

# Indigenous People's Plan

## Kattunayakans

### Background information

Kattunayakans, one of the 75 "Particularly Vulnerable Tribal Groups" (PTGs) in India, are settled in parts of Tamil Nadu and Kerala. In Kerala, they are mostly found distributed in the Wynad and Kozhikode districts but major population is concentrated in Wynad (*Bindu Ramachandran, 2005*). In Tamil Nadu, they inhabit the Gudalur and Pandalur taluk in the Nilgiris. Traditionally, the Kattunayakans have been hunter-gatherers. They get their name from the words 'kadu' (forests) and 'nayakan' (leader/chief) connoting that they are the lords of the forest. They are also referred to by different names like Jenu (honey) Kurumbas and Thenu (honey) Kurumbas in different regions because of their expertise in honey collection. The term Nayakan was given to them by their Malayalam neighbours. The Kattunayakan language which is referred to as *nama basha* (our language) by them is basically of the South Dravidian family, like most other Nilgiri languages. It contains elements of Kannada, Malayalam and Tamil (*Zvelebil, 1981*). Kannada is predominant in it, though the dialect is distinct and is barely intelligible to Kannada speakers. All Kattunayakans speak in addition some Kannada, Malayalam, and Tamil (*Nurit Bird David, 1987*).

In the Nilgiris, the Kattunayakans are interspersed throughout the two taluks across 44 settlements in 8 revenue villages of Gudalur Forest Division. Traditionally the Kattunayakan settlements are far from each other and often small in size. The huts in a settlement are usually clustered. Settlement is called *padi* and a single hut in a settlement is called *manai*. The traditional dwellings of the Kattunayakans are true reflection of their adaptation to surrounding ecology. Huts are erected on a sloping ground which has no raised basement and entrance is given at the lowest point (*Bindu Ramachandran, 2005*). Traditional huts are small, flimsy structures. The walls are of bamboo wattle work with mud plastering inside and roof is thatched with grass obtained from nearby forests and wetlands (*Seetha Kakkoth, 2005*). There are 452 Kattunayakan households in the Nilgiris constituting a total population of 1629 (*Census, Tribal Research Center, Ooty, 2005*). The average number of members in a household is 3.6, suggesting that households are mostly small in size. Nuclear family is the minimum social and economic unit among them and is composed of husband, wife and unmarried children. As soon as the son marries, he sets up a separate house in the settlement (*Bindu Ramachandran, 1997*). The Kattunayakans are patrilineal and trace their descent through male line but the post marital residence is not necessarily patrilocal (*Bindu Ramachandran, 2005*).

Traditionally the economy of the Kattunayakan centered on the forest. Forest provides them with food, drink, shelter and non consumable articles for their livelihood. The primary occupation of the community is hunting and gathering for consumption and trade. Honey is the main collection item, other items being forest pepper, cinnamon, tubers, berries, leaves, mushrooms, seeds and nutmeg. They use very simple technologies for food gathering and collection such as digging sticks and collecting baskets made of bamboo. They have a strategy of less volume, high value collection. They have demarcated boundaries within which they forage, often the husband and wife leaving together. It is believed that the territorial concept of collecting forest produce was an adaptation towards natural resources when no other alternatives were available. Some of them, especially those living inside the Mudumalai National Park, have special affiliations with the Mandan Chettis and Mappilas, working in their paddy fields and supplying with forest produce, including firewood (*Keystone Foundation 2007*). They are also engaged in a variety of other economic activities including fishing, trapping small birds and animals, occasional day labour in the fields of non tribals, acting as watchmen, mahouts and guides and increasingly wage labour in a nearby rubber and coffee plantation (*Nurit Bird David, 1987*).

Some of them grow a little ginger, coffee, pepper, tapioca and yam around their houses but are generally not cultivators. They are experts in basketry. The groups used to shift traditionally but restrictions placed upon them have led to a sedentary lifestyle (*Keystone Foundation 2007*).

The recently introduced work of wage labour in the plantation fits in with the traditional economic activities with respect to nature of tasks, manner and rationale of work etc., and does not greatly affect the Kattunayakan economic and social system as a whole. Whilst they work for wages in the plantation, and also for traders and neighbours, the Kattunayakans continue to hunt and gather in a regular manner. In fact, in neither time nor space, was there any clear demarcation between hunting and gathering and the 'other' pursuits. On their way to work in the plantation and sometimes, even in the course of their work they occasionally collect forest produce for their own use or for subsequent trade. When they go hunting and gathering, their trails take them in and out of rubber forested areas, coffee plantations and jungle. They fish in streams that run within the territorial boundaries of the plantation as well as in the forest (*Nurit Bird David, 1992*).

### **Summary of some historical records**

*Buchanan, 1807*-Buchanan provided one of the earliest accounts of the Kurumbas. Buchanan refers to two Kurumba sections: the Cad Curubaru and the Betta Curubaru. He describes the wilder Kurumbas—the Cad Curubaru as a rude tribe that were extremely poor and wretched. He also mentions that these people worked as daily labourers, or went into the woods, and collected the roots of wild yam, part of which they ate, and part exchanged with the farmers for grain.

*Dubois, 1897*-Dubois was probably the first to point out the fear of the Kadu Kurumba sorcery—a theme which appears in most subsequent references to the Kadu Kurumbas. He calls these people as savages and mentions that they live in forests but have no fixed abode. "After staying for a year or two in one place they move on to another. There they sow small seeds, and a great many pumpkins, cucumbers, and other vegetables. Roots and other natural products of the earth, snakes and animals that they can snare or catch, honey that they find on the rugged rocks or in the tops of trees, which they climb with the agility of monkeys; all these furnish them with the means of satisfying the cravings of hunger."

*Aiyappan, 1948*-Aiyappan describes the Kattunayakans as a very vile and backward, Kanarese speaking tribe, similar in customs and manners to the Jenu Kurumbas. He argues that the Kattunayakans differed from the Jenu Kurumbas in certain manners. Kattunayakans ate monkey's flesh and did not engage themselves in the collection of honey unlike the Jenu Kurumbas.

*Nurit Bird David, 1987*-Nurit Bird was the first "professional" who subjected this community to intensive anthropological studies. This study provides a brief profile of the Kattunayakans with reference to ethnographic accounts from the nineteenth and the twentieth centuries by travelers, administrators and planters on the tribe. The paper provides a brief selective summary of the Kattunayakans including aspects of their economy, social organization and kinship. The author points out that the recently introduced labour work in the plantations does not greatly affect the Kattunayakan economic and social system because the Kattunayakans don't plan their day in advance.

*Nurit Bird David, 1990*-In this paper, Nurit Bird talks about the relationship that the Kattunayakans share with the environment and compares it to the view shared by other tribal groups in the region. She points out that Kattunayakans look on the forest as they do on a mother or father. For them, it is not something "out there" that responds mechanically or passively but like a parent; it provides food unconditionally to its children. Their view of "forest is parent" distinguishes them from their

neighbours, who hold the view "nature is ancestor." As such different local economic models emerge from these views which Nurit Bird sums up as "giving environment" for the Kattunayakans and "reciprocating environment" for the other tribal groups.

*Nurit Bird David, 1992*-In this paper, Nurit Bird challenges the orthodox view of hunters and gatherers. She presents an argument that is supported ethnographically through her study on the Kattunayakans to show that they carry out their 'other' subsistence activities and combine them with hunting and gathering. It is mentioned that Kattunayakans conform to the 'immediate return' type of gatherers. She talks about the history of the economic systems of the Kattunayakans and how these have been changing with the introduction of different acts, advent of newcomers and wage labour in plantations.

*Sasikumar, 1999* - In this report, Sasikumar presents a detailed account of the Kattunayakans' settlement pattern, socio-economic structure, division of labour and religious beliefs. He mentions that the traditional occupation of food gathering of the Kattunayakans has changed to many other subsistence activities. They now live in a plural society which has a great influence on their traditional life.

*Bindu Ramachandran, 2005* -This paper talks about the adaptation and transformation problems with the Kattunayakans. The paper focuses on the role played by ecological equilibrium in the socio-cultural stability of the community and talks of the impact of deforestation on the economy and the health of the Kattunayakans. The paper also points out that as part of development activities, Government distributed agricultural implements to the landless and poor Kattunayakans but it was found that they were not interested to use these implements and often sold it to the neighbouring non tribal families for nominal rates.

All the above studies point out that the Kattunayakans depended on collecting minor forest produce for sustaining themselves. The economy of the Kattunayakans is still centered on the forests to quite an extent. However, the traditional occupation of food gathering is relegating down the order for several reasons and is being replaced by 'other' subsistence activities like engaging in waged work, trade and occasional cultivation. Keeping these in mind, it is important to devise some mechanisms which will ensure that there is some form of tenurial security and that the Kattunayakans keep enjoying their rights.

## **Legal and Institutional Framework**

The main instruments which are applicable are following

- 1) Wildlife Protection Act as amended in 2006
- 2) Biodiversity Act 2002
- 3) Forest Rights Act 2006
- 4) Forest Conservation Act 1980
- 5) Indian Forest Act 1927

Please see annexure 1 for details about the above Acts

In addition a few state Acts may also be applicable depending on the legal status of forests in the area like

1. The Tamilnadu Forest Act, 1882
2. The Gudalur Janmam Estates (Abolition and Conversion into Ryotwari), Act, 1969
3. The Tamil Nadu Preservation of Private Forests Act, 1949

## Gudalur Forest Division

### Legal Status and Administration

The Gudalur Forest Division falls within the Gudalur Taluk (except the areas coming in Mudumalai Wildlife Sanctuary) and the notified private forests of Masinagudi, Hullathi and Sholur village of Udhagamandalam Taluk of the Nilgiris District and lies between 76°14'E to 76°32'E longitudes and 11°23'N to 11°36'N latitudes. The total area of the Division is 10553.802 Ha and is distributed in Cherambadi, Bitherkadu, Pandalur and Gudalur ranges. The headquarters of the Division is at Gudalur. The details of the four ranges are given in the table below.

Sl.No.	Name of Range	Area in hectares		
		Reserved Forests	Reserve Land	Total land
1	Cherambadi	717.179	3638.89	<b>4356.069</b>
2	Bitherkadu	410.177	1240.156	<b>1650.333</b>
3	Pandalur	231.401	3005.049	<b>3236.45</b>
4	Gudalur	351.795	959.555	<b>1311.35</b>
<b>Total</b>		<b>1710.552</b>	<b>8843.65</b>	<b>10553.8</b>

The Gudalur Forest Division was constituted in G.O.Ms. no.877, Forest and Fisheries dt: 9.9.77. The Division started functioning from 19-10-77 and with effect from 1-5-80 Cherambady range of Nilgiris North Division was attached to it. An area of 1710.55 Ha is reserved forests and is the absolute property of the state. Then there are many reserve lands notified under Section 4 of Tamil Nadu Forest Act. In addition to the Reserved Forests and reserve lands, there are Jenmam forests taken over by the government under the Gudalur Jenmam estates (Abolition and Conversion into Ryotwari) Act 1969 and some forests taken over by the Government under the Tamil Nadu Private Forests (Assumption of management) Act 1961. Many of these taken over areas are under litigation and stay orders from Court. Many of the areas have also been encroached by the local people. Some revenue lands declared as surplus under Tamil Nadu Land Reforms Act are yet to be handed over. In order to have a control over the felling of trees in private lands, the Tamil Nadu Hill Stations (Preservation of Trees) Act is also in force in this Division.

The three sides of Gudalur Division (eastern, northern and southern) are surrounded by lofty mountains. Through the western side, the land pines a passage to the Arabian sea by descending at varying gradients. In general, wildlife is poorly represented in this division. The forests of this division are scattered in patches and belts and therefore the movement of animals is very restricted. Common langur, Nilgiri langur, Sambhar, Malabar squirrels, elephants, wild boars and spotted deer are commonly seen. Birds of different kinds are seen of which jungle fowl, pea fowl, partridge, bulbul, koels, barbets, parakeets, woodpeckers etc are very common.

Certain rights and concessions have been provided in the forest division. Most of the rights include the use of paths and roads, cutting channels, taking water etc. In some forest blocks the tribal people are allowed the right to use land for burial purposes. Agriculture is the primary occupation of the villagers in Gudalur Taluk. The bulk of the cultivable area is covered by plantation crops of tea and coffee. Among the annually cultivated crops, paddy ranks first covering around 3000 ha. Cardamom, cloves, pepper, ginger, tapioca, banana, jackfruit and millets like ragi and samai are also grown. The main items of forest produce needed by the people living in the division are listed below:

- Firewood for domestic consumption, tea factories and other cottage industries. The average villager never pays for his firewood; his requirements being met from what is available in patta lands. Extraction of dry fuel from reserved forests is a common feature. With the rapid expansion of cultivation, the sources of fuel supply from private lands have fallen very low.

