional forest dwellers' since they have been living there for at least three generations prior to December 13, 2005 and depend on the forest or forest land for their livelihood needs. They eke out their living by collecting 'minor forest produce' such as cinnamon and kokum from the forest.

Karnataka has a dismal record in implementing the Forest Rights Act compared to other States. According to the Ministry of Tribal Affairs, as of April 30, 2018, the State had recognised only 5.7% of the total claims made. Notably, 70% of the claims were disposed off. There appeared to be clear inconsistency in the government's approach in settling the claims made by the tribals versus the claims made by other traditional forest dwellers. The inconsistency reflected in their argument. According to them, tribal applications constituted 17.5% of the claims and nearly all of them were settled, while other claims were rejected as they were not backed by valid evidence. This means that claims made by other traditional forest dwellers were treated as inconsequential.

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Assuming that denying tribals or other traditional forest dwellers their rights in the forest would serve the purpose of conservation is far from the truth. The Forest Rights Act is not about the indiscriminate distribution of forest land to anyone applying for it. As per the law, only those lands are recognised where people prove their occupation not later than December 13, 2005. Moreover, the combined stretch of land claimed by them is comparatively smaller by any account than what has been taken away for building dams, mining, laying railway lines and roads, power plants, etc. The government records also reveal that 43 lakh hectares of forestland were encroached both legally and illegally until 1980 when the Forest Conservation Act came

into force. Sadly, there is no significant conservation even after this landmark law.

Invariably, an approach adopted to isolate the indigenous people from their natural habitats to protect biodiversity is the root cause of conflict between them and conservationists. The latter think that resources have to be controlled and managed. However, this theory is fast proving unproductive. The Global Environment Outlook Report 5 mentions that there is decreased biodiversity across the globe even as 'protected areas' have been expanding. People living in nature's surroundings are integral to conservation as they relate with it in a more integrated and spiritual way.

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Declaration of the Western Ghats as a World Heritage Site is as important in preserving the rich biodiversity of the region as the recognition of the rights of the people who depend on the forests. As confirmed internationally, preserving biodiversity requires the legal empowerment of the people living in those areas. The Forest Rights Act is an ideal instrument to push forward the objective. To realise it on the ground, the government must make an effort to build trust between its agencies in the area and the people who depend on these forests by treating them as equal citizens like everyone else in the country.

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