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## India: Whither Fortress Conservation

The Forest Rights Act (FRA), the landmark conservation legislation enacted in 2006 in India, was meant to put an end to top-down conservation policies and laws often dating back to the colonial era and discriminating against forest communities. It was also meant to strengthen the authority of communities and their institutions, such as the *Gram Sabhas*, over their forests. In order to radically depart from the colonial and exploitative model, the FRA declares the *Gram Sabhas* as the main entity for deciding how to use, manage, and conserve the forests that communities traditionally use, as well as for protecting them against internal and external threats. The Act also requires free, prior and informed consent of the *Gram Sabhas* before any customary forest can be handed over for any other use. However, instead of a paradigm shift, the process of ‘conservation’ in India continues to enclose the forest commons rightfully belonging to the people. This happens through the systematic violation of the FRA, following a deliberate and prolonged attempt by India’s forest bureaucracy, corporate actors as well as many conservation NGOs to undermine and, if possible, scuttle the FRA.

In the past few decades, much forested land has been unilaterally declared as National Parks and Tiger Reserves, without the consent of the communities living in those areas. These violations of the FRA are widespread, and hundreds of communities living in the so-called Protected Areas (PA) have become increasingly vulnerable. Several communities have been forced to leave their territories under the euphemism of ‘voluntary relocation’. One needs to remember that in February 2019, the Supreme Court of India ordered the eviction of the communities whose claims for various forest rights had been ‘finally rejected’ as inadmissible under the FRA. Yet, so far as it could be ascertained, communities inside PAs claiming forest rights have been by and large completely ignored across India, more so if the claimants have already been marked for relocation by the Park authorities and the National Tiger Conservation Authority (NTCA), in abject violation of the FRA.

### **Protected Areas in India: long trail of eviction and displacement**

As of 2019, according to NTCA official data, 56,247 families in 751 villages across 50 Tiger Reserves have been evicted, since the inception of Project Tiger in 1972, which aims to protect the tiger population in India. Out of these, around 12,327 families in 173 villages have been ‘relocated/resettled’ until now, which means that more than 44,000 families, approximately 220,000 people, remain without relocation. According to the FRA, forest dwelling people evicted without relocation packages and adequate compensation prior to the enactment of the law, could go back and reclaim their lands. But PA managers and the NTCA are busy devising ‘relocation’ strategies so that the PAs—in particular the Tiger Reserves—can become human-free. Yet, not completely. These Tiger Reserves will be open for wealthy tourists and NGO staff, safari operators and scientific groups paying much money to see the preserved tigers and forests. The racist conservation paradigm in fact aims to get these areas ‘free-of-forest-dwelling-people’.

The threat of displacement also reaches to communities who do not live inside the PAs but need unhindered access to those forests for their livelihood and a host of other needs. Exact figures on how many people living in and around PAs are affected by India’s conservation policies and actions are not available, as it is reasonable to assume that all claims for forest rights in the ‘core’ areas of

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the Tiger Reserves and other PAs are being rejected, paving the way for legalised evictions.

Conservation groups such as WWF, Conservation International, Wild Life Protection Society of India, Wild Life Trust of India and Satpura Foundation, who, among others, continue to pursue a conservation model that invokes the complete banishment of forest communities from their forest spaces, have systematically attacked the FRA.

While all forest communities in India are threatened, people who live in the central uplands are particularly at risk: not only has the area several famous tiger tourist zones, such as Kanha, Bandhavgarh, Pench, Tadoba and Achanakmar, but the tiger-bearing forests also have significant overlaps with mining areas. To understand the relevance of this, it is important to note that NTCA's relocation programme is increasingly being financed from the CAMPA fund – which is money that mining companies and other 'development' project promoters pay to compensate for the forests they use and destroy. The Compensatory Afforestation Fund Act (CAFA) of 2016 legitimised this process (1). The CAFA specifies that the use of the CAMPA money should be subjected to the consultation of the *Gram Sabhas*, however, this is generally ignored.

The close linkages between the expansion of 'fortress conservation' (parks without people) on the one hand, and the expansion of mining and large-scale deforestation on the other, need to be urgently exposed. Both entail displacement and dispossession of forest communities and they feed each other.

Forest communities living in the central Indian uplands, mainly Indigenous Peoples such as the Gonds and the Baiga, are nonetheless the true custodians of the forests. They and their institutions could protect the forests from wanton destruction and enclosures; they and only they could continue keeping alive their forests - not only as tiger habitats but also as intricate life support systems. The FRA could play a pivotal role because it stands for a decentralised, bottom-up and autonomous process of conservation.

