

What's the plan to relocate forest tribes? | Explained

What will happen to those living in traditional forest habitats within tiger reserves? What are they guaranteed under the Forest Rights Act? Why did a directive from the National Tiger Conservation Authority prompt the setting up of a new policy framework?

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Sharing space: Tribals assert their claims over forest land in the Nagerhole Tiger Reserve in Karnataka. File | Photo Credit: Special Arrangement

The story so far: The Union Ministry of Tribal Affairs has prepared a new policy framework that outlines the procedures to be followed when implementing existing laws governing the relocation of forest-dwelling communities from tiger reserves.

What is the brief?

This policy brief reiterates that relocations be considered a last resort and that if they are carried out, the rights of forest-dwelling Scheduled Tribes and others must be settled under the Forest Rights Act (FRA), 2006, first. Notably, the policy brief spells out mechanisms that allow these communities to continue residing within tiger reserves and also provides for measures that include them in the conservation and management of the biodiversity within the reserves.

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What is the framework?

This policy brief titled “Reconciling Conservation and Community Rights: A Policy Framework for Relocation and Co-existence in India’s Tiger Reserves” was prepared by the Tribal Affairs Ministry in October this year. It calls for a National Framework for Community-Centred Conservation and Relocation, through which the Environment Ministry and Tribal Affairs Ministry can jointly set procedural standards, timelines, and accountability. It also suggests a National Database on Conservation-Community Interface (NDCCI) to record and track relocations, compensation, and status post-relocation. It recommends annual independent audits of relocation projects by empanelled agencies that assess compliance with the FRA, the Wildlife Protection Act (WPA), 1972 and human rights standards. The policy document also spells out consent procedures, specifying that consent for relocation must be obtained before any administrative notification declares an area as part of a tiger reserve. It adds that the consent must be verifiable, not just at the Gram Sabhas’ level, but also at the level of each household.

It further stresses that forest-dwelling communities residing within tiger reserves must have the option to exercise their rights under the FRA to continue living in their traditional forest habitats. In the framework, the Tribal Affairs Ministry has said that, “The State bears an affirmative constitutional duty to safeguard these rights (FRA rights of forest-dwellers) and may not curtail them except upon demonstrable ecological necessity.” The Ministry has stated that this policy framework is intended to develop a collaborative approach between the Ministries of Environment, Forests, and Climate Change, and Tribal

Affairs so that “relocation, if undertaken, be voluntary, scientifically justified, rights-compliant, and grounded in equity and dignity”.

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Why this policy brief now?

According to a letter to the Secretary of the Environment Ministry sent by the Tribal Affairs Ministry on October 22, this policy brief was prepared in the wake of several representations to the government over “serious concerns” about the “overall non-implementation” of the FRA in areas declared as tiger reserves and other protected areas. The letter communicating the policy brief to the Environment Ministry noted that these representations had come from State governments and Gram Sabhas that are within the boundaries of tiger reserves.

In June 2024, a directive from the National Tiger Conservation Authority (NTCA), calling for States to prioritise relocations from tiger reserves, had led to widespread protests from Gram Sabhas. This also led to representations to the National Commission for Scheduled Tribes (NCST) and the Union government, seeking the rollback of this directive.

Village relocations have been a feature of India’s efforts for tiger conservation from as early as 1973, and these have come to be governed by the twin operation of the WPA and the FRA. While the WPA empowered forest departments to create the spaces required to sustain tiger populations, the FRA mandated them to settle forest-dwellers’ rights to land, forest produce, and other forest activities, allowing them to either continue living in their habitats or to relocate them with a monetary package. In case the villagers choose to stay on, the administration is mandated to provide them with basic services and infrastructure. For relocation, guidelines provide an option for a monetary package, which currently stands at ₹15 lakh per family. But the process of relocating villages from forested areas being identified for tiger conservation has been controversial, with many forest-dwelling communities, often Scheduled Tribes, alleging that they were being pushed to opt for relocation when the FRA allowed them to continue living there, or accusing administrations of depriving them of basic facilities for choosing to stay on.

For instance, in the Nagarhole National Park in Karnataka, one such conflict is playing out in the State's High Court, where the Jenu Kuruba community, a Scheduled Tribe Group, has argued that their rights to ancestral lands within the tiger reserves were not being recognised under the FRA.

According to a reply in Parliament this August, the Environment Ministry said that since January 2022, a total of 5,166 families from 56 villages were relocated from tiger reserves in as many as seven States across the country, such as Madhya Pradesh, Karnataka, Jharkhand, Maharashtra, Odisha, West Bengal, and Rajasthan. There were 591 villages and 64,801 families within the core areas of tiger reserves as of June last year, according to the NTCA.

Also Read | Tribals in Odisha tiger reserve allege they are being 'fraudulently' relocated

Why does it matter?

While existing laws, rules, and guidelines for the relocation of villages from tiger reserves already mandate that village relocation must be voluntary and only carried out once it has been scientifically determined that no form of cohabitation with human settlements is possible, the gaps in the way these rules are implemented has necessitated their reiteration in the new policy brief from the Tribal Affairs Ministry. The current guidelines governing the relocation of villages from tiger reserve areas come from the NTCA, which operates under the aegis of the Union Ministry of Environment, Forests, and Climate Change.

The new policy brief from the Ministry of Tribal Affairs notes the need for monitoring the relocations being carried out under these guidelines, and suggests mechanisms for this that require more involvement and oversight from the Tribal Affairs Ministry's representatives and outside experts.

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What next?

The Tribal Affairs Ministry's letter to the Environment Ministry noted the "critical importance" of the points raised in the policy brief and has sought the latter's cooperation in this regard. The Tribal Affairs Ministry has said that this policy document should be circulated across Tribal Welfare and Forest Departments in the States, down to the district level.

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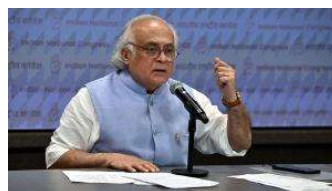
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