



Government of India
Ministry of Environment and Forests
(Wildlife Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi-110003

F. No 1-39/2007 WL-I (pt)

Dated: 23rd March 2011

Sub: Summary records of the meeting held on 4th March 2011 to discuss the issue of revised guidelines for declaration of Critical Wildlife Habitats.

The undersigned has been directed to enclose herewith a copy of the summary records of the meeting held on 4th March 2011, under the Chairmanship of Hon'ble Minister of State (Independent Charge) for Environment and Forests, in Paryavaran Bhawan, New Delhi, to discuss the issue of revised guidelines for declaration of Critical Wildlife Habitats.


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Distribution:

1. Secretary, Ministry of Environment and Forests.
2. Secretary, Ministry of Tribal Affairs/or his representative
3. Director General of Forests & Special Secretary, MoEF
4. Addl. Director General of Forests (WL), MoEF
5. Addl. Director General of Forests (FC), MoEF
6. Addl. PCCF & Member-Secretary, NTCA, Bikaner House, New Delhi.
7. Director, Wildlife Institute of India, Dehradun
8. Inspector General of Forests (WL), MoEF
9. Joint Secretary (Biodiversity), MoEF
10. Chief Wildlife Wardens, Government of Madhya Pradesh / Rajasthan / Assam / Tamil Nadu/Orissa/Karnataka
11. Pr. Chief Conservator of Forests, Govt. of Rajasthan, Jaipur.
12. Prof. R. Sukumar, Centre for Ecological Sciences, Indian Institute of Sciences, Bangalore.
13. Shri Vivek Menon, Executive Director, Wildlife Trust of India, New Delhi.
14. Shri Ashish Kothari, 'Kalpvriksh', Apt 5, Shree Datta Krupa, 908 Deccan Gymkhana, Pune-411004
15. Shri Mahesh Rangarajan, Professor, Department of History, University of Delhi.
16. Dr. Nitin Rai, ATREE, Royal Enclave, Srirampura, Jakkur Post, Bangalore 560 064.
17. Shri Charudutt Mishra, Nature Conservation Foundation, Mysore.

18. Shri Valmik Thapar, Member, National Board for Wildlife
19. Shri Bittu Sehgal, Member, National Board for Wildlife.
20. Shri Ravi Singh, Secretary General, WWF-India, 172 B, Lodi Estate, New Delhi
21. Dr Ullas Karanth, Centre for Wildlife Studies, 1669, 31st Cross, 16th Main, Banashankari 2nd Stage, Bangalore-560070.
22. Dr Ravi Chellam, Wildlife Conservation Society, Bangalore
23. Shri Sahnkar Gopalkrishnan, Campaign for Survival and Dignity, Hauz Khaz, New Delhi
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Copy to:

1. PS to Hon'ble MEF
2. PPS to Secretary (E&F)
3. PPS to DGF & SS, MoEF
4. PPS to ADGF(WL)/PPS to ADGF(FC)
5. PS to IGF (WL)

Summary record of the discussions of the meeting on the issues relating to the revised guidelines issued on 07.02.2011 by the Ministry of Environment and Forests regarding Critical Wildlife Habitats.

A meeting to discuss the issues relating to Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 was held on 4th March 2011 under the Chairmanship of Hon'ble Minister of State (Independent Charge) for Environment and Forests, in Room No. 403, Paryavaran Bhawan, New Delhi. The list of participants is given in the **Annexure**.

At the outset, the Chairman welcomed all the delegates to the meeting. This was followed by a brief introduction of the subject, and the need for the meeting by the Addl. Director General of Forests (WL). Thereafter a presentation on the present CWH guidelines was made by the Deputy Inspector General (WL). In her presentation, the DIG (WL) elaborated the need for fast-tracking the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The provisions incorporated in the revised guidelines of 7th February 2011 vis-à-vis the 2007 guidelines were also explained. The suggestions/comments received from various experts/organizations on the revised guidelines and the suggested action by the Ministry was also explained in the presentation.

After the presentation, discussions on the issue were taken up. During the discussions, Shri Ashish Kothari, Dr Shankar Gopalkrishnan, Dr Mahesh Rangarajan, Ms. Belinda Wright, Prof. R. Sukumar, Dr Arupjyoti Saikia, Shri Tushar Dash, Dr Gazala Shahabuddin, Dr M.K. Ranjitsinh, Dr Ravi Chellam, Dr Madhusudan, Shri Yash Sethia, Dr Nitin Rai, Dr Aparajita Dutta put forth their suggestions. Apart from these, the Government officials, viz, Principal Chief Conservator of Forests, Government of Gujarat, Chief Wildlife Warden, Government of Madhya Pradesh, Chief Wildlife Warden, Government of Karnataka, Member-Secretary, National Tiger Conservation Authority, Joint Secretary, Ministry of Tribal Affairs and Dr Y.V. Jhala, Wildlife Institute of India, also spoke on the subject.