Unfortunately, the FRA has been largely projected and perhaps also perceived as more of a land and tribal rights law rather than a conservation legislation. Due to the clear corporate and governmental interests at play, foregrounding the conservation aspects in the FRA becomes imperative. This means letting the FRA emerge as what it really is: an intrinsically social and political process that supports communities to defend, preserve and reclaim their forest commons. Forest dwelling people in India have been doing this for generations and it makes no environmental sense that they would be deliberately excluded from any conservation programme. So the question arises, are the PAs and Tiger Reserves really for conservation purposes?

An intensive campaign to highlight the FRA as an environmental legislation was initiated in September 2020 by the groups and activists associated with the All India Forum of Forest Movements (AIFFM) and other organisational processes with a presence in the tiger-bearing forests in Central India. This campaign tries to actively involve various segments of civil society, including the legal community and the media, and adequately present the voices of the forest dwelling people being threatened with imminent eviction.

First, three groups of activists and researchers were formed to visit communities living in and around various PA and potential/proposed wildlife corridors in the states of Maharashtra, Madhya Pradesh and Chhattisgarh. The aim of each group involved the collection of state-level data on the ground situation, including attempts of eviction by the state Forest Department (or district administration), instances of FRA violations, CAFA, and other related legislations, and cases of community-initiated

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conservation activities. However, the Covid-19 pandemic delayed the mission. Nonetheless, some data was collected and a report on the realities of communities living in the Central Indian uplands has been prepared (2). Yet, much more needs to be done.

## **Findings in Brief: Persecution Continues in the Name of ‘Conservation’**

The report clearly shows that the official prejudice against the tribal and non-tribal forest dwelling communities remains to be dominant. In the PAs covered by each group, it became clear that the forest administration continues to treat communities as mere ‘disturbances’, and considers that they should be removed in the interest of wildlife conservation. It also became clear that the so-called conservation actions in the PAs, in explicit violation of the FRA, only alienate forest communities further, instead of acknowledging their historic and lawful role in conservation.

The major issue in the PAs is the lack of proper livelihood opportunities for communities, something that is relentlessly aggravated by often illegal restrictions on their use of the forest and land, forced/involuntary relocation and displacement without rehabilitation and compensation. Communities also face extractive industries and other ‘developmental’ activities taking place in the vicinity of PAs, as well as illegal logging and unrestricted tourism. This all happens in violation of the FRA.

The next section highlights some of the innumerable illegalities and misdeeds of the Forest Department in the PAs visited by the groups of activists in the states of Maharashtra, Madhya Pradesh and Chhattisgarh (3).

### **Tadoba Andheri Tiger Reserve (Maharashtra)**

Located in the Chandrapur district of Maharashtra, the Tadoba Andheri Tiger Reserve (TATR) comprises the Tadoba National Park and the Andheri Wildlife Sanctuary and adjoining forests. The National Park and the Andheri Wildlife Sanctuary were notified as Critical Tiger Habitat in 2007, just days before the FRA came into force. The category of Critical Tiger Habitat is marked for tiger conservation and allows relocation of humans, only with the prior and informed consent of the communities. Five of the 6 villages in the Tiger Reserve -Kolsa, Botezari, Palasgaon, Jamni and Ramdegi- have already been either partially or fully ‘relocated’.

The village of Rantalodhi and some remaining families of the Kolsa village are still inside the reserve, defying persistent ‘relocation’ efforts of the Forest Department, which have included various kinds of threats and punitive measures. The entry to the villages was fenced, access to food and other provisions distributed under the Public Distribution System was denied, the electricity connection to the villagers’ homes was cut, and a number of criminal cases was slapped on community activists demanding recognition of rights under the FRA. The villages outside the reserve were not exempted either, without consulting them, a ‘buffer zone’ was unilaterally created and affected 90 villages. A string of new resorts has sprung up since the promotion of ‘tiger’ tourism begun. Meanwhile, new and old coal mines continue to operate just adjacent to the forests of the reserve.

### **Bor Tiger Reserve (Maharashtra)**

Located in the Wardha District of Maharashtra, the Bor Tiger Reserve does not have any village in its core area anymore, but there are 36 villages in the buffer zone.

The village of Nawargaon was the last to be relocated in 2017, making it human-free. Because most of the villagers living in and around the Bor forests are pastoralists, the creation of a Tiger Reserve severely restricted the access to pastures traditionally used and resulted in great misery. During meetings in 2020, villagers confirmed that the FRA has not been implemented in the Bor Tiger

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Reserve and many villagers noted that *Gram Sabhas* had not been convened in the course of what the Forest Department called as ‘voluntary relocation’. Meanwhile, the compensation for the buffer villages in cases of human wildlife conflicts is grossly inadequate and mostly delayed. A couple of days before the group’s visit, a 15-year-old boy was killed by a tiger in Jungli Amgaon village. The Forest Department refused to pay compensation and instead, arrested some of the victim’s family members for ‘creating unrest in the village’.

