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Tiger reserves to be kept out of Forest Rights Act

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New Delhi: Moving speedily, the Union government has demarcated the 28 existing tiger reserves and eight new proposed tiger reserves as critical tiger habitats under the amended Wildlife Protection Act, 1972. The declaration of the existing national parks and sanctuaries (that make up the tiger reserves) as critical habitats comes just ahead of the operationalization of the Forest Rights Act.

TOI had earlier reported that the government was working to fast track the proposal to declare tiger habitats as critical to wildlife as that would, in its view, keep them out of the purview of the Forest Rights Act.

This move had been made after the Congress leadership accepted the tiger lobby's logic that the Act would over-run existing tiger reserves, national parks and sanctuaries by giving rights to people in these 'involute areas' and put the Forest Rights Act on hold. The stalled Act envisages formal recognition of the rights of the people already living in these parks and sanctuaries before they can be evicted if found scientifically necessary.

The tiger lobby believed that it would become difficult to remove people from the parks and sanctuaries if the Forest Rights Act comes into place. Concurring with the conservationists, the Congress



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high command put the Act on hold and asked the government to instead preemptively declare critical tiger habitats and critical wildlife habitats (for areas not bearing tigers).

While the term 'critical wildlife habitat' is recognized only under the yet to be operationalised Forest Rights Act, the term 'critical tiger habitat' gets its legal backing from the existing Wildlife Protection Act. The government believes that now that the existing tiger-bearing areas have been declared as critical tiger habitats under the existing legislation, it would be able to carry on with the recently cleared enhanced package of rehabilitation and resettlement programme (totalling Rs 4,000 crore) for the almost 270 plus villages in these areas without the encumbrance of the yet to

be applied Forest Rights Act. This, it believes, would be possible because of two reasons. One, the new rights Act does not contain any specific mention of treating 'critical tiger habitats' and two, the provisions for such tiger areas was specially provided under the recently amended Wildlife Protection Act, adding a special layer of 'protection' to them from any other legislation.

It was also easier for the government to move on the tiger areas first in 'saving' them from the Forest Rights Act as the scientific studies needed to justify such spaces were already well in place. The government would find it difficult to generate the 'scientific logic' to prove that the other 570-odd sanctuaries and national parks (not bearing any tigers) are as important for conservation.