During the discussions, following important suggestions/concerns were highlighted by the participants:

- (i) **Determination of Critical Wildlife Habitats:** The process of determination should be a democratic process. The process of identification should be based on clear ecological parameters. The guidelines should spell out the various ecological criteria/parameters for identification. It was also suggested that inputs from ecological scientists and social scientists would be helpful while dealing with the subject of determination of Critical

Wildlife Habitats. The traditional knowledge of the tribal people and local communities should also be taken into account during determination of Critical Wildlife Habitats. There was general opinion that the time period prescribed for identification of Critical Wildlife Habitats in the revised guidelines was too short and that adequate time was needed for conducting detailed ecological/taxonomic studies.

- (ii) **Consultation with affected persons:** Some participants observed that the revised guidelines of 7th February 2011 did not have much scope for consultation. It was suggested that consultations should form the basic part of identification. Many speakers opined that there was a lack of dialogue between the Government and the concerned stakeholders. It was also suggested that the framework for constitution of Expert Committee needs to be re-worked so as to ensure inputs of social science and anthropologic concerns in the committee.
- (iii) **Option for Co-existence:** There was general consensus that co-existence should be treated as the first option, and that the guidelines should clearly indicate this aspect.
- (iv) **Consent of Gram Sabha:** Several speakers raised concern that the revised guidelines had not adequately stressed the need to have the consent of the Gram Sabha. They were of the view that the Act provides for consent of the Gram Sabha before relocation and therefore, this aspect needed to be clearly brought out in the guidelines. It was, however, clarified that “Consent” and ‘Consultation” were two different entities appearing in the Tribal Act, and both deserved dual importance.
- (v) **Relocation:** The speakers were, in general apprehensive about the relocation scheme indicated in the revised guidelines. They were of the opinion that relocation should only be resorted to if co-existence was not possible. It was opined by some speakers that the amount of Rs. 10.00 lakhs being provided under Option-1 of the relocation package was not adequate to provide a secure livelihood. It was also opined that the exact number of people to be relocated for the purpose of wildlife conservation needed to be ascertained before notification of Critical Wildlife Habitats.
- (vi) **Other issues:** Apart from the aforesaid important issues, most of the speakers were of the opinion that the term ‘inviolable’ needed to be clearly defined in the guidelines so as to avoid any ambiguity. It was also suggested that the 7th February 2011 guidelines be withdrawn and re-worked so that the same could be in consonance with the existing provisions of law. It was also suggested that a special group of experts should be set up by the Ministry for preparation of the guidelines, and that inter-Ministerial consultations would be necessary for developing the guidelines.

Regarding accusation of forced evictions, the government officials stated that there were no forcible evictions from National Parks and Sanctuaries and all the relocations that had been made so far were on purely voluntary basis. There were also suggestions regarding assessment of optimal space inside Protected Areas depending on requirement of the people and the wildlife. Some government officials opined that the CWH guidelines of the MoEF should be generic in character with due flexibility for the State Governments and state Forest Department to accommodate specificities of local requirement and priorities while going through the process of determination and notification of the CWH.

The Joint Secretary, Ministry of Tribal Affairs while expressing his agreement with the revised 2011 guidelines suggested that the Ministry of Tribal Affairs be consulted in the event of issuance of fresh guidelines.

Hon'ble Minister of State (Independent Charge) for Environment and Forests while summarizing the discussions informed that the Ministry of Environment and Forests was most concerned about the implementation of the Tribal Act, and therefore, was keen on putting in place a workable set of CWH guidelines. Hon'ble Minister, thereafter, laid down the following course of action:

- (i) The CWH guidelines issued on 7th February 2011 be withdrawn and reworked in the spirit of discussions of the meeting.
- (ii) The fresh guidelines should be simple, implementable stipulating specific timeframes and incorporating the suggestions of experts/civil society members etc, wherever relevant.
- (iii) The revised guidelines be prepared within two months (by 30 April 2011), which would then be uploaded on the MoEF website for comments, and finalized thereafter taking due note of the comments and suggestions.
- (iv) To ensure easy and efficient implementation of the CWH guidelines, the State/UT Governments and the Ministry of Tribal Affairs should again be consulted during the process of reformulation.
- (v) The Member-Secretary, NTCA will formulate an implementation protocol in respect of ongoing village relocation from Core/Critical Tiger habitats.
- (vi) The Member-Secretary, NTCA will also prepare a protocol for declaring new Tiger Reserves after the Forest Rights Act, 2006 has come into effect.