Tea plantations have been established on a large scale in Gudalur Taluk and the industry needs firewood in large quantities. The area under tea in the Nilgiris is 30, 000 ha and is on increase due to the conversion of private forests into tea estates. The annual firewood requirements of the tea industry would be in the order of about 75, 000 tons.

- Small timber for building houses and for agricultural implements. Bamboo is the poor man's timber and is widely used by villagers for roofing and side walls. Cattle sheds and enclosures are built almost exclusively with bamboo splits and bamboo posts. Many poor families eke out their livelihood by weaving baskets, thatties, mats, etc out of bamboo. The bamboo requirements of local people are met mostly from private forests.
- Fodder for stall feeding is permitted to be removed in head loads free of cost for bonafide domestic use.
- Thatch grass is the most popular roofing material for cheap houses. Its removal is regulated under cover of permits issued by lessees of minor forest produce.
- Grazing is regulated by issuing grazing permits subject to the usual condition noted in the permit. The grazing fee is Rs. 1 per sheep, Rs.2 per cow, Rs.4 per buffalo, ass or horse and Rs.100 per elephant (the duration of the permit is not clear from the working plan).
- The main items of Non timber Forest Produce (NTFP) extracted from the division are *shikakai*, *nellika*, wild mango, Eucalyptus leaf, lemon grass and *kulirma* bark. In addition to the above, honey, bees wax, wild pepper, wild ginger, wild turmeric, *lavangum* bark and gall nuts are also harvested.

(Source: P. Jagadish, 1998)

## **Socio-Economic Assessment**

### **Socio-Political Organization**

The Kattunayakans are divided into territorially-based local groups: those who lived in a particular area (*sime*) constituted a group (*sonda*, meaning relatives). The *sime* is highly fluid in composition. According to a bilateral pattern, individuals could associate themselves with the *sime* of either of their parents, and with the *sime* of their spouses. There are similar variations between local groups and even between clusters within them, with respect to the nature of economic interactions with the outside and to details of ritual, the construction of huts, manner of dressing, etc. Each local group is by and large a separate economic, social, ritual and even kinship unit. Within it, people have regular contact with each other. Most people, if not all, are related by kinship ties. Beyond it, there are no pan-Nayakan social, ritual or economic transactions or institutions. Even kinship ties do not link the local groups. When a Kattunayakan moves out of a given local group, his whereabouts are usually not known, and even his close kin effectively forget him and keep no contact with him. Any economic, social and even ritual interaction outside the local group is usually with non-Nayakan neighbours and not with Nayakans of other local groups. Thus for example, Nayakan may attend festivals of their neighbours, with whom they also transact in various ways. For each individual Nayakan, the practical Nayakan universe is contained within the local group.

The Nayaka have an egalitarian political organization similar to the organization found in other hunting and gathering societies. With two exceptions, the Nayaka had no official positions, and even the two exceptions were not political. The first was the modale (meaning the first to have come to the area). His main responsibility was simply to organize a festival in honor of the ancestors — a festival held every few years. The second was the shaman. The position was an achieved one and it was open to young and old, females and males. It carried no special rights and obligations outside the context of the shamanistic performance (*Nurit Bird, 1987*).

### Demographic profile

#### Taluk wise distribution of Kattunayakan in the Nilgiris district

Sl. No.	Name of Taluk	Name of the Revenue Village	Total number of Kattunayakan settlements
1	Gudalur	Devarsolai	7
		Mudumalai	5
		Gudalur	10
		Barwood	1
2	Pandalur	Pandalur	7
		Nilakkottai	7
		Cherumulli	2
		Cherankodu	4

#### Details of Kattunayakan settlements and demographic features in Nilgiris

Taluk	Revenue village	Settlement	No. of households	Population		
				Male	Female	Total
Gudalur	Devarsholai	Veechanakolli	9	22	16	38
		Marimoola	6	6	9	15
		Tharpakolli	17	25	40	65
		Kappikadu	13	25	21	46
		Sembakolli	74	118	145	263
		Moola Thairammattam	10	19	14	33
		Kottaikadavu	16	31	28	59
	Gudalur	Vedavayal	5	7	8	15
		Vattikkolli	8	15	22	37
		Nellikunnu	1	1	4	5
		Kalladi	3	4	5	9
		Kanjikolli	5	12	11	23
Alloore	2	4	4	8		

		Atthippalli	9	13	17	30	
		Muthavayal	9	10	11	21	
		Nambikunnu	2	2	1	3	
		Kundbithali					
	Barwood	Yellamalai (Ovelli)	16	30	29	59	
	Mudumalai	Nagampalli	8	25	27	52	
		Golimoola	1	3	4	7	
		Muduguli	3	7	4	11	
		Ondamoola	2	4	5	9	
		Odakolli	11	19	10	29	
Pandalur	Nelakottai	Mukumane	1	2	6	8	
		Thanjora	8	13	10	23	
		Pannikkal	11	27	25	52	
		Moolakadu	25	40	35	75	
		Palappalli	12	26	17	43	
		Velangoore	20	43	43	86	
		Kottaimedu	6	10	8	18	
	Cherumulli	Tenakolli	11	19	17	36	
		Ezumuram	36	62	61	123	
	Cherankodu	Murukkampali vattikkolli	9	17	16	33	
		Murkkampadi	5	10	16	26	
		Muttimoola	6	9	12	21	
		Puthanoor	8	14	12	26	
	Pandalur	Bennai muthrakolli	1	2	2	4	
		Bennaimoola	7	13	10	23	
		Aathikunni	5	7	8	15	
		Vengarai	8	17	16	33	
		Bennai cheppodu	13	19	14	33	
		Punjakolli	9	18	18	36	
		Mangarai	13	24	20	44	
	<b>Total</b>			<b>452</b>	<b>810</b>	<b>819</b>	<b>1629</b>

P.S.-Highlighted in yellow are the settlements which are located inside Mudumalai Tiger Reserve and highlighted in green are located adjacent (outside) MTR.

### Distribution of Kattunayakan population by age and sex

Age group	Male		Female		Total		Sex ratio
	No.	%	No.	%	No.	%	
0-14	246	30.37	304	37.12	550	33.76	123
15-29	238	29.38	268	32.72	506	31.06	113
30-44	204	25.19	150	18.31	354	21.73	73
45-59	87	10.74	74	9.03	161	9.88	85
60 +	35	4.32	23	2.80	58	3.56	66
<b>TOTAL</b>	<b>810</b>	<b>100.00</b>	<b>819</b>	<b>100.00</b>	<b>1629</b>	<b>100.00</b>	<b>101</b>

### Literacy Rate

According to information obtained from Tribal Research Centre, Ooty, 25.54% of the Kattunayakan population in the Nilgiris is literate. Detailed breakup of the literacy rate is provided in the table below.

Age Group	Literates				Non Literates			
	Male	Female	Total	%	Male	Female	Total	%
0-14	99	166	265	63.70	147	138	285	23.49
15-29	51	65	116	27.88	187	203	390	32.16
30-44	21	9	3-	7.21	183	141	324	26.71
45-59	3	2	5	1.20	84	72	156	12.86
60+	0	0	0	0	35	23	58	4.78
<b>Total</b>	<b>174</b>	<b>242</b>	<b>416</b>	<b>25.54</b>	<b>636</b>	<b>577</b>	<b>1213</b>	<b>74.46</b>

### Economy

The Kattunayakans are now in the third phase of their economic transformation in the history of the community from a self sustained group who lived in the forest by foraging and hunting to a self sustained group who lived in the forest by foraging and hunting to a stage of agriculturists and agricultural labourers through an intermediary phase of bonded labour under chetty landlords. They were mainly hunters and gatherers of forest produce, with sporadic shifting cultivation around their settlements. Now, non skilled casual labour on daily paid basis with some agriculture on the plots which they possess and occasional forging in the forest form the mainstay of the economy (*M Sasikumar, 1999*).

i) Hunting-In the past, hunting was as important as a means of food getting. Today it has a nominal role in their economic life as it is prohibited in the tiger reserve and wildlife is rare elsewhere. Hunting was both an individual as well as a group activity. They do not have a highly



developed technology for this; they use snares and traps. They eat the flesh of the carrion left by the wild animals. Rats, porcupines, jungle lizards and birds are also caught by them (*M Sasikumar, 1999*)

ii) Collection-Collection of forest produce contributed much towards their subsistence in the past. The whole family including the grown up children move out during the collection season in search of roots, tubers, fruits, leaves, honey, deer horn, etc. Their knowledge base helps them to locate which item would be abundant in which area. They also collect and sell deer's antlers (used for making handles of the sickle) in the local market, which they might find during their daily roaming in the forest. Most of the items collected are used for self consumption. Some medicinal herbs like sadavari, mare manjal, pavatta, padagals, are collected for sale at the Girijan Co-operative society in Nilambur, Kerala (*M Sasikumar, 1999*).

iii) Honey Collection-The Kattunayakans are well known for their expertise in honey collection. They have developed their own technology for the collection of honey. The honey season commences in April and continues for next three-four months. During this period, it is honey that largely helps them to make both ends meet. Smoking is the technique used for driving away the bees. They go for honey collecting expeditions at nights in groups of two, who would be either close friends or kins; one standing at the bottom of the tree and the other climbing using ladders with a knife, string and a basket (*M Sasikumar, 1999*).

iv) Fishing and Crab catching-These are usually the leisure time activities of the Kattunayakan women and children. Simple techniques and devices are used for fishing. They catch crabs from the holes on the side of the paddy fields (*M Sasikumar, 1999*).

v) Agriculture-The important crops cultivated by the Kattunayakans are paddy, coffee, tea, cinchona and plantation crops like pepper, garlic, ginger, nutmg, glues, cardamom and also they are growing vegetables like radish, carrot, beet root, cabbage, cauliflower, turnip, potato, etc. As per data from Tribal Research Centre, 29.84 per cent of the Kattunayakan families have lands and cultivation is done by the individual families, men and women coherently. Now a days, a few of them even entered into arrangements of cultivation of their lands with the neighbouring cultivators and other land lords. The Kattunayakans take the land on lease the cultivable lands from the latter, do the entire work and share the produce in a 50-50 ratio (*Tribal Research Centre, 2005*).

vi) Wage labour-A few Kattunayakans are also earning their livelihood by working as labourers on the agricultural fields owned by non tribals and also labour work inside the nearby reserve forest. The Forest Department is also interested to hire them as labour because of their sound knowledge of trees and wildlife (*Tribal Research Centre, 2005*).

vii) Other economic activities-Basketry making techniques are not unknown to them though they seldom make an earning out of it. Baskets and mats of various shapes and sizes for various uses are made for their own use and not for sale. Most of the households keep poultry. They eat the eggs and use the flesh of the birds. The eggs and birds are sold or exchanged if one is short of cash (*M Sasikumar, 2005*).

### **Summary of Free, Prior and Informed Consultations**

WWF has been initiated work in the area at the end of 2011. There are two to three local groups/NGOS with whom we are holding consultations and discussions on how to take the work forward. This is so because these organizations have been working in Gudalur and have a very close

relationship with the Kattunayakans. ACCORD, Shola Trust and the Adivasi Munnetra Sangh are the organizations which will help to mobilize the community for WWF. Under this project, the entire process of implementation of the project activities is to facilitate the IP communities to plan and take decisions for themselves. WWF India is playing a facilitating role with the help of the organizations mentioned above. Our role will be to organize democratic and participative consultative processes within the community, in tribal gramsabhas, among clans, in panchayats, between stakeholders (Estates, Forest department and IP communities) etc. The whole process is voluntary and community driven.

The settlements here are aware of the Forest Rights Act and have already claimed individual as well as community rights. (see annexure 2 and 2a). However the process as required to be followed for the community rights has not been done. There has been no demarcation of resource use area or listing of species used etc. There is a general understanding that the process has to be redone and that WWF can facilitate the entire process as they have done for the Kadars in Vazhachal. The Kattunayakans are familiar with the resource use issue and the need for conserving the area. As mentioned above they are aware about the FRA but still need information about certain provisions of the ACT. They all have formed tribal gramsabhas and have claimed rights but have not followed the due process. The Community Forest Resource use area {CFR} issue is still not very clear to the Kattunayakans and with the help of AMS, it is being explained slowly to them.

Besides, Kattunayakan and the NGOs, we have also initiated discussions with the Forest department about the whole CFR issue. The forest department seems keen but is still hesitant as the legal status of the forest area in Gudalur is *subjudice*. We are still exploring ways on how to proceed with this.

