

## 'SC move on buffers leading to illegalities'

Vijay Pinjarkar, TNN Aug 17, 2012, 02.26AM IST

NAGPUR: The Supreme Court directive to states to expedite notification of buffer zones around tiger reserves is resulting in some serious illegalities by the governments. "In their rush to notify buffer areas, which the court directs should be done in three weeks, the state governments are bypassing and violating the processes laid out in the Wildlife Protection Act and the Forest Rights Act (FRA)," said Ashish Kothari of Future of Conservation Network (FOC).

FOC is a network of ecological and social organizations and individuals committed to effective and equitable conservation of biodiversity. FOC's objective is to foster dialogue and engagement in complex conservation issues, and help tackle the increasing threats that both biodiversity and people's livelihoods face. The apex court had recently ordered states to notify buffer areas around their tiger reserves in three weeks and had also imposed a fine on some government for not doing so.

FOC said this time frame made a mockery of due process that has to be carried out for identifying and notifying buffer areas. This is because such areas have significant human populations and the law mandates that there be consultation with gram sabhas and an expert committee. The buffers aims at promoting coexistence between wildlife and human activities and there should be due recognition of the livelihood, developmental, social and cultural rights.

In a number of states, the buffers were notified within seven days, a period in which the above process is impossible to carry out. The same will happen in the attempt to implement the current orders. "There is serious lack of consultation with affected villages, or very cursory consultation with a few meetings in a fraction of villages. There is also no guidance on how to achieve coexistence between wildlife and communities. Even where villages have objected to the process or to the notification of buffer, their views have been ignored," Kothari said.

In the buffer of Tadoba-Andhari Tiger Reserve (TATR), transit and sale of non-timber forest produce (NTFP) is being restricted and even people's access to their own villages is being hindered through new gates and rules in the buffer area. All this is creating a situation of hostility, antagonism, and resentment, which will backfire on conservation.

The FOC said people were being displaced from several tiger reserves, without first recognizing their rights under the Forest Rights Act.

In 2011 and 2012, MOEF and the ministry of tribal affairs had issued circulars to state governments that no relocation should be carried out without first completing FRA. These continue to be ignored by states and NTCA.

[http://articles.timesofindia.indiatimes.com/2012-08-17/flora-fauna/33248644\\_1\\_notification-of-buffer-zones-tiger-reserves-forest-rights-act](http://articles.timesofindia.indiatimes.com/2012-08-17/flora-fauna/33248644_1_notification-of-buffer-zones-tiger-reserves-forest-rights-act)