

Publication: The Times Of India Pune;Date: Mar 16, 2011;Section: Times City;Page: 7

MoEF withdraws revised guidelines on CWH

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Pune: The ministry of environment and forests (MoEF) has withdrawn the revised guidelines on Critical Wildlife Habitat (CWH), following criticism that the guidelines were flawed by the Future of Conservation Network (FOC), a network of ecological and social organisations committed to effective and equitable conservation of biodiversity, and other civil society organisations.

The organisations have said that the guidelines did not mandate a process that was based on the best available knowledge and violated the spirit and letter of the Forest Rights Act (FRA), and did not give space for public consultation in determining such habitats.

CWH means such areas of national parks and sanctuaries that are required to be kept as 'inviolable' for the purpose of wildlife conservation, as per a provision of the FRA. At present, not a single park and sanctuary in the country is notified as critical wildlife habitat, though the FRA has been in operation for over three years.

The ministry of environment and forests had circulated revised guidelines on critical wildlife habitat on February 7 (replacing an earlier set in 2007) to assist the state governments to complete the process of identification and proposals were sent for urgent notification in a time bound manner. But, the ministry decided to withdraw the guidelines on March 4, after members of the civil society organisations made representations to the ministry and stated that the process of identification and notification of critical wildlife habitat and the consequent processes of co-existence, modification of rights, or relocation of people from such areas required more time and had to be compliant to the provisions of the Forest Rights Act, 2006.

Ashish Kothari, member of Kalpavriksh and of the FRA national committee, that had been set up by the ministry of environment and forest and ministry of tribal affairs, told TOI that the experts wanted notification of critical wildlife habitat to help secure wildlife, but the process of declaration should be based on best available knowledge and a democratic approach. FOC had earlier submitted detailed guidelines on this to the ministry of environment and forests, which have so far been ignored.

The letter of the FOC submitted to the ministry stated that the ministry's revised guidelines did not clearly state why the earlier guidelines were being replaced, other than some practical difficulties in implementation. "They are also oriented predominantly towards relocation of people, whereas conservation can be achieved in a variety of ways that include co-existence, modified activities, or relocation. There is widespread misconception that 'inviolable' means 'human-free', whereas it implies that the area should be free of those activities that violate conservation objectives. The guidelines also completely ignore the knowledge of communities living in such areas," the letter said.

The revised guidelines of the ministry said that identification of critical wildlife habitat will be carried out by the park manager or the deputy forest officer in consultation with the local scientific institution in 60 days, and the chief wildlife warden would then send the proposal to the ministry of environment and forests within 15 days. Kothari said that it was an impractical timeline ignoring the fact that such scientific and objective assessments, on a case by case basis, demanded quality time and information.

Looking into these aspects, the FOC has recommended that these guidelines should be replaced by rules under the FRA, after widespread consultation with communities, conservation and social action groups. "Our proposed guidelines on critical wildlife habitat and critical tiger habitat, will hopefully be used by MoEF for drawing a revised set of guidelines," he said.

The ministry has now initiated the process for drawing new guidelines by May. The draft will be circulated to seek comments and inputs and a national workshop will be held to finalise the guidelines.

Closer home, Bhimashankar sanctuary and Sagarshwar wildlife sanctuary in Sangli district are in the process of declaring their critical wildlife habitats. According to the forest department, in both the sanctuaries, meetings were held with the local people and they have given their consent, provided no villagers are relocated.

KEY POINTERS

- Guidelines for the declaration of Critical Wildlife Habitat, as provided for under the Forest Rights Act were first issued by the ministry of environment and forests in 2007. These specified some scientific criteria and a democratic process
- In February 2011, the ministry issued a fresh set of guidelines, replacing the earlier ones, and dropping the scientific criteria and democratic process
- Out of the 42 protected areas, there are six national parks and 36 wildlife sanctuaries in Maharashtra. Some steps towards identification and consultation based on the 2007 guidelines are reported to be underway in a few of these protected areas