### **Action Plan to ensure flow of social and economic benefits to IPs**

The entire project is about ensuring that the IPs can have some form of tenurial security over their resources and establish mechanisms to conserve and manage it. This will ensure that the benefits of the forest and water resources will flow to them. In addition, a sub grant has also been proposed so that the institution mechanism which has been set up will have some seed money to initiate its work.

### **Monitoring mechanisms and benchmarks**

<b>Major risks</b>	<b>Issues to be seen</b>	<b>Monitoring mechanisms</b>	<b>Benchmarks</b>
<b>As perceived by CEPF</b>			
Curtailment of Rights	This is not applicable as the whole project is about ensuring that Kattunayakans get rights under the FRA	None	Claim form submission
Loss of culture and social cohesion	Care has to be taken that we do not create any divisions within the Kattunayakans and other tribal communities (if any) using the same area	Regular meetings to ensure that there are no underlying tensions  Get formal consent from all settlements on how to proceed for claims (individual settlement wise,	Written consents

		cluster wise or all the settlements together)	
Dependency on external support	To a certain extent the communities are dependent upon AMS, ACCORD for other activities. This is the main reason for us to engage the community through the same institutions	This project is actually trying to create capacities so that the community can reduce this dependency, negotiate on their own for their betterment and also be more informed of all the decisions that are taken on resources and the area they are dependent upon. The institutions feel the same too	Capacity building exercises,  Community led initiatives
Inequitable participation	Currently the communities are marginalized to a certain extent. They are a part of various local level institutions like the Eco Development committees and Panchayats but actually play very limited role in decision making in any of these institutions	The implementation of the project activities will clearly give recognition to the IP communities as managers/decision makers and custodians of their resource use areas.  Setting up of an institution which is just of the community and not mandated by any agency will also enable them to participate in a free and meaningful manner	Institution building  Exposure visits  Management of the CFR areas
Poorly planned changes in resource use	The project may lead to curtailment of some resource use but that is completely voluntary and will be decided by the community itself	Participatory ecological monitoring will be done so that the Kattunayakans understand the implications of (if any) their resource extraction. This will help them to decide by themselves if any practices need to be changed or curtailed.	Findings of the ecological monitoring training exercise
<b>As perceived by WWF</b>			
Conflict between FD and Kattunayakans	There is a chance that the FD may object to the whole FRA exercise. They may state that the legal status of land is not clear so rights cannot be given	Detailed discussions with FD on each step  Presence of FD at combined village meetings  Minutes of these meetings	EDC to be part of this initiative.

The Tribal department due to govt pressure carry out a paper exercise	The Government may any day ask the Tribal department to get all Community rights declared under some deadline without actual participation of the communities	Keeping a watch on Tribal Department activities  Sharing with the Tribal department our work	Meeting with Tribal department/Collector
Legal case	There is a case in the Chennai High Court which has stayed the granting of final rights	Keep a watch on the case proceedings  If required intervene through AMS or ACCORD in the case	Brief lawyers and try and get the stay vacated

### **Grievance mechanisms**

The community and WWF should collectively be involved in the grievance mechanism design so that the community representatives can identify key factors, such as the kinds of disputes that could arise during the project life, how people in the community actually want to raise concerns, what procedures to lay down for resolving complaints, and to resolve conflicts. Based upon this assessment, one is going to design and set up the mechanisms.

WWF also needs to ensure that the grievance mechanism is accessible to diverse members of the community, including more vulnerable groups such as women and youth. Multiple points of entry, including face-to-face meetings, written complaints, a telephone number, postal address should be available. Opportunities for confidentiality and privacy for complainants should also be honoured.

A few steps planned and under process are

Community meetings on regular intervals and Meeting at regular intervals with AMS and ACCORD

Contact lists with details given below to be kept with EDC, village headman, Panchayats, AMS.

Postal address and Phone number of

Landscape Coordinator  
WWF India  
Bhawani Sagar

Head  
Sustainable Livelihoods and Governance  
New Delhi

## Annexure 1-Legal and Institutional Instruments Applicable to IPs

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
Nodal agency at the Centre/State	Ministry of Environment and Forests	Ministry of Environment and Forests	Ministry of Tribal Affairs or any officer or authority authorised by the Central Government in this behalf, Tribal/Social Welfare Department	Ministry of Environment and Forests	Ministry of Environment and Forests	Ministry of Environment and Forests
Overall purpose	To provide for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental thereto with a view to ensuring the ecological and environmental security of the country.	To provide for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental thereto with a view to ensuring the ecological and environmental security of the country.	To recognise and vest forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers.	To provide for conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge and for matters connected therewith or incidental thereto.	To provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto.	To consolidate the law relating to forests, the transit of forest-produce and the duty leviable on timber and other forest-produce.
Various rights conferred/recognised at community level under each Act and to whom	<p><i>Types of rights not specified except</i></p> <p><b>Section 65. Rights of Scheduled Tribes to be protected.</b> - Nothing in this Act shall affect the hunting rights conferred on the Scheduled Tribes of the Nicobar Islands in the Union Territory of Andaman and Nicobar Islands by notification of the Andaman and Nicobar Administration, NO. 40/97/1'. No.G-635. Vol. III, dated the 28th April, 1967 published at pages 1 to 5 Extraordinary issue of the Andaman and Nicobar Gazette, dated 28th April, 1967.</p> <p><b>Section 24 Acquisition of rights.</b> (2) If such claim is admitted in whole or in part, the Collector may either - (c) allow, in</p>	<p><i>Types of rights not specified</i></p>	<p><b>Section 3.Forest rights of Forest dwelling Scheduled Tribes and other traditional forest dwellers.-</b> (1) For the purposes of this Act, the following rights, which secure individual or community tenure or both, shall be the forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers on all forest lands, namely:-</p> <p>(a) right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers;</p> <p>(b) community rights such as nistar, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;</p> <p>(c) right of ownership, access to collect, use, and dispose of minor</p>	<i>Rights not specified</i>	<i>Rights not specified</i>	<p>Right over shifting cultivation, grazing</p> <p><b>Section 10</b></p> <p><b>Treatment of claims relating to practice of shifting cultivation.—</b> (1) In the case of a claim relating to the practice of shifting cultivation, the Forest Settlement-officer shall record a statement setting forth the particulars of the claim and of any local rule or order under which the practice is allowed or regulated, and submit the statement to the State Government, together with his opinion as to whether the</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>consultation with the Chief Wildlife Warden, the continuance of any right of any person in, or over any land within the limits of the sanctuary.</p> <p><u>NOT mentioned as a right but grazing in Sanctuaries permitted</u></p> <p><b>Section 33 Control of sanctuaries –</b> The Chief Wildlife Warden shall be the authority who shall control, manage and maintain all sanctuaries and for that purpose, within the limits of any sanctuary,</p> <p>(d) may regulate, control or prohibit, in keeping with the interests of wildlife, the grazing</p> <p>or movement of [livestock]).</p>		<p>forest produce which has been traditionally collected within or outside village boundaries;</p> <p>(d) other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;</p> <p>(e) rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;</p> <p>(f) rights in or over disputed lands under any nomenclature in any State where claims are disputed;</p> <p>(g) rights for conversion of Pattas or leases or grants issued by any local authority or any State Government on forest lands to titles;</p> <p>(h) rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;</p> <p>(i) right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;</p> <p>(j) rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribals under</p>			<p>practice should be permitted or prohibited wholly or in part.</p> <p>(2) On receipt of the statement and opinion, the State Government may make an order permitting or prohibiting the practice wholly or in part.</p> <p>(3) If such practice is permitted wholly or in part, the Forest Settlement-officer may arrange for its exercise</p> <p>(a) by altering the limits of the land under settlement so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants, or</p> <p>(b) by causing certain portions of the land under settlement to be separately demarcated, and giving permission to the claimants to practise shifting cultivation therein under such conditions as he may prescribe.</p> <p>(4) All arrangements made under sub-section (3) shall be subject to the previous sanction of the State Government.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>any traditional or customary law of the concerned tribes of any State;</p> <p>(k) right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity;</p> <p>(l) any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers, as the case may be, which are not mentioned in clauses (a) to (k) but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal;</p> <p>(m) right to in situ rehabilitation including alternative land in cases where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13th day of December, 2005.</p> <p>(2) Notwithstanding anything contained in the Forest (Conservation) Act, 1980, the Central Government shall provide for diversion of forest land for the following facilities managed by the Government which involve felling of trees not exceeding seventy-five trees per hectare, namely:-</p> <p>(a) schools;</p> <p>(b) dispensary or hospital;</p>			<p>(5) The practice of shifting cultivation shall in all cases be deemed a privilege subject to control, restriction and abolition by the State Government.</p> <p><u>Section 12.</u> Order on claims to rights of pasture or to forest-produce.– In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			(c) anganwadis; (d) fair price shops; (e) electric and telecommunication lines; (f) tanks and other minor water bodies; (g) drinking water supply and water pipelines; (h) water or rain water harvesting structures; (i) minor irrigation canals; (j) non-conventional source of energy; (k) skill upgradation or vocational training centres; (l) roads; and (m) community centres:			
Rights settlement process	<p><u>Section 18B-</u>  <b>Appointment of Collectors</b> - The State Government shall appoint, an officer to act as Collector under the Act, within ninety days of coming into force of the Wild Life (Protection) Amendment Act, 2002, or within thirty days of the issue of notification under section 18, to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of the sanctuary which may be notified under sub section (1) of section 18."</p> <p><u>Section 19-</u>  <b>Collector to determine rights</b> - When a notification has been issued</p>	<p><u>Section 18B-</u>  <b>Appointment of Collectors</b> - The State Government shall appoint, an officer to act as Collector under the Act, within ninety days of coming into force of the Wild Life (Protection) Amendment Act, 2002, or within thirty days of the issue of notification under section 18, to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of the sanctuary which may be notified under sub section (1) of section 18."</p>	<p><u>Section 6. Authorities to vest forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers and procedure thereof, (1)</u>            The Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.  <u>Rule 11-</u>Procedure of filing, determination and verification of claims by the Gram Sabha - (1)</p>	<p><u>Section 37</u>            Biodiversity Heritage sites- (1) Without prejudice to any other law for the time being in force, the State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as biodiversity heritage sites under this Act. (3) The State Government shall frame schemes for compensating or rehabilitating any person or section of people economically affected by such notification.</p>	<p><u>Section 4:</u>  <b>Notification by State Government.</b> - (1) Whenever it has been decided to constitute any land a reserved forest, the State Government shall issue a notification in the Official Gazette—            (c) appointing an officer (hereinafter called "the Forest Settlement-officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest-produce, and to deal with the same as</p>	



Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>under Sec.18, the collector shall inquire into, and determine the existence, nature and extent of the rights of any person in or over the land comprised within the limits of the sanctuary.</p> <p><b>Section 22- Inquiry by collector</b> -The Collector shall, after service of the prescribed notice upon the claimant, expeditiously inquire into (a) the claim preferred before him under clause (b) of Section 21, and (b) the existence of any right mentioned in Section 19 and not claimed under clause (b) of</p> <p>Section 21, so far as the same may be ascertainable from the records of the State Governments and the evidence of any person acquainted with the same.</p> <p><b>Section 24- Acquisition of rights</b> - (1) In the case of a claim to a right in or over any land referred to in Sec.19, the Collector shall pass an order admitting or rejecting the same in whole or in part.</p> <p>(2) If such claim is admitted in whole or in part, the Collector may either</p> <p>(a) exclude such land from the limits of the proposed sanctuary, or</p> <p>(b) proceed to acquire such land or</p>	<p><b>Section 19- Collector to determine rights</b> - [When a notification has been issued under Sec.18,] the collector shall inquire into, and determine the existence, nature and extent of the rights of any person in or over the land comprised within the limits of the sanctuary.</p> <p><b>Section 22- Inquiry by collector</b> -The Collector shall, after service of the prescribed notice upon the claimant, expeditiously inquire into (a) the claim preferred before him under clause (b) of Section 21, and (b) the existence of any right mentioned in Section 19 and not claimed under clause (b) of</p> <p>Section 21, so far as the same may be ascertainable from the records of the State Governments and the evidence of any person acquainted with the same.</p> <p><b>Section 24- Acquisition of rights</b> - (1) In the case of a claim to a right in or over any land referred to in Sec.19, the</p>	<p>The Gram Sabhas shall -</p> <p>(a) call for claims and authorize the Forest Rights Committee to accept the claims in the Form as provided in Annexure-I of these rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, shall be made within a period of three months:</p> <p>Provided that the Gram Sabha may, if consider necessary, extend such period of three months after recording the reasons thereof in writing.</p> <p>(b) fix a date for initiating the process of determination of its community forest resource and intimate the same to the adjoining Gram Sabhas where there are substantial overlaps, and the Sub-Divisional Level Committee.</p> <p>(2) The Forest Rights Committee shall assist the Gram Sabha in its functions to -</p> <p>(i) receive, acknowledge and retain the claims in the specified form and evidence in support of such claims;</p> <p>(ii) prepare the record of claims and evidence including maps;</p> <p>(iii) prepare a list of claimants on forest rights;</p> <p>(iv) verify claims as provided in these rules;</p> <p>(v) present their findings on the nature and extent of the claim before the Gram Sabha for its</p>			<p>provided in this Chapter.</p> <p>Explanation.–For the purpose of clause (b), it shall be sufficient to describe the limits of the forest by roads, rivers, ridges or other well-known or readily intelligible boundaries.</p> <p><b>Section 5. Bar of accrual of forest-rights.</b>– After the issue of a notification under section 4, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land except in accordance with such rules as may be made by the State Government in this behalf.</p> <p><b>Section 6. Proclamation by Forest Settlement-officer.</b>–When a notification has been issued</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>rights, except where by an agreement between the owner of such land or the holder of rights and the Government the owner or holder of such rights has agreed to surrender his rights to the Government, in or over such land, and payment of such compensation, as is provided in the Land Acquisition Act, 1894 (1 of 1894)</p> <p>[(c) allow, in consultation with the Chief Wildlife Warden, the continuance of any right of any person in, or over any land within the limits of the sanctuary.]</p>	<p>Collector shall pass an order admitting or rejecting the same in whole or in part.</p> <p>(2) If such claim is admitted in whole or in part, the Collector may either</p> <p>(a) exclude such land from the limits of the proposed sanctuary, or</p> <p>(b) proceed to acquire such land or rights, except where by an agreement between the owner of such land or the holder of rights and the Government the owner or holder of such rights has agreed to surrender his rights to the Government, in or over such land, and payment of such compensation, as is provided in the Land Acquisition Act, 1894 (1 of 1894)</p> <p>[4(c) allow, in consultation with the Chief Wildlife Warden, the continuance of any right of any person in, or over any land within the limits of the sanctuary.]</p> <p><u>Section 38V (5)</u> Save as for voluntary relocation on mutually agreed terms and conditions,</p>	<p>consideration.</p> <p>(3) Every claim received shall be duly acknowledged in writing by the Forest Rights Committee.</p> <p>(4) The Forest Rights Committee shall also prepare the claims on behalf of Gram Sabha for community forest rights in Form B as provided in Annexure I of these Rules.</p> <p>(5) The Gram Sabha shall on receipt of the findings under clause (v) of sub-rule (2), meet with prior notice, to consider the findings of the Forest Rights Committee, pass appropriate resolutions, and shall forward the same to the Sub-Divisional Level Committee.</p> <p>(6) The Secretary of Gram Panchayat will also act as Secretary to the Gram Sabhas in discharge of its functions.</p> <p><b>Rule 12. Process of verifying claims by Forest Rights Committee.-</b> (1) The Forest Rights Committee shall, after due intimation to the concerned claimant and the Forest Department –</p> <p>(a) visit the site and physically verify the nature and extent of the claim and evidence on the site;</p> <p>(b) receive any further evidence or record from the claimant and witnesses;</p> <p>(c) ensure that the claim from pastoralists and nomadic tribes for determination of their rights, which may either be through individual</p>			<p>under section 4, the Forest Settlement-officer shall publish in the local vernacular in every town and village in the neighbourhood of the land comprised therein, a proclamation</p> <p>(a) specifying, as nearly as possible, the situation and limits of the proposed forest;</p> <p>(b) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and</p> <p>(c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or section, 5 within such period either to present to the Forest Settlement-officer a written notice specifying or to appear before him and state, the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.</p> <p><b>Section 7.: Inquiry Forest Settlement-officer.–</b> The Forest</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
		<p>provided that such terms and conditions satisfy the requirements laid down in this sub-section, no Scheduled Tribes or other forest dwellers shall be resettled or have their rights adversely affected for the purpose of creating inviolate areas for tiger conservation unless—</p> <p>(i) the process of recognition and determination of rights and acquisition of land or forest rights of the Scheduled Tribes and such other forest dwelling persons is complete;</p> <p>(v) the informed consent of the Gram Sabha concerned, and of the persons affected, to the resettlement programme has been obtained;</p>	<p>members, the community or traditional community institution, are verified at a time when such individuals, communities or their representatives are present;</p> <p>(d) ensure that the claim from member of a primitive tribal group or preagricultural community for determination of their rights to habitat, which may either be through their community or traditional community institution, are verified when such communities or their representatives are present; and</p> <p>(e) prepare a map delineating the area of each claim indicating recognizable landmarks.</p> <p>(2) The Forest Rights Committee shall then record its findings on the claim and present the same to the Gram Sabha for its consideration.</p> <p>(3) If there are conflicting claims in respect of the traditional or customary boundaries of another village or if a forest area is used by more than one Gram Sabha, the Forest Rights Committees of the respective Gram Sabhas shall meet jointly to consider the nature of enjoyment of such claims and submit the findings to the respective Gram Sabhas in writing:</p> <p>Provided that if the Gram Sabhas are not able to resolve the conflicting claims, it shall be referred by the Gram Sabha to the Sub-Divisional Level Committee for its resolution.</p> <p>(4) On a written request</p>			<p>Settlement-officer shall take down in writing all statements made under section 6, and shall at some convenient place inquire into all claims duly preferred under that section, and the existence of any rights mentioned in section 4 or section 5 and not claimed under section 6 so far as the same may be ascertainable from the records of Government and the evidence of any persons likely to be acquainted with the same.</p> <p>Section 8. Powers of Forest Settlement-officers.-For the purpose of such inquiry, the Forest Settlement-officer may exercise the following powers, that is to say:</p> <p>(a) power to enter, by himself or any officer authorised by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and</p> <p>(b) the powers of a Civil Court in the trial of suits.</p> <p><u>Section 9.</u> <b>Extinction of rights.</b>-Rights in respect of which no claim has</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>of the Gram Sabha or the Forest Rights Committee for information, records or documents, the concerned authorities shall provide an authenticated copy of the same to the Gram Sabha or Forest Rights Committee, as the case may be, and facilitate its clarification, if required, through an authorized officer .</p>			<p>been preferred under section 6, and of the existence of which no knowledge has been acquired by inquiry under section 7, shall be extinguished, unless before the notification under section 20 is published, the person claiming them satisfies the Forest Settlement-officer that he had sufficient cause for not prefer-ring such claim within the period fixed under section 6.</p> <p><u>Section 10</u></p> <p><b>Treatment of claims relating to practice of shifting cultivation.—</b>  (1) In the case of a claim relating to the practice of shifting cultivation, the Forest Settlement-officer shall record a statement setting forth the particulars of the claim and of any local rule or order under which the practice is allowed or regulated, and submit the statement to the State Government, together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>(2) On receipt of the statement and opinion, the State Government may make an order permitting or prohibiting the practice wholly or in part.</p> <p>(3) If such practice is permitted wholly or in part, the Forest Settlement-officer may arrange for its exercise</p> <p>(a) by altering the limits of the land under settlement so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants, or</p> <p>(b) by causing certain portions of the land under settlement to be separately demarcated, and giving permission to the claimants to practise shifting cultivation therein under such conditions as he may prescribe.</p> <p>(4) All arrangements made under sub-section (3) shall be subject to the previous sanction of the State Government.</p> <p>(5) The practice of shifting cultivation shall in all cases be deemed a</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>privilege subject to control, restriction and abolition by the State Government.</p> <p><u>Section 11</u>  <b>Power to acquire land over which right is claimed.</b>—(1) In the case of a claim to a right in or over any land, other than a right of way or right of pasture, or a right to forest produce or a water-course, the Forest Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.</p> <p>(2) If such claim is admitted in whole or in part, the Forest Settlement-officer shall either</p> <p>(i) exclude such land- from the limits of the proposed forest; or</p> <p>(ii) come to an agreement with the owner thereof for the surrender of his rights; or</p> <p>(iii) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1894 (1 of 1894).</p> <p>(3) For the purpose of so acquiring such land</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>(a) the Forest Settlement-officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1894 (1 of 1894);</p> <p>(b) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act;</p> <p>(c) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and</p> <p>(d) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land, or partly in land and partly in money.</p> <p><u>Section 12.</u>  <b>Order on claims to rights of pasture or to forest-produce.</b>—In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.</p> <p><u>Section 13.</u>  <b>Record to be</b></p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p><b>made by Forest Settlement-officer.</b>—The Forest Settlement officer, when passing any order under section 12, shall record, so far as may be practicable,—</p> <p>(a) the name, father's name, caste, residence and occupation of the person claiming the right; and</p> <p>(b) the designation, position and area of all fields or groups fields (if any), and the designation and position of all buildings (if any) in respect of which the exercise of such rights is claimed.</p> <p><u>Section 14.</u>  <b>Record where he admits claim.</b>—If the Forest Settlement-officer admits in whole or in part any claim under section 12, he shall also record the extent to which the claim is so admitted, specifying the number and description of the cattle which the claimant is from time to time entitled to graze in the forest, the season during which such pasture is permitted, the quantity of timber and other forest produce</p>



Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>which he is from time to time authorised to take or receive, and such other particulars as the case may require. He shall also record whether the timber or other forest-produce obtained by the exercise of the rights claimed may be sold or bartered.</p> <p><u>Section 15.</u>  <b>Exercise of rights admitted.</b>-(1)  After making such record the Forest Settlement officer shall, to the best of his ability, having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as will ensure the continued exercise of the rights so admitted.</p> <p>(2) For this purpose the Forest Settlement-officer may</p> <p>(a) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient, for the purposes of such claimants, and record an order conferring upon them a right of pasture or to forest-produce (as the case may be) to</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>the extent so admitted; or</p> <p>(b) so alter the limits of the proposed forest as to exclude forest-land of sufficient extent, and in a locality reasonably convenient, for the purposes of the claimants; or</p> <p>(c) record an order, continuing to such claimants a right of pasture or to forest-overpage produce, as the case may be, to the extent so admitted, at such seasons, within such portions of the proposed forest, and under such rules, as may be made in this behalf by the State Government.</p> <p><u>Section 16.</u>  <b>Commutation of rights.</b>—  In case the Forest Settlement-officer finds it impossible having due regard to the maintenance of the reserved forest, to make such settlement under section 15 as shall ensure the continued exercise of the said rights to the extent so admitted, he shall, subject to such rules as the State Government may make in this behalf, commute such rights, by the payment to</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.
Exercise of rights			Conditions may be imposed by DLCs. This aspect needs to be clarified further.			<p><u>Section 15.</u>  <b>Exercise of rights admitted.</b>-(1)  After making such record the Forest Settlement officer shall, to the best of his ability, having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as will ensure the continued exercise of the rights so admitted.</p> <p>(2) For this purpose the Forest Settlement-officer may</p> <p>(a) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient, for the purposes of such claimants, and record an order conferring upon them a right of pasture or to forest-produce (as the case may be) to the extent so admitted; or</p> <p>(b) so alter the limits of the proposed forest as to exclude forest-land of sufficient extent, and in a locality reasonably convenient, for</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>the purposes of the claimants; or</p> <p>(c) record an order, continuing to such claimants a right of pasture or to forest-overpage produce, as the case may be, to the extent so admitted, at such seasons, within such portions of the proposed forest, and under such rules, as may be made in this behalf by the State Government.</p>
Any time frames prescribed for the Rights settlement process	<p><u>Section 18B. Appointment of collectors</u> - The State Government shall appoint, an officer to act as Collector under the Act, within ninety days of coming into force of the Wild Life (Protection) Amendment Act, 2002, or within thirty days of the issue of notification under section 18, to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of the sanctuary which may be notified under sub section (1) of section 18."</p> <p><u>Section 25 A. Time limit for completion of acquisition proceedings</u> - Complete the proceedings under sections 19 (determine rights) to 25 (acquisition proceedings) (both inclusive) within a period of two years</p>		<p><u>Rules 11. Procedure for filing, determination and verification of claims by the Gram Sabha.</u>- (1) The Gram Sabhas shall -(a) call for claims and authorize the Forest Rights Committee to accept the claims in the Form as provided in Annexure-I of these rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, shall be made within a period of three months:</p> <p>Provided that the Gram Sabha may, if consider necessary, extend such period of three months after recording the reasons thereof in writing.</p> <p><u>Rule 14. Petitions to Sub-Divisional Level Committee.</u>- (1) Any person aggrieved by the resolution of the Gram Sabha may within a period of sixty days from the date of the resolution file a petition to the Sub-Divisional Level</p>			<p><u>Section 6. Proclamation by Forest Settlement-officer.</u>-When a notification has been issued under section 4, the Forest Settlement-officer shall publish in the local vernacular in every town and village in the neighbourhood of the land comprised therein, a proclamation</p> <p>(c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or section, 5 within such period either to present to the Forest Settlement-officer a written notice specifying or to appear before him and state, the nature of such right and</p>

