

## **Indigenous Peoples Plan**

### **Background Information on Kadars**

Kadars, one of the most primitive tribal groups of Kerala, live in the Chalakudy river basin around areas of Vazhachal, Chalakudi, Parambikulam and Indira Gandhi Wildlife Sanctuary. Traditionally they were hunter gatherers and lived in clan groups inside the forest. The total population of Kadars is around 1500-1700. The language that they speak is a combination of Tamil and Malayalam but the stronger linguistic influence is dependent on the area or the state they live in. The community was settled into colonies by the Forest department around 50 years back.

A study on the riparian vegetation along the middle and lower zones of the Chalakkudy river by Amitha Bachhan gives the status of Kadars as the forest dwelling communities, living by gathering food from the forests and by fishing from the river. They usually live in huts made by reeds and bamboos and do not have an aptitude for agriculture. According to the 1981 census there were 1503 Kadars (774 males and 729 females) in the state. Kadars live in about 15 settlements in the Parambikulam forest area of Palakkad district and Athirappilly -- Sholayar region of Thrissur district.

Ironically major settlements of Kadar tribes were rehabilitated/relocated to these settlements during the time of powerhouse construction. Two are permanent settlements. The larger one is the Vazhachal settlement very near to the waterfalls and office of the Forest Department. Another is the Pokalappara settlement near Pokalappara Forest Range office. The third one is located just downstream of the Poringalkuthu dam. Vazhachal and Pokalappara settlements are permanent settlements and the dam site colony consists of few families resettled from the Pokalappara colony. In Vazhachal settlement, the Kadars under different programs have been provided with many 'modern' facilities including brick walled and roof tiled house and electricity. Pokalappara settlement has 22 families. Their houses are cement brick walled with concrete roofs.

Though these settlement are very near to Poringalkuthu powerhouse, some of them did not water supply or electricity. Their small houses are in very poor condition. In the dam site settlement there are about 17 families. They live in their traditional huts. Tribals of Pokalappara were shifted from Pokalappara valley to a single settlement near the range office. During the time of the construction of the Poringal powerhouses a group of people moved to the dam site area and settled there making their traditional houses.

The working plan of Vazhachal Forest Division (2003-04 to 2012-13) by B.P.Verghese, Deputy Conservator of Forests (Non Cadre), Forest Resource Survey Cell, Thrissur also reports that the tribes found in the forests of Vazhachal Division are (1) Malayars & (2) Kadars. They live in separate colonies and do not mingle with each other. There are eight tribal colonies in the division. Traditionally, Kadars do not engage themselves in agricultural or any other activity except the collection of honey, wax, tubers etc. from the forest. The forest department has been engaging them for management works like planting, weeding, thinning, etc. They are also engaged as firewatchers during the fire season. Please see annexure 1 for history of the division.

### **Summary of some historical records**

- ❖ Thurston (1909) provides a basic reference to the description of the Kadars of Kerala - an account of their way of life, social culture physical features, material culture, occupational culture and economic anthropology. In this study, Thurston pointed out that collection of minor forest produce was the major occupation of Kadars and according to him the total value of minor forest produce collected in 1897-98 in the South Coimbatore division which includes the Anamalais was Rs.7,886.00. So even though his study was not specifically on

Kadar economy, it throws light into Kadar's economy and dependency on the forest resources for their survival.