The Bor Water Reservoir inside the core area of the Reserve (declared also as a Critical Tiger Habitat) acts as a control to wildlife protection, while providing very little livelihood opportunities to communities. The Reservoir has been opened up for tourism.

### **Pench Tiger Reserve (Maharashtra)**

The Pench Tiger Reserve in Maharashtra shares its northern boundary with the Pench Tiger Reserve in Madhya Pradesh.

Of the two villages in the core area of the Tiger Reserve, the Totladoh village was displaced to the buffer zone through a violent eviction in 2002, while the village of Fulzari remains living inside. According to the villagers now staying in the New Totladoh village at the buffer zone, their eviction happened without any notice or compensation. The villagers, whose main livelihood was fishing at the Pench Reservoir —now recognized as a community right under FRA-, continue to be hounded by the park authorities. Subject to untold atrocities, including summary arrests, physical abuse, and attacks with sticks and pellet-guns, the villagers live under severe economic pressure, without any source of livelihood; only a few families practice agriculture in the village as many do not have land and even for those who do, the land is not tillable.

After the Totladoh villagers’ claim for community forest right for fishing in the reservoir was formally processed at the concerned District Level Committee for FRA, and the District Collector had formally informed the villagers that their claim has been recognized, the process was suddenly put on hold. It was later revealed that the NTCA had issued a directive that such claims cannot be processed in Critical Tiger Habitat (CTH) areas, following aggressive lobbying by local conservation NGOs. In vain the villagers and activist groups pointed out that NTCA has no legal jurisdiction to arbitrate in matters related to claims admitted under the FRA, and the withholding of community forest rights was manifestly illegal. The conservation lobby has been using the media in maligning and vilifying the villagers—it has been alleged that the Totladoh people are poachers, many of whom are involved in killing tigers. Protests by villagers were met with repression by the authorities, a number of villagers were arrested, beaten up and falsely incriminated.

The restriction to access the forests and the Reservoir for fishing continues to make their lives extremely difficult.

### **Panna Tiger Reserve (Madhya Pradesh)**

The core of the Panna Tiger Reserve, located in the two districts of Panna and Chhatarpur, Madhya Pradesh, includes the Panna National Park and the Panna (Gangua) Wildlife Sanctuary. The area was declared a Critical Tiger Habitat in 2007. The villagers of Kota Gunjapur, mostly indigenous Gond, and the families in the Umrawan village, refused to leave during the relocation drive in 2017. Yet, they have been facing the anger of the forest officials. The villages were barricaded and there were restrictions for their entry and exit. In 2015, 61 out of the 70 families in the Umrawan village were relocated. The remaining families filed a legal case in the Jabalpur High Court, citing poor implementation of the FRA. In October 2019, the Forest Department sent a notice to the remaining families to move out. Villagers allege that the families who were already ‘relocated’ are now living in

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poorer and harsher conditions, with inadequate housing, water and electricity facilities, and no proper source of income.

### **Achanakmar Wildlife Sanctuary, Chattisgarh**

This Wildlife Sanctuary was declared as a Critical Tiger Habitat and brought under the Project Tiger in 2009. Achanakmar is also the habitat of the Baiga, one of the oldest indigenous groups in this region. According to the Project Tiger's revised guidelines, the Forest Departments have to identify inviolate spaces and relocate villages from Critical Tiger Habitats within a time frame, through providing a better relocation package. Forest Departments are also required to settle the forest rights of communities living in these villages. These guidelines were strongly contested by grassroots groups who pointed out that relocation from Critical Tiger Habitats is subject to the *Gram Sabha's* consent. But the Chhattisgarh Forest Department has consistently violated these guidelines in the Achanakmar Tiger Reserve.

Out of 25 villages in the core area of the Reserve, six villages were displaced in December 2009. These 'relocations' were done unilaterally and without complying with the FRA. Villagers were promised a fixed compensation package of Rs 10 lakhs (1 million Rupees or approx. 13,000 US dollars) and basic amenities in the new settlements: 5 acres of agriculture land for each household (approx. 2 hectares), houses, school, better healthcare and livelihood opportunities. However, when the 'relocation' process was over, the new locations were not ready and each household was given only a meagre Rs. 5,000 in cash (approx. 68 US dollars) and Rs. 45,000 in their bank accounts (approx. 616 US dollars). The 'relocated' families now living at the edge of the forest have been strictly restricted from collecting anything from it, including fuelwood. The agricultural land they were given is of poor quality, and don't really support farming. The indigenous Baiga and other forest communities say that they have no other livelihood options outside the forests and are now being forced to work as construction labour in urban areas.

