

CONSERVATION MINUS THE PEOPLE?

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

In February this year, one of the world's 17 megadiverse countries issued a court order which stood [to evict more than a million forest-dwelling people from their homes](#). More damningly, India, a state that supports about 8% of global species diversity and over 100 million forest-dwellers, did not even put up a legal defence before its top court. Although this order was subsequently stayed, though temporarily, it provides valuable insights into India's conservation objectives and approaches. Given the country's size and biodiversity-richness, a decision of this nature has consequences for global natural heritage.

Involving communities living in and around natural resource-rich areas in the management and use of these resources is an effective tool of conservation that has been recognised across the world. This was affirmed by the 1980 World Conservation Strategy of the International Union for Conservation of Nature (IUCN), and the Earth Summit's 1992 Statement of Forest Principles and the Convention on Biological Diversity. Further fillip came from the IUCN's Policy Statement on Sustainable Use of Wild Living Resources in 2000, and the Convention on Biological Diversity's 2004 Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity.

India has been a vocal member of these conventions. But at home, things operate rather differently. India's conservation legislation is separated into those that protect forests and its produce, and those that target wildlife conservation. Both the Indian Forest Act, 1927 and the Wildlife Protection Act, 1972 create different types and grades of protected areas, and contain provisions to restrict or outlaw local use of natural resources and landscapes. From the 1980s, there were a number of policies that mirrored the global shift towards inclusive conservation, such as the 1988 National Forest Policy, the 1992 National Conservation Strategy, the National Environment Policy of 2006 and the 2007 Biosphere Reserves Guidelines.

Expropriation in the name of conservation

While these people-friendly policy statements made their way into India's conservation docket, its earlier exclusionary conservation legislation continued to stay in place. Potentially, in an attempt to bridge this divide, the 1990 Joint Forest Management Guidelines (JFM) created community institutions for co-management, in collaboration with the forest bureaucracy. Although it initially registered some success stories in certain parts of the country, JFM committees are widely critiqued as being bureaucracy-heavy, with little real devolution of powers to local communities.

A dramatic shift in the Indian conservation paradigm came in 2006 through the Forest Rights Act that went beyond sanctioning local usage, to conferring rights to local communities over forest land and produce. The Ministry of Tribal Affairs was mandated with operationalising the Act, while conservation remained under the domain of the Ministry of Environment, Forest and Climate Change. Given a hostile bureaucratic environment, the legislation faltered, except in certain pockets. Despite its limited realisation, the Forest Rights Act succeeded in raising the hackles of those within the forest bureaucracy and wildlife organisations, who challenged its constitutionality before the Supreme Court.

India's conservation policies and legislation over the years reveal a dichotomy of intent and action. Certain progressive policy documents are put in place checking off India's international commitments. However, a wholly different picture emerges during the course of its operation on the ground. If there was any uncertainty regarding India's stand on inclusive conservation, the

past three years reveal that even the pretence of community involvement has largely been done away with.

The Third National Wildlife Action Plan, introduced in 2017, with the stated intent of complying with international commitments, is categorically of the view that locals hinder conservation. Where communities are to be involved, it distinctly avoids the attribution of rights and instead frames usage within a bureaucracy-controlled format. In 2018, there was a Draft National Forest Policy that emphasised the protected area model of conservation that leaves little room for communities. The Supreme Court's order in early 2019, currently held in abeyance, mandated the eviction of those forest-dwellers whose claims under the Forest Rights Act have been rejected, in disregard of the bureaucratic violations, lapses and technical constraints that have played a part in such rejections.

In March 2019, a comprehensive overhaul of the Indian Forest Act was proposed. This amendment introduces provisions for extinguishing rights granted under the Forest Rights Act. Further, it grants the forest bureaucracy unprecedented powers to enter and search the premises of forest-dwellers on suspicion, arrest without warrant and use firearms to meet conservation goals. State authority that is usually reserved to tackle terrorism, insurgency and organised crime is now to be deployed to safeguard biodiversity. An amendment to the Wildlife Protection Act is reportedly in the offing. India's conservation policies in recent years leave no doubt as to the model of conservation the country is intent on pursuing. While other countries are recognising the value of community-involved conservation models, India is stridently and steadfastly moving in the opposite direction.

Mridula Mary Paul, an environmental lawyer, is a Senior Policy Analyst with the Ashoka Trust for Research in Ecology and the Environment (ATREE), Bengaluru. The views expressed are personal

Please enter a valid email address.

More than a 'more jobs' approach, addressing structural issues which keep women away from the workforce is a must

Join our online subscriber community

Experience an advertisement-free site with article recommendations tailored for you

Already a user? [Sign In](#)

To know more about Ad free news reading experience and subscription [Click Here](#)

or Please whitelist our website on your Adblocker

END

Downloaded from **crackIAS.com**

© Zuccess App by crackIAS.com