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'States violating wildlife law in rush to notify buffer zones'

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Process of consulting gram sabhas bypassed to notify buffer areas around tiger habitats within time limit set by court, allege activists



Photo credit: Kumar

Sambhav Shrivastava On April 27, when the Supreme Court of India ordered all states to notify buffer zones around tiger reserves under their jurisdiction within three months, many hailed it as a boost for tiger conservation. Little did they foresee that the order would lead to the violation of the very law under which buffer areas are to be notified.

According to the Wild Life (Protection) Amendment Act (WLPA) of 2006, a tiger reserve must have a core or critical habitat and a buffer zone peripheral to it. Many states complied with the apex court order while a few missed the deadlines even after repeated directions of the court. The defaulting states were then given the last warning on July 24 to notify the buffer zones within three weeks or else be ready to face contempt of the court proceedings. This order had also put a halt to tourism in core areas of tiger habitats [1]. The chief secretaries of these states were warned they would be fined Rs 50,000 each if the order is not complied with.

This order led to knee-jerk reaction in states which are committing illegalities in their rush to comply with court orders, alleges a group of ecologists and tribal rights activists. WLPA mandates that buffer zones be notified on the basis of scientific and objective criteria after consultation with the affected gram sabhas (village councils) and an expert committee formed for this purpose. In a national-level meeting on protected areas and rights of forest dwellers in Delhi on August 13, the activists and ecologists from various parts of the country highlighted that in the rush to notify buffer areas the state governments are bypassing this processes. "It is impossible that the due process of consultation with the people and the scientific identification of the buffer zones can be carried out in three weeks," says wildlife expert Ravi

Chellam.

“The *amicus curiae* does not seem to be giving proper information to the court on these violations,” says the statement by Future of Conservation Network, a network of ecological and social organizations that organised the consultation. Raj Panjwani, the *amicus curiae* declined to comment on the allegation. A prominent lawyer associated with the case had told this correspondent in May this year that the buffer zone notification will not affect the rights of the forest dwellers in any way as it is aimed at promoting co-existence between wildlife and human activities. The law does not mention any restriction on people’s rights in the buffer zone.

The assurance that traditional and livelihood activities of villagers will not be affected is hollow, says Ashish Kothari of non-profit Kalpavriksh. “After all, it’s the forest department which will have the management powers on people’s land which will be included in the buffer. Already in many areas, such restrictions are coming into place,” he adds. For instance, he points out, in the buffer of Corbett tiger reserve (Uttarakhand), land use conversion is being prohibited, a move that may be justified to stop haphazard development of tourist resorts but is also impacting normal village level processes.

Rucha Ghate of non-profit SHODH points out that in the existing buffer zone of Tadoba tiger reserve (Maharashtra), transit and sale of non-timber forest produce is being restricted, and even people’s access to their own villages is being hindered through new gates and rules in the buffer area.

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