- ❖ Anantha Krishna Iyer L.K. (1909) undertook an ethnographic survey of the hill and jungle tribes and low caste people of Cochin and published "*The Cochin Tribes and Castes*" in four volumes. This work was a general study on the socio-cultural milieu of the various tribes and castes of the Travancore – Cochin area. In this work Anantha Krishna Iyer describes in detail the life of the Kadars. Together with the way of life, culture, customs, religious beliefs and physical features of Kadars, he also gives some ideas of their economic life. According to him the major occupation of the Kadars was collection of forest produce. He assesses that the total income derived from minor forest produce by Cochin Kadars is about Rs. 3,000 a year.
- ❖ Negrito traits in Indian ethnology have been discussed in detail by Bhasin in his research paper *Morphology to Molecular Anthropology: Castes and Tribes of India*. He has given the phonological description of Kadars. Guha (1928, 1929) observed the presence of Negrito racial strain from the solitary character of hair form (frizzly type) which he found among the Kadars who live in the interior of the chain of hills running from the Anamalais to Travancore. Guha (1961) wrote to Sharma (personal communication) that frizzly type of hair occurs not only among Kadars but among Irulas and the Pulayans also.
- ❖ Ehrenfels made an extensive study of the Kadar tribe to publish his *Kadar of Cochin* in 1952. He states that the Kadars are one among the very few South Indian hill tribes still conforming to the pattern of pre-agricultural and pre-pastoral food gathering. This ethnographical study of Kadars covered a wide range of their life and activities. The family, religion, food habits, language, geographical environment, habitats, material culture, social customs, economic anthropology etc. were examined and described in this work. The author estimated the annual income of a Kadar family as little over Rs.400 per annum (during 1947-48). The only source of income of the Kadar family is the money they receive from the exchange for the minor forest produce to the contractor. The annual expenditure of a Kadar family was estimated as Rs.440/-. However, the author admitted that he doubts about the validity of these information since forest produce contractors enumerated accounts to him. The contractors dictate the price of the forest produce and Kadars in fact were denied the deserving prices for their produce.
- ❖ Ehrenfels (1952) states that the Kadar tribe, numbering about 600, live in the forests of the Western Ghats of Cochin State and the border of Coimbatore District, southwest India. They are one of six known, but fast disappearing, food-gathering tribes of peninsular India, the others being Chenchu, Irular, Paniyar, Mala Pantaram, and Paliyan. Traditional Kadar technology was simple: food consisted chiefly of honey, roots, and fish. Digging sticks were tipped with iron, in legendary times with stone. Rectangular houses, of bamboo and leaf-thatch, are thought to be modern, since windbreaks are still used for temporary camps. In 1947-48, most Kadars collected honey, cardamom, bamboo and other forest-produce for government contractors, from whom they obtained money, rice, and (at outrageous prices) factory-made clothing, jewelry, matches, and toilet articles.
- ❖ Luiz (1962) made a careful study of the 48 tribal communities of Kerala in his book *Tribes of Kerala*. He gives a fairly good account of life, culture and changing pattern of their social life in the context of socio-economic changes to the general society. The author in this work gives a brief account of the Kadar settlements, the physical characters of the Kadars, their material culture, food gathering methods, deities, marriage and family life, taboos etc. The author gives only very brief information about the economic life of the Kadars. He says that

the majority of Kadars subsists by collecting honey wax and other hill produces and the income they receive is extremely disappointing.

- ❖ *The Encyclopedia of Dravidian Tribes* Vol.II., published by the International School of Dravidian Linguistics (1996) gives a brief account of the present conditions of the Kadar tribe of Kerala. P.R.G. Mathur describes the changes, which took place in the last fifty years to the life style and culture of Kadar tribe very briefly. The author provides details about the number of Kadar settlements, house holds as on March 1986 in this article. One of the observations of Mathur contrary to the study of Ehrenfels is that, there are seven clans designated as *Jati* which exist among the Kadars. Deepak Tyagi in the same volume of this book examines the studies of various anthropologists regarding the physical anthropology, anthropometry, anthroposcopy, blood groups, dermatoglyphics, racial strains etc of the Kadars. In this volume Zacharias Thundiyil gives a short account of the Kadar language also.
- ❖ The Comprehensive environmental impact assessment study for Athirappilly Hydro electric project (163 MW), District Thrissur gives special reference to the Kadars at Poringalkuthu - housing, anthropological feature – Short stature with dark skin, curly hair, thick lip indicating Negroid traits and their data on literacy, marital status, economy, material assets; ethnographic aspects – social practices: Marriage, death ceremonies, health status.
- ❖ The plants used by the primitive tribe Kadar of Parambikulam Wildlife Sanctuary, southern western Ghats, Kerala has been reported by Yesodharan K, Sujana K A, Kerala Forest Research Institute, Peechi.
- ❖ Kudumbashree movement has created leaders like Athirappilly grama panchayat president Kanjana Vijayan. But for Kudumbasree, she, a member of the Kadar tribe, would have never stepped out of her tribal hamlet to lead the panchayat. She was a member of the neighbourhood group, 'Moolika,' in Vazhachal, which procured honey and other forest products reports the Hindu (07/10/2008)
- ❖ Jyothis Sathyapalan (2010) in her article in the Economic & Political Weekly, entitled Implementation of the Forest Rights Act in the Western Ghats Region of Kerala quotes "During our fieldwork we came across communities like Kurumbas, Korangas, **Kadars**, Kattunayikkans, and Cholanaikans, who have been classified as primitive tribes and illiterate people. In the process of implementing this Act, no serious thought was given as to how effectively their rights could be assigned. Here, it is important to point out an earlier argument (Sen and Lalhrietpui 2006) that in the implementation process, it should have taken into account the various cultural constructions of forest human interface and local specificities to ensure that FRA spreads its benefits evenly and adequately reaches the disadvantaged".