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	<p>from the date of notification of declaration of sanctuary or National Park under section 18.</p>		<p>Committee .</p> <p>(2) The Sub-Divisional Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Gram Sabha in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing.</p> <p>(3) The Sub-Divisional Level Committee may either allow or reject or refer the petition to concerned Gram Sabha for its reconsideration.</p> <p>(4) After receipt of such reference, the Gram Sabha shall meet within a period of thirty days, hear the petitioner, pass a resolution on that reference and forward the same to the Sub-Divisional Level Committee.</p> <p>(7) In case of a dispute between two or more Gram Sabhas and on an application of any of the Gram Sabhas or the Sub-Divisional Level Committee on its own, shall call for a joint meeting of the concerned Gram Sabhas with a view to resolving the dispute and if no mutually agreed solution can be reached within a period of thirty days, the Sub-Divisional Level Committee shall decide the dispute after hearing the concerned Gram Sabhas and pass appropriate orders.</p> <p><b>Rule 15. Petitions to District Level Committee.-</b> (1) Any person aggrieved by the decision of the Sub-Divisional Level Committee may within a</p>			<p>the amount and particulars of the compensation (if any) claimed in respect thereof.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>period of sixty days from the date of the decision of the Sub-Divisional Level Committee file a petition to the District Level Committee.</p> <p>(2) The District Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Sub-Divisional Level Committee in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing.</p>			
Offences and penalties under each Act	<p><u>Section 50</u> – Power of entry search and detention,</p> <p><u>Section 51</u> - Penalties</p> <p><u>Section 52</u> – Attempts and abatement,</p> <p><u>Section 53</u> – Punishment for wrongful seizure,</p> <p><u>Section 58</u> – Offences by companies</p>	<p><u>Section 50</u> – Power of entry search and detention,</p> <p><u>Section 51</u> - Penalties</p> <p><u>Section 52</u> – Attempts and abatement,</p> <p><u>Section 53</u> – Punishment for wrongful seizure,</p> <p><u>Section 58</u> – Offences by companies</p>	<p><u>Section 7. Offences by members or officers of authorities and Committees under this Act.</u> - Where any authority or Committee or officer or member of such authority or Committee contravenes any provision of this Act or any rule made thereunder concerning recognition of forest rights, it, or they, shall be deemed to be guilty of an offence under this Act and shall be liable to be proceeded against and punished with fine which may extend to one thousand rupees:</p> <p>Provided that nothing contained in this sub-section shall render any member of the authority or Committee or head of the department or any person referred to in this section liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.</p> <p><u>Section 8. Cognizance of offences.</u>- No court shall take cognizance of any offence under</p>	<p><u>Section 55- Penalties</u> - (1) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 3 or section 4 or section 6 shall be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to ten lakh rupees and where the damage caused exceeds ten lakh rupees such fine may commensurate with the damage caused, or with both.</p> <p>(2) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 7 or any order made under sub-section (2) of section 24 shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five lakh rupees, or with both.</p> <p><u>Section 56: Penalty for contravention</u> - If</p>	<p><u>Section 3A Penalty for contravention of the provisions of the Act</u> - Whoever contravenes or abets the contravention of any of the provisions of Section 2, shall be punishable with simple imprisonment for a period which may extend to fifteen days.</p> <p><u>Section 3B Offences by Authorities and Government Departments.</u></p> <p>(1) Where any offence under this Act has been committed -</p> <p>(a) by any department of Government, the head of the department; or</p> <p>(b) by any authority, every person who, at the time the offence was committed, was directly in charge of, and was</p>	<p><u>Section 33.: Penalties for acts in contravention of notification under section 30 or of rules under section 32</u> - (1) Any person who commits any of the following offences, namely:–</p> <p>(a) fells, girdles, lops, taps or bums any tree reserved under section 30, or strips off the bark or leaves from, or otherwise damages, any such tree;</p> <p>(b) contrary to any prohibition under section 30, quarries any stone, or bums any lime or charcoal or collects, subjects to any manufacturing process, or removes any forest-produce;</p> <p>(c) contrary to any prohibition under section 30, breaks up or</p>

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			<p>section 7 unless any forest dwelling Scheduled Tribe in case of a dispute relating to a resolution of a Gram Sabha or the Gram Sabha through a resolution against any higher authority gives a notice of not less than sixty days to the State Level Monitoring Committee and the State Level Monitoring Committee has not proceeded against such authority.</p>	<p>any person contravenes any direction given or order made by the Central Government, the State Government, the National Biodiversity Authority or the State Biodiversity Board for which no punishment has been separately provided under this Act, he shall be punished with a fine which may extend to one lakh rupees and in case of a second subsequent offence, with fine which may extend to two lakh rupees and in the case of continuous contravention with additional fine may extend to two lakh rupees everyday during which the default continues.</p> <p><b>Section 57: Offences by companies - (1)</b> Where an offence or contravention under this Act has been committed by a company, every person who at the time the offence or contravention was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence or contravention was committed without the knowledge or that he had exercised all due diligence to prevent the commission of such offence or contravention.</p> <p>(2) Notwithstanding anything contained in this sub-section (1), where an offence or contravention under</p>	<p>responsible to, the authority for the conduct of the business of the authority as well as the authority; shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:</p> <p>Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.</p> <p>(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of; or is attributable to any neglect on the part of any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty</p>	<p>clears for cultivation or any other purpose any land in any protected forest;</p> <p>(d) sets fire to such forest, or kindles a fire without taking all reasonable precautions to prevent its spreading to any tree reserved under section 30, whether standing fallen or felled, or to say closed portion of such forest;</p> <p>(e) leaves burning any fire kindled by him in the vicinity of any such tree or closed portion;</p> <p>(f) fells any tree or drags any timber so as to damage any tree reserved as aforesaid;</p> <p>(g) permits cattle to damage any such tree;</p> <p>(h) infringes any rule made under section 32, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.</p> <p>(2) Whenever fire is caused wilfully or by gross negligence in a protected forest, the State Government may, notwithstanding that any penalty has been</p>

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				<p>this Act has been committed by a company and it is proved that the offence or contravention has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence or contravention and shall be liable to be proceeded against and punished accordingly.</p>	<p>of that offence and shall be liable to be proceeded against and punished accordingly.</p> <p><u>Rule 9:</u> Proceedings against persons guilty of offences under the Act (1) The Central Government may, by notification, authorize any officer not below the rank of Conservator of Forests or the concerned forest officer having territorial jurisdiction over the forest land in respect of which the said offence is said to have been committed, to file complaints against the person (s) prima-facie found guilty of offence under the Act or the violation of the rules made thereunder, in the court having jurisdiction in the matter. Provided that no complaint shall be filed in the court, without giving the person (s) or officer (s) or authority (s) against whom the allegations of offence exist, an opportunity to explain his or their conduct and to show cause, by issuing a notice in writing of not less than sixty days, as to why a complaint should not be filed in the court against him or them for alleged offences.</p> <p>(2) The officer authorised by the Central Government in sub-rule (1) may require any State Government or its officer or any other authority to furnish to it within a specified period any reports, documents, statistics and any</p>	<p>inflicted under this section, direct that in such forest or any portion thereof the exercise of any right of pasture or to forest-produce shall be suspended for such period as it thinks fit.</p> <p><u>Section 42:</u> <b>Penalty for breach of rules made under section 41 .-(1)</b> The State Government may by such rules prescribe as penalties for the contravention thereof imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.</p> <p>(2) Such rules may provide that penalties which are double of those mentioned in subsection (1) may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or where the offender has been previously convicted of a like offence.</p> <p><u>Section 77.</u> <b>Penalties for breach of rules.-Any</b></p>



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					other information related to contravention of the Act or the rules made thereunder, considered necessary for making a complaint in any court of jurisdiction and every such State Government or officer or person or authority shall be bound to do so.	<p>person contravening any rule under this Act, for the contravention of which no special penalty is provided, shall be punishable with imprisonment for a term which may extend to one month, or fine which may extend to five hundred rupees, or both.</p> <p>CHAPTER IX PENALTIES AND PROCEDURE</p>
Procedures related to destruction/ damage of resources/land/biodiversity	<p><u>Section 29: Destruction, etc., in a sanctuary prohibited without a permit.</u>- No person shall destroy, exploit or remove any wild life including forest produce from a sanctuary or destroy or damage or divert the habitat of any wild animal by any act whatsoever or divert, stop or enhance the flow of water into or outside the sanctuary, except under and in accordance with a permit granted by the Chief Wild Life Warden, and no such permit shall be granted unless the State Government being satisfied in consultation with the Board that such removal of wild life from the sanctuary or the change in the flow of water into or outside the sanctuary is necessary for the</p>		<p><u>Section 5. Duties of holders of forest rights.</u>- The holders of any forest right, Gram Sabha and village level institutions in areas where there are holders of any forest right under this Act are empowered to-</p> <p>(d) ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.</p>	<p><u>Section 24 Power to State Biodiversity Board to restrict certain activities violating the objectives of conservation etc. -</u> Any citizen of India or a body corporate, organization or association registered in India intending to undertake any activity referred to in section 7 shall give prior intimation in such form as may be prescribed by the State Government to the State Biodiversity Board.</p> <p>(2) On receipt of an intimation under subsection (1), the State Biodiversity Board may, in consultation with the local bodies concerned and after making such enquires as it conservation, may deem fit, by order, prohibit or restrict any such activity if it is of opinion that such activity is detrimental</p>		

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	<p>improvement and better management of wild life therein, authorises the issue of such permit:</p>			<p>or contrary to the objectives of conservation and sustainable use of biodiversity or equitable sharing of benefits arising out of such activity:</p> <p>Provided that no such order shall be made without giving an opportunity of being heard to the person affected.</p> <p>(3) Any information given in the form referred to in sub-section (1) for prior intimation shall be kept confidential and shall not be disclosed, either intentionally or unintentionally, to any person not concerned thereto.</p> <p><b>Section 36: Central government to develop National strategies, plans etc. for conservation etc., of biological diversity - (1)</b> The Central Government shall develop national strategies, plans, programmes for the conservation and promotion and sustainable use of biological diversity including measures for identification and monitoring of areas rich in biological resources, promotion of in situ, and ex situ, conservation of biological resources, incentives for research, training and public education to increase awareness with respect to biodiversity.</p> <p>(2) Where the Central Government has reason to believe that any rich in biological diversity, biological</p>		

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				<p>resources and their habitats is being threatened by overuse, abuse or neglect, it shall issue directives to the concerned State Government to take immediate ameliorative measures; offering such State Government any technical and other assistance that is possible to be provided or needed.</p> <p>(3) The Central Government shall, as far as practicable wherever it deems appropriate, integrate the conservation, promotion and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.</p> <p>(4) The Central Government shall undertake measures,</p> <p>-</p> <p>(i) wherever necessary, for assessment of environmental impact of that project which is likely to have adverse effect on biological diversity, with a view to avoid or minimize such effects and where appropriate provide for public participation in such assessment;</p> <p>(ii) to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology likely to have adverse impact on the conservation and sustainable use of biological diversity and human health.</p>		

