

2. Forest-Dwelling Communities – Polity

The Union Tribal Affairs Ministry has issued a policy mandating that relocation of forest-dwelling communities from tiger reserves must be “exceptional, voluntary, and evidence-based.

Background

India's tiger conservation strategy is witnessing a paradigm shift from a traditional “fortress conservation” model – where wildlife areas were kept free of human habitation – towards a rights-based, community-centred conservation model. Earlier tiger reserve creation often resulted in the displacement of Adivasis and forest-dwelling communities, treating human presence as a threat to wildlife. Today, the Union Ministry of Tribal Affairs (MoTA) has clarified that relocation from tiger reserves must be a last resort and must be –

1. Voluntary and free from coercion
2. Scientifically justified, proving coexistence is impossible
3. Compliant with statutory rights, especially under the Forest Rights Act (FRA)
4. Equitable, ensuring fair compensation and livelihood security

Key Legal Foundation

Forest Rights Act (FRA), 2006 – FRA recognizes both individual and community forest rights for forest-dwellers. Tiger conservation cannot override FRA unless laws are explicitly followed. Free, Prior and Informed Consent (FPIC) from the Gram Sabha is mandatory for relocation. Relocation must meet strict criteria –

1. Scientific proof that peaceful coexistence is infeasible
2. Voluntary willingness of affected families, not administrative pressure
3. Comprehensive rehabilitation, including livelihood and cultural continuity

Constitutional Linkages

Article 14 – Equality – No discriminatory exclusion or forced eviction of tribal communities

Article 21 – Right to Life & Livelihood – Protects traditional livelihoods and dignified living

Article 244 – Self-Governance in Scheduled Areas (PESA) – Empowers Gram Sabha decision-making in tribal regions

Wildlife (Protection) Act (WLPA), 1972 – While WLPA empowers tiger reserves and critical wildlife habitats, it cannot undermine FRA rights unless –

1. Irreversible ecological damage is scientifically established
2. All alternatives to eviction are exhausted

Combined Legal Position – FRA + WLPA create a rights-first, consent-driven, science-based conservation framework. Burden of proof lies on the State, not the community.

Key Recommendations

Ethical, Rights-Compliant Relocation

Relocation must –

1. Be voluntary, not forced
2. Be scientifically justified
3. Uphold FRA & WLPA protections
4. Ensure FPIC through Gram Sabha
5. Guarantee robust post-relocation rehabilitation

Strengthening Governance & Accountability – Officials hold a fiduciary duty to safeguard both communities and ecology. Accountability must include –

1. Transparent dashboards on relocation & compensation
2. Independent audits
3. Protection from misuse of conservation for land grabbing or commercial interests

Two-Path Framework

1. Coexistence Model – Communities stay in forest areas with support for –

1. Healthcare, education, transport, renewable energy, digital access
2. Role as forest stewards and biodiversity protectors
3. Livelihood initiatives like NTFP gathering, ecotourism, conservation jobs

2. Voluntary Relocation Model – Only when coexistence isn't viable

Must guarantee –

1. Land-for-land compensation
2. Livelihood restoration and financial security
3. Cultural and spiritual access to forests
4. Continuous monitoring of outcomes

Core Principles

1. Rights protection
2. Community self-determination
3. Equity and justice
4. Scientific transparency
5. Accountability and oversight

Institutional Architecture Proposed

National Framework for Community-Centred Conservation and Relocation (NFCCR) – Standard operating guidelines for –

1. Timelines for decision-making
2. Scientific validation norms
3. Grievance redressal mechanisms
4. Independent oversight body for approvals & audits

National Database on Conservation-Community Interface (NDCCI) – Tracks –

1. Relocation data
2. Compensation & land allotment
3. Livelihood & social outcomes
4. Biodiversity & ecological impact

Way Forward

Marks a transformative moment in wildlife conservation policy, recognizing that – Wildlife protection and tribal rights are not conflicting goals. Conservation must be inclusive, constitutional, transparent and ethical. Future success depends on –

1. Collaborative planning between MoTA, MoEFCC, State Forest Departments & Tribal Councils
2. Gram Sabha empowerment & legal literacy
3. Continuous socio-ecological monitoring
4. Preventing misuse of conservation laws for land acquisition or displacement

Source – <https://www.thehindu.com/news/national/relocation-of-villages-inside-tiger-reserves-must-be-voluntary-in-rare-cases-only-tribal-affairs-ministry/article70213039.ece>