The meeting ended with a vote of thanks to the Chair.

ANNEXURE

List of participants of the meeting to discuss the issues relating to the revised guidelines issued on 07.02.2011 by the Ministry of Environment and Forests regarding Critical Wildlife Habitats held on 4th March 2011

1	Shri Jairam Ramesh Hon'ble Minister of State (Independent Charge) for Environment and Forests	Chairman
2	Dr T. Chatterjee Secretary (E&F), MoEF	Invitee
3	Dr P.J. Dilip Kumar, Director General of Forests, MoEF	Invitee
4	Shri Jagdish Kishwan Addl. Director General of Forests (Wildlife) & Director, Wildlife Preservation	Invitee
5	Shri A.K. Bansal, Addl. Director General of Forests (FC)	Invitee
6	Shri P. Khanna Principal Chief Conservator of Forests, Gujarat	Invitee
7	Shri Vinod Kumar, Addl. Principal Chief Conservator of Forests (WL), Government of Tamil Nadu	Invitee
8	Dr. M.H. Swaminath, Addl. Principal Chief Conservator of Forests (WL), Government of Karnataka	Invitee
9	Shri H.S. Pabla, Chief Wildlife Warden, Government of Madhya Pradesh	Invitee
10	Dr. B. Singh, Joint Secretary, Ministry of Tribal Affairs, New Delhi	Invitee
11	Dr Rajesh Gopal Member-Secretary (NTCA)	Invitee
12	Shri A.K. Srivastava, Inspector General of Forests (Wildlife)	Invitee
13	Shri S.P. Yadav, Deputy Inspector General of Forests (NTCA)	Invitee
14	Shri A.K. Srivastava, Director, Ministry of Tribal Affairs, New Delhi	Invitee
15	Ms. Prakriti Srivastava Deputy Inspector General of Forests (WL)	Invitee
16	Shri A.K. Garg Chief Conservator of Forests, Government of Karnataka	Invitee
17	Shri S.S. Srivastava, Chief Conservator of Forests, Government of Orissa	Invitee
18	Shri D.P. Bankhwal Conservator of Forests, Assam	Invitee
19	Shri Y.V. Jhala Wildlife Institute of India, Dehradun	Invitee

20	Shri Prabhat Tyagi, Joint Director (WL)	Invitee
21	Dr. M.K. Ranjitsinh, Member, National Board for Wildlife	Invitee
22	Ms. Belinda Wright, Director, Wildlife Protection Society of India, New Delhi	Invitee
23	Dr Mahesh Rangarajan University of Delhi, New Delhi	Invitee
24	Prof. R. Sukumar, Centre for Ecological Sciences, Indian Institute of Sciences, Bangalore.	Invitee
25	Shri Ashish Kothari, Kalpvriksh, Pune	Invitee
26	Shri Ravi Chellam, Country Director, Wildlife Conservation Society, Bangalore	Invitee
27	Shri M.D. Madhusudan, Senior Scientist, Nature Conservator of Forests, Mysore	Invitee
28	Dr. Nitin Rai, Fellow A'TREE, Bangalore	Invitee
29	Shri Shankar Gopalkrishnan, Campaign for Survival and Dignity, New Delhi	Invitee
30	Ms. Nita Shah Scientist, BNHS	Invitee
31	Dr Gazala Shahabuddin Dr Ambedkar University, New Delhi	Invitee
32	Dr. Aparajita Dutta, Senior Scientist, Nature Conservation Foundation, Mysore	Invitee
33	Shri Yash Shethia, Dy. Manager, Foundation for Ecological Security, Rajasthan	Invitee
34	Shri Sreetama Gupta Bhaya, Member, Kalpvriksh, New Delhi	Invitee
35	Shri Tushar Dash, Vasundhara, Bhubaneswar	Invitee
36	Shri Sejal Waram, Project Director, WWF-India, New Delhi	Invitee
37	Shri Avinash Basker, Head, Legal Programme, Wildlife Protection Society of India	Invitee
38	Shri K.R. Saji Kumar, Deputy Legislative Counsel, Legislative Department, New Delhi	Invitee
39	Shri Yogendra Pal Singh Deputy Director (WL)	Invitee