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Any specific conservation related provisions	<p><u>Chapter IIIA:</u> <b>PROTECTION OF SPECIFIED PLANTS</b></p> <p><u>Chapter IV</u> <b>PROTECTED AREAS</b></p> <p><u>Section 18.</u> <b>Declaration of sanctuary</b> - (1) The State Government may, by notification, declare its intention to constitute any area other than area comprised within any reserve forest or the territorial waters as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural, or zoological significance, for the purpose of protecting, propagating or developing wildlife or its environment.</p> <p><u>Section 18A:</u> (1) When the State Government declares its intention under sub-section of section 18 to constitute any area, not comprised within any reserve forest or territorial waters under that sub-section, as a sanctuary, the-provisions of sections 27 to 33A (both inclusive) shall come into effect forthwith.</p>	<p><u>Chapter IV B</u> <b>NATIONAL TIGER CONSERVATION AUTHORITY</b></p> <p><u>Section 38V</u> <b>Tiger Conservation plan</b> -</p> <p>(1) The State Government shall, on the recommendation of the Tiger Conservation Authority, notify an area as a tiger reserve.</p> <p>(2) The provisions of sub-section (2) of section 18, sub-sections (2), (3) and (4) of section 27, sections 30, 32 and clauses (b) and (c) of section 33 of this Act shall, as far as may be, apply in relation to a tiger reserve as they apply in relation to a sanctuary.</p> <p>(3) The State Government shall prepare a Tiger Conservation Plan including staff development and deployment plan for the proper management of each area referred to in sub-section (1), so as to ensure—</p> <p>(a) protection of</p>	<p><u>Section 3 (1) (i)</u> right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;</p> <p><u>Section 5. Duties of holders of forest rights.</u>- The holders of any forest right, Gram Sabha and village level institutions in areas where there are holders of any forest right under this Act are empowered to-</p> <p>(a) protect the wild life, forest and biodiversity;</p> <p>(b) ensure that adjoining catchments area, water sources and other ecological sensitive areas are adequately protected;</p> <p>(c) ensure that the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers is preserved from any form of destructive practices affecting their cultural and natural heritage;</p> <p>(d) ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.</p> <p><u>Section 4 (2)</u> The forest rights recognised under this Act in critical wildlife habitats of National Parks and Sanctuaries may subsequently be modified or resettled, provided that no forest rights holders shall be resettled or have their rights in any manner</p>	<p><u>Section 36</u> <b>Central Government to develop National strategies plans. Etc., for conservation, etc., of biological diversity</b> (1) The Central Government shall develop national strategies, plans, programmes for the conservation and promotion and sustainable use of biological diversity including measures for identification and monitoring of areas rich in biological resources, promotion of in situ, and ex situ, conservation of biological resources, incentives for research, training and public education to increase awareness with respect to biodiversity.</p> <p>(2) Where the Central Government has reason to believe that any area rich in biological diversity, biological resources and their habitats is being threatened by overuse, abuse or neglect, it shall issue directives to the concerned State Government to take immediate ameliorative measures, offering such State Government any technical and other assistance that is possible to be provided or needed.</p> <p>(3) The Central Government shall, as far as practicable wherever it deems appropriate, integrate the conservation, promotion and sustainable use of biological diversity into relevant sectoral</p>	<p><u>Section 2</u> Restriction on the dereservation of forests or use of forest land for non forest purpose: Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing-</p> <p>(i) that any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;</p> <p>(ii) that any forest land or any portion thereof may be used for any nonforest purpose;</p> <p>(iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government;</p> <p>(iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reafforestation.</p>	<p>Chapter II <b>RESERVED FORESTS</b></p> <p><u>Section 3.</u> <b>Power to reserve forests.</b>— The State Government may constitute any forest-land or waste-land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled, a reserved forest in the manner hereinafter provided.</p> <p><u>Section 4:</u> <b>Notification by State Government.</b>- (1) Whenever it has been decided to constitute any land a reserved forest, the State Government shall issue a notification in the Official Gazette—</p> <p>(a) declaring that it has been decided to constitute such land a reserved forest;</p> <p>(b) specifying, as nearly as possible, the situation and limits of such land; and</p>

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	<p><u>Section 35:</u> <b>Declaration of National Parks.</b> – (1) Whenever it appears to the State Government that an area, whether within a sanctuary or not, is, by reason of its ecological, faunal, floral, geomorphological, or zoological association or importance, needed to be constituted as a National Park for the purpose of protecting, propagating or developing wildlife therein or its environment, it may, by notification, declare its intention to constitute such area as a National Park.</p> <p><u>Chapter VA</u> PROHIBITION OF TRADE OR COMMERCE IN TROPHIES, ANIMAL ARTICLES, ETC. DERIVED FROM CERTAIN ANIMALS</p> <p>Chapter VIA: FORFEITURE OF PROPERTY DERIVED FROM ILLEGAL AND TRADE</p>	<p>tiger reserve and providing site specific habitat</p> <p>inputs for a viable population of tigers co-predators and prey animals without distorting the natural prey-predator ecological cycle in the habitat;</p> <p>(b) ecologically compatible land uses in the tiger reserves and</p> <p>areas linking one protected area or tiger reserve with another for addressing the livelihood concerns of local people, so as to provide</p> <p>dispersal habitats and corridor for spill over population of wild animals from the designated core areas of tiger reserves or from tiger breeding habitats within other protected areas;</p> <p>(c) the forestry operations of regular forest divisions and those adjoining tiger reserves are not incompatible with the needs of tiger conservation.</p> <p>(4) Subject to the provisions contained in this Act, the State Government shall, while preparing a Tiger Conservation Plan, ensure the agricultural,</p>	<p>affected for the purposes of creating inviolate areas for wildlife conservation except in case all the following conditions are satisfied, namely:-</p> <p>Provided that the critical wildlife habitats from which rights holders are thus relocated for purposes of wildlife conservation shall not be subsequently diverted by the State Government or the Central Government or any other entity for other uses.</p> <p><u>Rule 4 (1) (e)</u> The Gram Sabha shall constitute Committees for the protection of wildlife, forest and biodiversity, from amongst its members, in order to carry out the provisions of section 5 of the Act.- with section 5:</p> <p><u>Preamble:</u> WHEREAS the recognised rights of the forest dwelling Scheduled Tribes and other traditional forest dwellers include the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwelling Scheduled Tribes and other traditional forest dwellers;</p>	<p>or cross-sectoral plans, programmes and policies.</p> <p>4) The Central Government shall undertake measures,- (i) wherever necessary, for assessment of environmental impact of that project which is likely to have adverse effect on biological diversity, with a view to avoid or minimize such effects and where appropriate provide for public participation in such assessment; (ii) to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology likely to have adverse impact on the conservation and sustainable use of biological diversity and human health.</p> <p><u>Section 37</u> Biodiversity Heritage sites- (1) Without prejudice to any other law for the time being in force, the State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as biodiversity heritage sites under this Act. (2) The State Government, in consultation with the Central Government, may frame rules for the management and conservation of all the heritage sites.</p> <p><u>Section 38: Power of Central Government to notify threatened species-</u> Without</p>		<p>(c) appointing an officer (hereinafter called "the Forest Settlement-officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest-produce, and to deal with the same as provided in this Chapter.</p> <p>Explanation.–For the purpose of clause (b), it shall be sufficient to describe the limits of the forest by roads, rivers, ridges or other well-known or readily intelligible boundaries.</p> <p><u>Section 5.</u> Bar of accrual of forest-rights.–After the issue of a notification under section 4, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or</p>

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		<p>livelihood, developmental and other interests of the people living in tiger bearing forests or a tiger reserve.</p> <p><i>Explanation—</i> For the purposes of this section, the expression “tiger reserve” includes:—</p> <p>(i) core or critical tiger habitat areas of National Parks and Sanctuaries, where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers, and notified as such by the State Government in consultation with an Expert Committee constituted for the purpose;</p> <p>(ii) buffer or peripheral area consisting of the area peripheral to critical tiger habitat or core area, identified and established in accordance with the provisions contained in <i>Explanation (i)</i>, of section 38V(4), where a lesser degree of habitat protection is</p>		<p>prejudice to the provisions of any other law for the time being in force, the Central Government, in consultation with the concerned State Government, may from time to time notify any species which is on the verge of extinction or likely to become extinct in the near future as a threatened species and prohibit or regulate collection thereof for any purpose and take appropriate steps to rehabilitate and preserve those species</p> <p>Biodiversity Heritage Sites (Section 37, <a href="#">also guidelines</a>),</p>		<p>for any other purpose shall be made in such land except in accordance with such rules as may be made by the State Government in this behalf.</p> <p>Chapter III <b>VILLAGE FOREST</b></p> <p><u>Section 28</u> <b>Formation of village-forests.-</b> (1) The State Government may assign to any village-community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called village-forests.</p> <p>(2) The State Government may make rules for regulating the management of village forests, prescribing the conditions under which the community to which any such assignment is made may be provided with timber or other forest-produce or pasture, and their duties for the protection and improvement of such forest.</p> <p>(3) All the provisions of this Act relating to reserved forests</p>

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		<p>required to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species, and which aim at promoting co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people, wherein the limits of such areas are determined on the basis of scientific and objective criteria in consultation with the concerned Gram Sabha and an Expert Committee constituted for the purposes.</p>				<p>shall (so far as they are not inconsistent with the rules so made) apply to village-forests.</p> <p>Chapter IV <b>PROTECTED FOREST,</b></p> <p><u>Section 29:</u> <b>Protected forests.</b>—(1) The State Government may, by notification in the Official Gazette, declare the provisions of this Chapter applicable to any forest-land or waste-land which,, is not included in a reserved forest but which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest produce of which the Government is entitled.</p> <p>(2) The forest-land and waste-lands comprised in any such notification shall be called a "protected forest".</p> <p>(3) No such notification shall be made unless the nature and extent of the rights of Government and of private persons in or over the forest-land or waste-land comprised therein have been inquired</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>into and recorded at a survey or settlement, or in such other manner as the State Government thinks sufficient. Every such record shall be presumed to be correct until the contrary is proved:</p> <p>Provided that, if, in the case of any forest-land or waste land, the State Government thinks that such inquiry and record are necessary, but that they will occupy such length of time as in the meantime to endanger the rights of Government, the State Government may, pending such inquiry and record, declare such land to be a protected forest, but so as not to abridge or affect any existing rights of individuals or communities.</p> <p><b>Section 26. Acts prohibited in such forests.—</b>  (1) Any person who—</p> <p>(a) makes any fresh clearing prohibited by section 5, or</p> <p>(b) sets fire to a reserved forest, or, in contravention of any rules made by the State</p>



Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>Government in this behalf, kindles any fire, or leaves any fire burning, in such manner as to endanger such a forest; or who, in a reserved forest—</p> <p>(c) kindles, keeps or carries any fire except at such seasons as the Forest-officer may notify in this behalf,</p> <p>(d) trespasses or pastures cattle, or permits cattle to trespass;</p> <p>(e) causes any damage by negligence in felling any tree or cutting or dragging any timber;</p> <p>(f) fells, girdles, lops, or bums any tree or strips off the bark or leaves from, or otherwise damages, the same;</p> <p>(g) quarries stone, bums lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce;</p> <p>(h) clears or breaks up any land for cultivation or any other purpose;</p> <p>(i) in contravention of any rules made in this behalf by the State Government hunts, shoots, fishes, poisons water or sets</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>traps or snares; or</p> <p>(j) in any area in which the Elephants' Preservation Act, 1879 (6 of 1879), is not in force, kills or catches elephants in contravention of any rules so made, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.</p> <p>(2) Nothing in this section shall be deemed to prohibit</p> <p>(a) any act done by permission in writing of the Forest-officer, or under any rule made by the state Government; or</p> <p>(b) the exercise of any right continued under clause (c) of sub-section (2) of section 15, or created by grant or contract in writing made by or on behalf of the Government under section 23.</p> <p>(3) Whenever fire is caused wilfully or by gross negligence in a reserved forest, the State</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>Government may (notwithstanding that any penalty has been inflicted under this section) direct that in such forest or any portion there of the exercise of all rights of pasture or to forest produce shall be suspended for such period as it thinks fit.</p> <p><u>Section 30.</u>  <b>Power to issue notification reserving trees, etc.</b>—The State Government may, by notification in the Official Gazette,</p> <p>(a) declare any trees or class of trees in a protected forest to be reserved from a date fixed by, the notification;</p> <p>(b) declare that any portion of such forest specified in the notification shall be closed for such term, not exceeding thirty years, as the State Government thinks fit, and that the rights of private persons, if any, over such portion shall be suspended during such terms, provided that the remainder of such forest be sufficient, and in a locality reasonably convenient, for</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>the due exercise of the right suspended in the portion so closed; or</p> <p>(c) prohibit, from a date fixed as aforesaid, the quarrying of stone, or the burning of lime or charcoal, or the collection or subjection to any manufacturing process, or removal of, any forest-produce in any such forest, and the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, of any land in any such forest.</p> <p><u>Section 35.</u>  <b>Protection of forests for special purposes.</b>-(1)  The State Government may, by notification in the Official Gazette, regulate or prohibit in any forest or waste-land</p> <p>(a) the breaking up or clearing of land for cultivation;</p> <p>(b) the pasturing of cattle; or</p> <p>(c) the firing or clearing of the vegetation;</p> <p>when such regulation or prohibition appears necessary for any of the following</p>

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						<p>purposes:–</p> <p>(i) for protection against storms, winds, rolling stones, floods and avalanches;</p> <p>(ii) for the preservation of the soil on the ridges and slopes and in the valleys of hilly tracts, the prevention of land slips or of the formation of ravines, and torrents, or the protection of land against erosion, or the deposit thereon of sand, stones or gravel;</p> <p>(iii) for the maintenance of a water-supply in springs, rivers and tanks;</p> <p>(iv) for the protection of roads, bridges, railways and other lines of communication;</p> <p>(v) for the preservation of the public health.</p> <p>(2) The State Government may, for any such purpose, construct at its own expense, in or upon any forest or waste-land, such work as it thinks fit.</p>
Institutions mandated/r ecognised (Centre)	NBWL, Central Zoo Authority, Wildlife Crime Control Bureau	NTCA	MoTA	National Biodiversity Authority	Forest Advisory Committee, MoEF	MoEF
Institutions mandated/r ecognised (State)	State Board of Wildlife, State Advisory committee	State Steering Committee/FD	SLMC	State Biodiversity Board	Regional Empowered Committee (6 regional offices, each cover few	FD