These studies point out that Kadar tribes of south India depended in the past to a large extent on the minor forest products for sustaining themselves. Presently, the forest department records show that Kadar tribes are still depend on minor forest produce for their livelihoods. The practice of collecting these products varies across different communities. It is thus important to devise some mechanisms which will ensure that there is some form of tenurial security and that the Kadars keep enjoying their rights.

### **Legal and Institutional Framework**

The main instruments which are applicable are following

1. Wildlife Protection Act as amended in 2006
2. Biodiversity Act 2002
3. Forest Rights Act 2006

4. Forest Conservation Act 1980
5. Indian Forest Act 1927

Please see annexure 3 for a table which highlights the provisions which are applicable.

In addition, the Kerala Forest Department has come out with numerous Government orders and circulars on issues related to participatory forest management, microplan preparation etc. Some of these are applicable to the Vana Samrakshana Samithis of which the community is a member.

### Social Economic Assessment

Vazhachal Forest division contains eight tribal settlements of Kadar and Malayans within 52 km distance. These colonies are coming under Athirapilly Grama Panchayath, Thrissur district of Kerala. Their ancestors came from Kuriyarkutty area near Parambikulam in 1945 – 1947. All colonies get some livelihood opportunities through VSS (Vana Samrakshana Samithi). NTFP collection is their main income source. All the tribal families are members of the VSS. They sell the collected NTFP as raw materials to the Girijan Society run by SC/ST Department. Society provides them bonus. Girijan Societies are situated in Vazhachal, Wachumaram and Malakkappara. Now a days, these people are ready to communicate with the public which is different from years before. This kind of communication has been helping them to improve their lifestyle. They are getting some benefits under different development schemes from the Government to uplift their lifestyles. Houses, livelihood options, electricity, health camps etc. are some example of the Government schemes they have benefited from. They are not aware about savings, effective utilization of money, family planning, etc. Alcoholism is an important social evil among them. Their interest in liquor is exploited by the outsiders. Most of the men are spending their 15 to 20% of income only for alcoholism. But now some children are going to the school for primary and secondary education which they hope the future of the students to lead a bright life. Please see annexure 2 for settlement level information

#### Total Population

Colony	Boys (0-14 yrs)	Girls (0-14 yrs)	Men (15 yrs +)	Women (15 yrs+)	Total Male	Total Female	Total
Vazhachal	41	35	50	60	91	95	186
Pokalappara	9	15	30	32	39	47	86
Poringalkuthu	13	14	36	39	49	53	102
Mukkumpuzha	10	11	12	14	22	25	47
Wachumaram	20	22	51	50	71	72	143
Thavalakuzhippara	17	30	42	51	59	81	140
Sholayar	15	22	29	34	44	56	100
Malakkappara	28	42	53	57	81	99	180
<b>Total</b>	<b>153</b>	<b>191</b>	<b>303</b>	<b>337</b>	<b>456</b>	<b>528</b>	<b>984</b>

#### Sex ratio in the villages

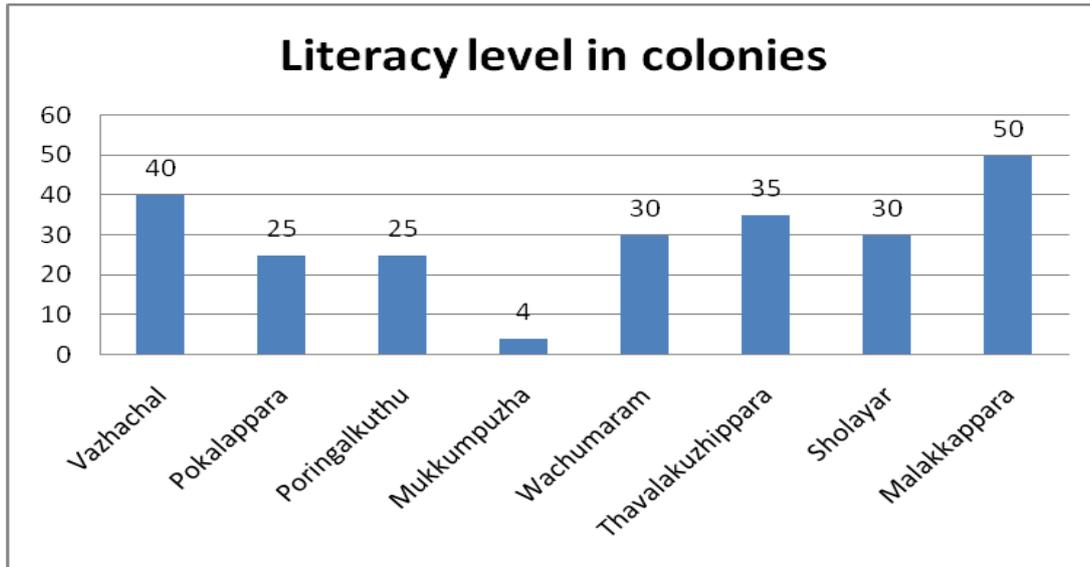
The female population has been found to be higher than the male population in all colonies. The chart and graph is given below.

