

**Note on the letter addressed by Shri Ashish Fernandes, Assistant Editor, Sanctuary Magazine, Mumbai to Shri Ramesh Bais, Minister for Environment & Forests, (Independent Charge).**

Three points have been raised by Shri Fernandes in his letter. The reply of the Ministry on each of the point is as follows.

**1. What are your plans to commemorate three decades of Project Tiger?**

Ans. To mark the three successful decades of Project Tiger, the following activities have been initiated by the Ministry.

- (i) Posters in Railway stations.
- (ii) Literature package for schools & publications
- (iii) Audio-visual/Documentary on Project Tiger for Doordarshan
- (iv) Release of postage stamps
- (v) International Seminar at Vigyan Bhawan

Besides above, the following actions would be taken:-

- (i) Experts, Public representatives and Prominent NGOs in the field of conservation of tiger and wildlife habitat would be encouraged to participate in the seminar. Representatives from Secretariats of International Conventions relating to the bio-diversity conservation like CBD, Ramar, CITES, etc. would also be invited.
- (ii) Eco-clubs, which are already being sponsored by the Ministry of Environment and Forests (MoEF) would be encouraged for activities like essay writing etc. to mark the occasion and to develop awareness in children and youth.
- (iii) Awards would be given to the best managed Tiger Reserve and officials who have spent more than five years in the Project at the level of Field Director, Deputy Director, Rangers, Foresters, Forest Guards, Mohaut for encouragement.

**2. The recent announcement made by your Ministry to regularise encroachments will result in the loss natural forest cover. Is this a concern at all? Did your advisors consult with NGOs prior to announcing the plans and have you considered the legal implications?**

Ans. The circular to State Governments of 5th February,2004, to which the question presumably relates does not pertain to encroachments at all, but to legal recognition of the traditional rights of tribal people on forest lands. On the question of encroachments the Ministry evolved a well thought out policy after considerable debate with stakeholders in 1989 and issued guidelines for regularisation of all the pre-1980 illegible

encroachers and eviction of all ineligible pre-1980 and post-1980 encroachers. These guidelines were issued on 18<sup>th</sup> September, 1990.

On the questions of legal recognition of traditional rights of the tribals in forest areas, the Ministry also issued guidelines on 18<sup>th</sup> September, 1990 for settlement of the disputed claims of the tribal people on forest lands. The State Governments were asked to take time bound action in the matter. These guidelines were reiterated on 31<sup>st</sup> October, 2002 and the states were requested to settle the disputed claims of the tribals and forward proposals for processing the cases under Forest (Conservation) Act, 1980. The Ministry of Environment and Forests has received numerous representations from tribal leaders, tribal representatives, Parliament Standing Committees and responsible NGOs to take action for settlement of the tribal claims on forest land in respect to their traditional rights. On several occasions non settlements of the tribal claims has led to violence and rising tension in forest areas in several states. The result in many places has been increasing Naxalite activities and destruction of forests. The guidelines of 5.2.2004 are based on the recognition that the historical injustice done to the tribal forest dwellers through non recognition of their traditional rights must be finally rectified. It should be understood clearly that the lands occupied by the tribals in forest areas do not have any forest vegetation. Further, that because of the absence of legal recognition of their traditional rights, the forest have become “open access” resource as such for the dispossessed tribals, leading to forest degradation in a classic manifestation of the tragedy of commons.

The guidelines of 5-2-04 do not, repeat do not relate to encroachers, but to remedy a serious historical in justice. It will also significantly lead to better forest conservation.

**3. There have a spate of environmental clearances in recent weeks since you took charge as Minister Environment and Forests. This includes the Human Dam Project in Maharashtra and the Bodhghat Hydroelectric Project across the Indravati River in Madhya Pradesh. Both will affect the future of the tiger. Is the protection of the tiger and of wild India at all on your priority list?**

Ans: The Human river project has been cleared by the Forest Advisory Committee (FAC) The peoples’ representatives have been constantly urging the Central Government for paying special attention to developmental projects under the Forest (Conservation) Act, 1980 in those districts where the forest cover is more than the national average. However, as the project involved submergence of the buffer zone for Tadopa-Andhari Tiger Reserve, the matter was referred to the Wildlife Institute of India for study and opinion before the matter was approved by the Government. The Wildlife Institute of India carried out the impact assessment study and recommended that the project be implemented, subject to certain conditions. One of the conditions stipulates that the area lying between the periphery of the Andhari Wildlife Sanctuary and the proposed submergence area comprising of Karwa Reserve Forests, village site and the “draw down” areas should be upgraded to sanctuary status. This would provide additional upstream corridor for the wildlife especially tigers to move from the Chandrapur forest to adjoining Brahmapuri forest. After examining all the relevant issues relating to

conservation of wildlife habitat and the needs of local people the project has been approved after ensuring that the wildlife habitat is not threatened.

Bodhghat Hydro Electric Project was one of three projects submitted by the Government of Madhya Pradesh. While, the Central Government cleared Indira Sagar and Omkareshwar Projects by submerging 5829 ha of forests for 500 MW of electricity, the Boghdhat Hydro Electric Project could not be cleared because of objections from certain quarters despite the fact that the Ministry had already granted the environmental clearance. On the repeated requests of the State Government that there is an urgent need to balance the thermal and hydro electric energy ratio in the state, the matter was reopened by the Central Government. The State Government based on a report of the National Environment Engineering Research Institute (NEERI) resubmitted the proposal and Central Government gave in principle approval for diversion of 5700 ha of forest land for construction of Bodhghat Hydro electric project with certain conditions. The State Government has been requested to furnish the biodiversity assessment of the submergence area and the area where the compensatory afforestation has been raised. The State Government had already raised compensatory afforestation over 8419 ha of forest land more than 12 years ago and this plantation has assumed the shape of good forests. As per the report of NEERI, a good mixture of Sal 20%, Teak 20%, mixed species 20% and around 26% fruit bearing species have been raised. A garden for rare and threatened species shall be created by the user agency and these species shall be introduced in these areas. A condition has been imposed for preparing the wildlife management plan for the improvement of the overall wildlife habitat in the entire area. There is no possibility of endangering the tiger habitat in submergence area, given these stringent safeguards.