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
					states), FD	
Institutions mandated/r ecognised (Sub-State)	Sanctuary/PA Advisory Committee	Tiger Foundations	DLC, SDLC	District level BMCs (some states)	FD	FD
Institutions mandated/r ecognised (local)	Conservation Reserve Management Committee, Community Reserve Management Committee, Village Panchayat, Gram Sabha	Gram Sabha	Gram Sabha, FRC	BMC, Panchayat		Village Community (only for village forest)
Role of these institutions	<p><b>National Board for Wildlife Section 5C:</b> Functions of the National Board-</p> <p>(1) It shall be the duty of the National Board to promote the conservation and development of wild life and forests by such measures as it thinks fit.:</p> <p>(2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for –</p> <p>(a) framing policies and advising the Central Government and the State Governments on the ways and means of promoting wild life conservation and effectively controlling poaching and illegal trade of wild life and its products;</p> <p>(b) making recommendations on the setting up of and management of national parks, sanctuaries and other protected areas and on matters relating to restriction of activities in those areas;</p>	<p><b>NTCA Section 38Q:</b> Powers and functions of Tiger Conservation Authority - (1) The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:—</p> <p>(a) to approve the Tiger Conservation Plan prepared by the State Government under sub-section (3) of section 38V of this Act;</p> <p>(b) evaluate and assess various aspects of sustainable ecology and disallow any ecologically unsustainable land use such as, mining, industry and other projects within the tiger reserves;</p> <p>(c) lay down normative standards for</p>	<p><b>Gram Sabha - Section 6 (1)</b> Authorities to vest forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers and procedure thereof. -</p> <p>(1) The Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.</p> <p><b>SDLC Section 6 (3)</b> The State Government shall constitute a Sub-Divisional Level Committee to examine the resolution passed by</p>	<p><b>National Biodiversity Authority Section 18</b> Functions and powers of National Biodiversity Authority (1) It shall be the duty of the National Biodiversity Authority to regulate activities referred to in sections 3, 4 and 6 and by regulations issue guidelines for access to biological resources and for fair and equitable benefit sharing.</p> <p>(2) The National Biodiversity Authority may grant approval for undertaking any activity referred to in sections 3, 4 and 6.</p> <p>(3) The National Biodiversity Authority may (a) advise the Central Government on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of benefits arising out of the utilization of biological resources;</p> <p>(b) advise the State Governments in the selection of areas of biodiversity importance to be notified under sub-section (1) of section 37 as heritage sites</p>	<p><b>Rule 5: Conduct of business of the Committee-</b></p> <p>(i) The Chairperson shall call the meeting of the Committee whenever considered necessary but not less than once in a month.</p> <p>(ii) The meeting of the committee shall be held at New Delhi.</p> <p>(iii) In case where the Chairperson is satisfied that inspection of site or sites of forest land proposed to be used for non-forest purposes shall be necessary or expedient in connection with the consideration of the proposal or proposals received under sub-rule (3) of rule 6, he may direct that the meetings of the committee to be held at a place other than New Delhi from where such inspection of site or sites is necessary.</p> <p>(iv) The Chairperson shall preside over every</p>	

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>(c) carrying out or causing to be carried but impact assessment of various projects and activities on wild life or its habitat;</p> <p>(d) reviewing from time to time, the progress in the field of wild life conservation in the country and suggesting measures for improvement thereto; and</p> <p>(e) preparing and publishing a status report at least once in two years on wild life in the country."</p> <p><b>State Board for Wildlife Section 8</b></p> <p>Duties of State Board of Wildlife - It shall be the duty of the State Board for Wildlife to advise the State Government,—</p> <p>(a) In the selection and management of areas to be declared as protected areas</p> <p>(b) in formulation of the policy for protection and conservation of wild life and specified plants;</p> <p>(c) in any matter relating the amendment of any Schedule;</p> <p>(cc) in relation to the measures to be taken for harmonizing the needs of the tribals and</p> <p>other dwellers of the forest with the protection and conservation of wildlife; and</p>	<p>tourism activities and guidelines for</p> <p>project tiger from time to time for tiger conservation in the buffer and core</p> <p>area of tiger reserves and ensure their due compliance;</p> <p>(d) provide for management focus and measures for addressing conflicts of</p> <p>men and wild animals and to emphasise on co-existence in forest areas outside the National Parks, sanctuaries or tiger reserve, in the working plan code;</p> <p>(e) provide information on protection measures including future conservation plan, estimation of population of tiger and its natural prey species, status of habitats, disease surveillance, mortality survey, patrolling, reports on untoward happenings and such other management aspects as it may deem fit including future plan conservation;</p> <p>(f) approve, co-ordinate research and monitoring on</p>	<p>the Gram Sabha and prepare the record of forest rights and forward it through the Sub-Divisional Officer to the District Level Committee for a final decision.</p> <p><b>DLC Section 6 (5)</b> The State Government shall constitute a District Level Committee to consider and finally approve the record of forest rights prepared by the Sub-Divisional Level Committee.</p> <p><b>SLMC Section 6 (7)</b> The State Government shall constitute a State Level Monitoring Committee to monitor the process of recognition and vesting of forest rights and to submit to the nodal agency such returns and reports as may be called for by that agency.</p> <p><b>FRC Section 11.</b> Procedure for filing, determination and verification of claims by the Gram Sabha.- (1) The Gram Sabhas shall - (a) call for claims and authorize the Forest Rights Committee to accept the claims in the Form as provided in Annexure-I of these rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, shall be made within a period of three months.</p>	<p>and measures for the management of such heritage sites;</p> <p>(c) perform such other functions as may be necessary to carry out the provisions of this Act.</p> <p>(4) The National Biodiversity Authority may, on behalf of the Central Government, take any measures necessary to oppose the grant of intellectual property rights in any country outside India on any biological resource obtained from India or knowledge associated with such biological resource which is derived from India.</p> <p><b>State Biodiversity Board Section 23</b> Functions of State Biodiversity Board- The functions of the State Biodiversity Board shall be to—</p> <p>(a) advise the State Government, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilization of biological resources;</p> <p>(b) regulate by granting of approvals or otherwise requests for commercial utilization or bio-survey and bio utilization of any biological resource by Indians;</p> <p>(c) perform such other functions as may be necessary to carry out the provisions of this</p>	<p>meeting of the Committee at which he is present.</p> <p>(v) Every question upon which the Central Government is required to be advised shall be considered in the meeting of the Committee provided that in urgent cases if the meeting cannot be convened within a month, the Chairperson may direct that papers may be circulated and sent to the members for their opinion within the stipulated time.</p> <p>(vi) The quorum of the meeting of the Committee shall be three.</p>	

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>(d) in any other matter connected with the protection of wild life which may be referred to it by the State Government</p> <p><b>Central Zoo Authority</b> <u>Section 38 C</u>: Functions of the Authority – The Authority shall perform the following functions, namely:</p> <p>(a) specify the minimum standards for housing, unkeep and veterinary care of the animals kept in a zoo;</p> <p>(b) evaluate and assess the functioning of zoos with respect to the standards or the norms as may be prescribed;</p> <p>(c) recognise or derecongize zoos;</p> <p>(d) identify endangered species of wild animals for purposes of captive breeding and assigning responsibility in this regard to a zoo;</p> <p>(e) co-ordinate the acquisition, exchange and loaning of animals for breeding purposes;</p> <p>(f) ensure maintenance of stud books of endangered species of wild animals bred in captivity;</p> <p>(g) identify priorities and themes with regard to display of captive animals in a zoo;</p> <p>(h) co-ordinate</p>	<p>tiger, co-predators, prey, habitat, related ecological and socio-economic parameters and their evaluation;</p> <p>(g) ensure that the tiger reserves and areas linking one protected area or tiger reserve with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of the National Board for Wild Life and on the advice of the Tiger Conservation Authority;</p> <p>(h) facilitate and support the tiger reserve management in the State for biodiversity conservation initiatives through eco-development and people's participation as per approved management plans and to support similar initiatives in adjoining areas consistent with the Central and State laws;</p> <p>(i) ensure critical support including scientific, information technology and legal support for better implementation of the tiger conservation plan;</p> <p>(j) facilitate</p>		<p>Act or as may be prescribed by the State Government.</p> <p><b>Section 24 Power to State Biodiversity Board to restrict certain activities violating the objectives of conservation etc.</b> - Any citizen of India or a body corporate, organization or association registered in India intending to undertake any activity referred to in section 7 shall give prior intimation in such form as may be prescribed by the State Government to the State Biodiversity Board.</p> <p>(2) On receipt of an intimation under subsection (1), the State Biodiversity Board may, in consultation with the local bodies concerned and after making such enquires as it conservation, may deem fit, by order, prohibit or restrict any such activity if it is of opinion that such activity is detrimental or contrary to the objectives of conservation and sustainable use of biodiversity or equitable sharing of benefits arising out of such activity:</p> <p>Provided that no such order shall be made without giving an opportunity of being heard to the person affected.</p> <p>(3) Any information given in the form referred to in subsection (1) for prior intimation shall be kept confidential and</p>		



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	<p>training of zoo personnel in India and outside India;</p> <p>(i) co-ordinate research in captive breeding and educational programmes for the purposes of zoos;</p> <p>(j) provide technical and other assistance to zoos for their proper management and development on scientific lines;</p> <p>(k) perform such other functions as may be necessary to carry out the purposes of this Act with regard to zoos.</p> <p><b>Wildlife Crime Control Bureau</b> <u>Section 38Z:</u> Powers and functions of Wildlife Crime Control Bureau - (1) Subject to the provisions of this Act, the Wildlife Crime Control Bureau shall take measures with respect to—</p> <p>(i) collect and collate intelligence related to organized wildlife crime activities and to disseminate the same to State and other enforcement agencies for immediate action so as to apprehend the criminals and to establish a centralised wildlife crime data bank;</p> <p>(ii) co-ordination of actions by various officers, State Governments and other authorities in connection with the enforcement of the provisions of this Act, either directly or through regional and</p>	<p>ongoing capacity building programme for skill development of officers and staff of tiger reserves; and</p> <p>(k) perform such other functions as may be necessary to carry out the purposes of this Act with regard to conservation of tigers and their habitat.</p> <p>(2) The Tiger Conservation Authority may, in the exercise of its powers and performance of its functions under this Chapter, issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such person, officer or authority shall be bound to comply with the directions:</p> <p>Provided that no such direction shall interfere with or affect the rights of local people particularly the Scheduled Tribes.</p> <p><b>State Steering Committee</b> <u>Section 38U.</u>-(1) The state Government may constitute a Steering Committee for ensuring co-ordination,</p>		<p>shall not be disclosed, either intentionally or unintentionally, to any person not concerned thereto.</p> <p><b>Biodiversity Management Committee</b> <u>Section 41:</u> Constitution of Biodiversity Management Committees- (1) Every local body shall constitute a Biodiversity Management Committee within its area for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>border units set up by the Bureau;</p> <p>(iii) implementation of obligations under the various international Conventions and protocols that are in force at present or which may be ratified or acceded to by India in future;</p> <p>(iv) assistance to concerned authorities in foreign countries and concerned international organisations to facilitate co-ordination and universal action for wildlife crime control;</p> <p>(v) develop infrastructure and capacity building for scientific and professional investigation into wildlife crimes and assist State Governments to ensure success in prosecutions related to wildlife crimes;</p> <p>(vi) advice the Government of India on issues relating to wildlife crimes having national and international ramifications, and suggest changes required in relevant policy and laws from time to time.</p> <p>(2) The Wildlife Crime Control Bureau shall exercise—</p> <p>(i) such powers as may be delegated to it under sub-section (1) of section 5; sub-sections (1) and (8) of section 50 and section 55 of this Act; and</p>	<p>monitoring, protection and conservation of tiger, copredators and prey animals within the tiger range States.</p> <p><u>Section 38X.</u> (1) The State Government shall establish a Tiger Conservation Foundation for tiger reserves within the State in order to facilitate and support their management for conservation of tiger and biodiversity and, to take initiatives in eco-development by involvement of people in such development process.</p> <p>(2) The Tiger Conservation Foundation shall, <i>inter alia</i> have the following objective:—</p> <p>(a) to facilitate ecological, economic, social and cultural development in the tiger reserves;</p> <p>(b) to promote eco-tourism with the involvement of local stakeholder communities and provide support to safeguard the natural environment in the tiger reserves;</p> <p>(c) to facilitate the creation of, and or</p>				