Colony	Boys (Age up to 14 yrs)	Girls (Age up to 14 yrs)	Men (Age from 15 yrs)	Women (Age from 15 yrs)	Total Male	Total Female
Vazhachal	41	35	50	60	91	95

Pokalappara	9	15	30	32	39	47
Poringalkuthu	13	14	36	39	49	53
Mukkumpuzha	10	11	12	14	22	25
Wachumaram	20	22	51	50	71	72
Thavalakuzhippara	17	30	42	51	59	81
Sholayar	15	22	29	34	44	56
Malakkappara	28	42	53	57	81	99

### Literacy level

Malakaparra is the most literate colony followed by Vazhachal.



### Migration

Migration from the colonies is very less. From Malakkappara colony, youngsters usually migrated to Tamilnadu area like Tirupathi, Coimbatore for labour. Baniyan and T Shirt factories are their main job locations. The duration for their migration is according to their interest to work there and requirement of cash. The average income from these places is Rs. 3500 to 4500 per month per person. They choose to migrate and get these jobs as it is considered less difficult than NTFP collection and VSS works.

In migrations to these villages are very rare and less. The main cause of in migration is marriage. The people who are coming, are from nearby colonies like Anapandam Colony in Chalakudy Forest Division and Parambikulam Wildlife Sanctuary. These people also do NTFP collection, VSS works etc. for their livelihood.

### Livestock population

Livestock in the colonies are usually grazing in the forest. Earlier, in Malakkappara, there were cows and goats. But due to livestock deprecation from leopards, few colonies do not keep cattle.

Colonies	Poultry	Goat	Cow
Vazhachal	15	0	0
Pokalappara	15	15	8
Poringalkuthu	30	0	0
Mukkumpuzha	0	0	0
Wachumaram	35	0	0

Thavalakuzhippara	20	0	6
Sholayar	25	15	11
Malakkappara	35	0	0
<b>Total</b>	<b>175</b>	<b>30</b>	<b>25</b>