### **Whither Fortress Conservation?**

These cases are but typical examples of how the dominant conservation paradigm works against forest communities.

Why is the Indian Government and its forest bureaucracy so relentless on displacing forest communities from their homes and forest commons, in manifest violation of their own law? Why do some of the big conservation NGOs keep on promoting a racist conservation paradigm that discriminates against forest communities?

These questions get accentuated when development agencies and big businesses such as road and dam builders and mining corporations are routinely allowed to destroy forests, even inside the officially designated wildlife conservation areas. A look at the recently released minutes of the National Wild Life Board, the nodal organisation for wildlife conservation in India, shows that forests in Indian PAs are being sent to the slaughterhouse at alarmingly frequent intervals. (4)

For instance, the Board permitted a coal mine on the fringe of a Wildlife Sanctuary in Telengana, 'diverting' about 3,300 hectares of forests in an eco-sensitive zone (areas surrounding PAs where development activities are not permitted) as late as 7th August 2021. Likewise, a four-lane highway was permitted on 5th January 2021, in the eco-sensitive zone outside the Rajaji Tiger Reserve in Uttarakhand, where forest officials keep persecuting the indigenous semi-nomadic Van-Gujjar community, ignoring all claims filed under the FRA. (5) Another road project was also accepted involving the destruction of about 60 hectares of forests inside the Dibang Wild Life Sanctuary in

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Arunachal Pradesh, in the mountainous Northeast. More felling of forests was allowed in Arunachal, for the construction of transmission lines inside the Namdapha Tiger Reserve. Furthermore, in the Trans-Himalayan Changthang Sanctuary in Ladakh, where, among other endangered animals, the elusive snow-leopard and the Kiyang (Himalayan wild horse) live, 188 hectares were given away for road-building. More highways and speed-rail projects got final approvals in Rajasthan (Greenfield eight-lane highway in the Mukundra Tiger Reserve) and in Maharashtra (Mumbai-Ahmedabad speed-rail project in the Sanjay Gandhi National Park). Besides, more road-building proposals were allowed in the Himalayan state of Sikkim.

The park authorities of the Sariska Tiger Reserve in Rajasthan - the infamous Protected Area with no tigers (tigers were introduced since they were extinct in 2004) (6) - started to relocate a whole village on April 27, 2022, while many mines are running by powerful mafia groups. (7) Six more communities are expected to be relocated in 2022, according to the authorities. (8) A recent estimate by the National Tiger Conservation Authority (NTCA) counts up to 46,000 families residing in Tiger Reserves (9), and approximately Rupees 60 billion crores (more than 744 million dollars) would put them out of their forests and lands.

For the NTCA, the Forest Department and their allied NGOs, this is the path to follow because, for them, there can be no 'conservation' unless forest communities are excluded and displaced – in one way or the other. That is the basis of this deeply racist 'fortress conservation' model - with total ignorance of the FRA and even the country's constitution!

Recognizing the forest rights of communities that have lived in and with the forests for generations is clearly a threat to the interests of big conservation NGOs, forest officials, local politicians, a section of media and the NTCA.

### **Soumitra Ghosh**

All India Forum of Forest Movements (AIFFM)

(1) See for further information: WRM Bulletin 217, [Deforestation funds more plantations: The new Compensatory Afforestation Fund Bill in India](#), 2015; and WRM Bulletin 250, [The Pandemic in Forests in India: Escalated Attacks on Communities](#), 2020; and WRM Bulletin 246, [India: Mining, Deforestation and Conservation Money](#), 2019.

(2) [Struggles for the right to live in forests declared Protected Areas in India](#).

(3) Idem (2)

(4) Ministry of Environment, Forests and Climate Change, [Minutes of 66th Meeting of the Standing Committee of National Board for Wild Life-reg](#), 2022.

(5) Counter Currents, [Covid becomes excuse to attempt eviction of Rajaji National Park forest dwellers](#), 2022.

(6) Hindustan times, [Sariska's tiger population goes up to 20 with three new cubs](#), 2022.

(7) Down to Earth, [Despite ban, mines thrive in Sariska reserve](#), also SCC Blog, [Forest Guard mowed down by mining mafia in Sariska: Tribunal asks authorities to take further remedial measures to enforce law of land](#), 2021, and [Down to Earth, Order of the National Green Tribunal regarding illegal mining in Sariska](#), Rajasthan, 2021.

(8) The Times of India, Rajasthan: [Villagers leave their homes so tigers can live](#), 2022.

(9) Government of India, [Minutes of the 18th Meeting of the NTCA](#), 2020.