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	<p>(ii) Such other powers as may be prescribed.”.</p> <p><b>Conservation Reserve Management Committee</b> <u>Section 36B:</u> (1) The State Government shall constitute a conservation reserve management committee to advise the Chief Wild Life Warden to conserve, manage and maintain the conservation reserve.</p> <p>(3) The Committee shall regulate its own procedure including the quorum.</p> <p><b>Community Reserve Management Committee</b></p> <p><u>Section 36D.</u> (1) The State Government shall constitute a Community Reserve management committee, which shall be the authority responsible for conserving, maintaining and managing the community reserve.</p> <p>(3) The committee shall be the competent authority to prepare and implement the management plan for the community reserve and to take steps to ensure the protection of wild life and its habitat in the reserve.</p> <p>(4) The committee shall elect a Chairman who shall also be the</p>	<p>maintenance of, such assets as may be necessary for fulfilling the above said objectives;</p> <p>(d) to solicit technical, financial, social, legal and other support required for the activities of the Foundation for achieving the above said objectives;</p> <p>(e) to augment and mobilise financial resources including recycling of entry and such other fees received in a tiger reserve, to foster stakeholder development and eco-tourism;</p> <p>(f) to support research, environmental education and training in the above related fields.</p> <p><b>Tiger Conservation Foundation</b> <u>Section 38X.</u> (1) The State Government shall establish a Tiger Conservation Foundation for tiger reserves within the State in order to facilitate and support their management for conservation of tiger and biodiversity and, to</p>				

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	Honorary Wild Life Warden on  the community reserve,  (5) The committee shall regulate its own procedure including the quorum."	take initiatives in eco development by involvement of people in such development process.				
Dispute settlement mechanism			<p><b>Rule 12 Process of verifying claims by Forest Rights Committee.-</b> (3) If there are conflicting claims in respect of the traditional or customary boundaries of another village or if a forest area is used by more than one Gram Sabha, the Forest Rights Committees of the respective Gram Sabhas shall meet jointly to consider the nature of enjoyment of such claims and submit the findings to the respective Gram Sabhas in writing:</p> <p>Provided that if the Gram Sabhas are not able to resolve the conflicting claims, it shall be referred by the Gram Sabha to the Sub-Divisional Level Committee for its resolution.</p> <p><b>Rule 14. Petitions to Sub-Divisional Level Committee.-</b> (7) In case of a dispute between two or more Gram Sabhas and on an application of any of the Gram Sabhas or the Sub-Divisional Level Committee on its own, shall call for a joint meeting of the concerned Gram Sabhas with a view to resolving the dispute and if no mutually agreed solution can be reached within a period of thirty days, the Sub-Divisional Level Committee shall decide</p>	<p><b>Section 50: Settlements of disputes between State Biodiversity Boards – 50.</b>(1) If a dispute arises between the National Biodiversity Authority and a</p> <p>State Biodiversity Board, the said Authority or the Board, as the case may be, may prefer an appeal to the Central Government within such time as may be prescribed.</p> <p>(2) Every appeal made under sub-section (1) shall be in such form as may be prescribed by the Central Government.</p> <p>(3) The procedure for disposing of an appeal shall be such as may be prescribed by the Central Government:</p> <p>Provided that before disposing of an appeal, the parties shall be given a reasonable opportunity of, being heard.</p> <p>(4) If a dispute arises between the State Biodiversity Boards, the Central Government shall refer the same to the National Biodiversity Authority.</p> <p>(5) While adjudicating any dispute under sub-section (4), the National Biodiversity</p>	National Green Tribunal	

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>the dispute after hearing the concerned Gram Sabhas and pass appropriate orders.</p> <p><b>Rule 15. Petitions to District Level Committee.-</b> (7) In case there is a discrepancy between orders of two or more Sub-Divisional Level Committees, the District Level Committee on its own, shall call for a joint meeting of the concerned Sub-Divisional Level Committees with a view to reconcile the differences and if no mutually agreed solution can be reached, the District Level Committee shall adjudicate the dispute after hearing the concerned Sub-Divisional Level Committees and pass appropriate orders.</p>	<p>Authority shall be guided by the principles of natural justice and shall follow such procedure as may be prescribed by the Central Government.</p> <p>(6) The National Biodiversity Authority shall have, for the purposes of discharging its functions under this section, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely—</p> <p>(a) summoning and enforcing the attendance of any person and examining him on oath;</p> <p>(b) requiring the discovery and production of documents;</p> <p>(c) receiving evidence on affidavits;</p> <p>(d) issuing commissions for the examination of witnesses or documents;</p> <p>(e) reviewing its decisions; dismissing an application for default or deciding it <i>ex parte</i>;</p> <p>(g) setting aside any order of dismissal of any application for default or any order passed by it <i>ex parte</i>;</p> <p>(h) any other matter which may be prescribed.</p> <p>(7) Every proceeding before the National Biodiversity Authority shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228,</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
				<p>and for the purpose of section 196, of the Indian Penal Code and the National Biodiversity Authority shall be deemed to be a civil court for all the purposes of section 195 and Chapter XXV1 of the Code of Criminal Procedure, 1973.</p> <p><u>Section 23. Appeal for settlement of disputes under</u>  <b>Section 50.</b> - (1) If a dispute arises between the Authority or a State Biodiversity Board or between one Board and other Board(s) on account of implementation of any order or direction or on any issue of policy decision, either of the aggrieved parties i.e. , Authority or the Board, as the case may be, prefer an appeal to the Central Government under section 50, in Form V to the Secretary, Ministry of Environment and Forests, Government of India</p> <p>(2) In case the dispute arises between a State Biodiversity Board and another state Biodiversity Board or Boards, the aggrieved Board or Boards, shall prefer the point or points of dispute to the Central Government which shall refer the same to the Authority.</p> <p>(3) The memorandum of appeal shall state the facts of the case, the grounds relied upon by the appellant, for preferring the appeal and the relief sought for.</p> <p>(4) The memorandum</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
				<p>of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved and shall be duly signed by the authorised representative of the appellant.</p> <p>(5) The memorandum of appeal shall be submitted in quadruplicate, either in person or through a registered post with Acknowledgement due, within 30 days from the date of the orders, direction or policy decision, impugned provided that if the Central Government is satisfied that there was good and sufficient reason for the delay in preferring the appeal, it may, for reason to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days but before the expiry of 45 days from the date of the orders impugned, direction or policy decision, as the case may be.</p> <p>(6) The notice for hearing of the appeal shall be given in Form VI by a registered post with an acknowledgement due.</p> <p>(7) The Central Government shall, after hearing the appellant and the other parties, dispose of the appeal.</p> <p>(8) In disposing of an appeal it may vary or modify or cancel impugned order, direction or policy, as the case may be.</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
				(9) In adjudicating a dispute, the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which the Central Government is required to follow under this rule.  National Green Tribunal		
Differences in any definitions of same terms	(15) "habitat" includes land, water, or vegetation which is the natural home of any wild animal;		(h) "habitat" includes the area comprising the customary habitat and such other habitats in reserved forests and protected forests of primitive tribal groups and pre-agricultural communities and other forest dwelling Scheduled Tribes;			
Provisions of community management in forest areas	<u>Section 36A.</u> <b>Declaration and Management of a Conservation Reserve - (1)</b> The State Government may, after having consultations with the local communities, declare any area owned by the Government, particularly the areas adjacent to National Parks and sanctuaries and those areas which link one protected area with another, as a conservation reserve for protecting landscapes, seascapes, flora and fauna and their habitat:  Community reserve, Conservation reserve  <u>Section 36B:</u> <b>Conservation Reserve</b>		<u>Section 5. Duties of holders of forest rights.-</u> The holders of any forest right, Gram Sabha and village level institutions in areas where there are holders of any forest right under this Act are empowered to- (a) protect the wild life, forest and biodiversity; (b) ensure that adjoining catchments area, water sources and other ecological sensitive areas are adequately protected; (c) ensure that the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers is preserved from any form of destructive practices affecting their cultural and natural heritage; (d) ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are	<u>Section 41:</u> <b>Constitution of Biodiversity Management Committees- (1)</b> Every local body shall constitute a Biodiversity Management Committee within its area for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.		<u>Section 28</u> <b>Formation of village-forests.-</b> (1) The State Government may assign to any village-community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called village-forests.  (2) The State Government may make rules for regulating the management of village forests, prescribing the conditions under which the community to which any such assignment is made may be provided with timber or other



Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p><b>Management Committee (1)</b> The State Government shall constitute a conservation reserve management committee to advise the Chief Wild Life Warden to conserve, manage and maintain the conservation reserve.</p> <p>(2) The committee shall consist of a representative of the forest or Wild Life Department, who shall be the Member-Secretary of the Committee, one representative of each Village Panchayat in whose jurisdiction the reserve is located, three representatives of non-governmental organizations working in the field of wild life conservation and one representative each from the Department of Agriculture and Animal Husbandry.</p> <p>Community Reserve Management Committee</p> <p><u>Section 36C</u> <b>Declaration and Management of Community Reserve.</b> (1) The State Government may, where the community or an individual has volunteered to conserve wild life and its habitat, declare any private or community land not comprised within a National Park, sanctuary or a conservation reserve, as a</p>		<p>complied with.</p>			<p>forest-produce or pasture, and their duties for the protection and improvement of such forest.</p> <p>(3) All the provisions of this Act relating to reserved forests shall (so far as they are not inconsistent with the rules so made) apply to village-forests.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>community reserve, for protecting fauna, flora and traditional or cultural conservation values and practices.</p> <p><u>Section 36D.</u>  <b>Community Reserve Management Committee</b></p> <p>(1) The State Government shall constitute a Community Reserve management committee, which shall be the authority responsible for conserving, maintaining and managing the community reserve.</p> <p>(2) The committee shall consist of five representatives nominated by the Village Panchayat or where such Panchayat does not exist by the members of the Gram Sabha and one representative of the State Forests or Wild Life Department under whose jurisdiction the community reserve is located.</p> <p>(3) The committee shall be the competent authority to prepare and implement the management plan for the community reserve and to take steps to ensure the protection of wild life and its habitat in the reserve.</p> <p>(4) The committee shall elect a Chairman who shall also be the Honorary Wild Life Warden on the</p>					

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
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**GUDALUR FOREST DIVISION-Tamil Nadu (as of Jan 15th, 2011)**

	community reserve,  (5) The committee shall regulate its own procedure including the quorum."					
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Sl. No.	Gram Sabha	Gram Panchayat	Individual claims	Community claims	Total claims
1	Koodamoola	Gudalur	62	9	<b>71</b>
2	Kamrajnagar	Ovelli	42	4	<b>46</b>
3	Ezhamuram	Gudalur	60	8	<b>68</b>
4	Ellamalai	Ovelli	23	4	<b>27</b>
5	Ambalamoola	Nellakottai	34	13	<b>47</b>
6	Kallichal	Cherangode	24	17	<b>41</b>
7	Murukambadi	Cherangode	67	20	<b>87</b>
8	Theerkabetta	Nellakottai	40	16	<b>56</b>
9	Kadichankolly	Devarshola	115	4	<b>119</b>
10	Gulimoola	Nellakottai	54	5	<b>59</b>
11	Tarpakolli	Devarshola	168	10	<b>178</b>
12	Karkapalli	Devarshola	108	18	<b>126</b>
13	Kappala	Cherangode	8	11	<b>19</b>
14	Paingal	Cherangode	4	12	<b>16</b>
15	Kappukunnu	Cherangode	37	17	<b>54</b>
16	Kottamanglam	Cherangode	0	14	<b>14</b>
17	Uppatti	Nelliyalam	76	12	<b>88</b>
18	Odakamvayal	Cherangode	69	8	<b>77</b>
19	Kadalakolli	Nellakottai	59	11	<b>70</b>
20	Cholady	Nellakottai	7	5	<b>12</b>
21	Thanjore	Nellakottai	36	22	<b>58</b>
22	Benne	Nellakottai	0	0	<b>0</b>
23	Nagampalli	Mudumalai	46	1	<b>47</b>
24	Chembakolli	Devarshola	131	6	<b>137</b>
25	Kanjikolli	Sri Madurai	156	11	<b>167</b>
26	Mezhamaram	Sri Madurai	74	0	<b>74</b>
29	<b>Total</b>		<b>1500</b>	<b>258</b>	<b>1728</b>

Annexure 2 FRA claims  
in Gudalur Forest  
Division

For details of Community Claims Please see annexure 2 a given separately in a excel file

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