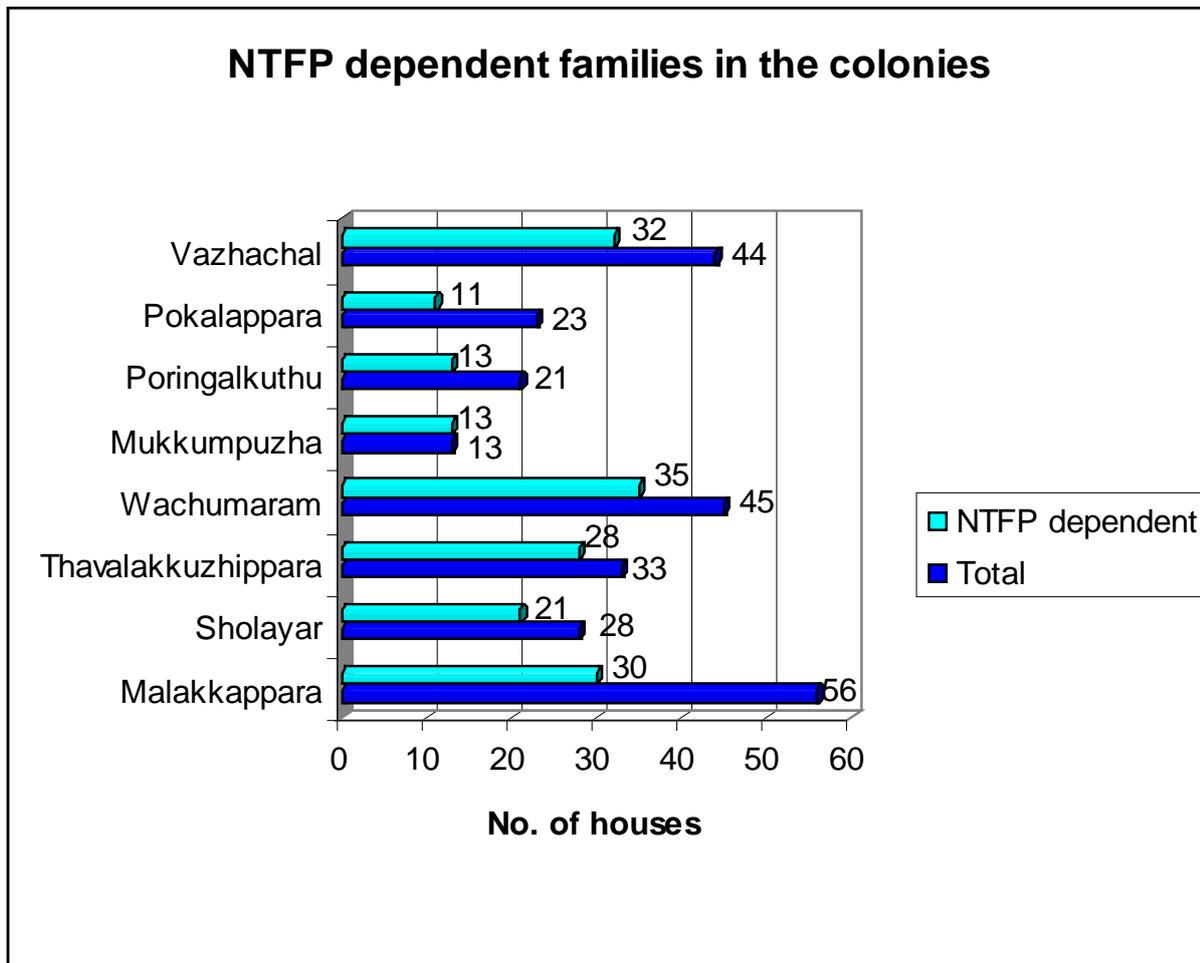
Fuelwood and other energy source

People from the colonies are using fuel wood from the forest. The main species used are Teak (*Tectona grandis*), Akil (*Dysoxylum malabaricum*), Chadachi (*Grewia tiliaefolia*), Maruthu (*Terminalia arjuna*), Vatta (*Macaranga peltata*) etc. There are no major seasonal variations in the quantity of fuel wood use during monsoon or other seasons.

SC/ST department has provided solar lanterns to Thavalakuzhippara, Wachumaram colonies. But now they are not using that renewable energy system. Because it is not working due to inappropriate use. In Watchumaram colony, SC/ST department provided solar fences to prevent elephants from coming in to the village.

Dependence on NTFPS

In all colonies, most of the families are mainly depending on NTFP for their livelihood. The graph is given below.



Some of the earlier resource use mapping and data collection in Vazhachal Forest Division has helped to identify few NTFPs as the most viable option for value addition. Honey and Dammar both have good market value among various NTFPs collected by the tribes. Based on this, a honey processing unit was established at Pokallapara, with the financial support of the Forest Department. WWF India facilitated the process and acted as an interface between the communities and the Forest Department. The technical input to the unit was

given by Keystone Foundation, an NGO working in the Nilgiris. Prior to setting up of the unit, community members and other stakeholders including the members from the Forest Development Agency visited Keystone as an exposure to understand the concept of sustainable honey harvesting and processing. Trainings and capacity building for the tribal community members on sustainable honey collection, processing and value addition have really helped the VSS Committees in establishing the unit.

The honey is collected sustainably by the tribal communities. In Vazhachal, Pokallapara, Vachumaram, Sholayar, Thavalakazhippara and Malakappara, a total 314 tribal families are benefiting from the newly established honey processing unit. Other than selling out of the eco shops, honey is also sold during three major fairs, Onam fair, Wildlife Week fair and Bamboo Festival. A benefit sharing mechanism has been devised among the VSS. Currently,

- The two VSS providing the honey get 20% of the profit
- The VSS processing the honey gets 20% of the profit
- The two VSS selling the honey get 20% of the profit
- The persons from two VSS who are providing honey also get Rs 100 per Kg of honey plus 20% profit.
- Forest department also takes 20% to recover their costs

### **Summary of Free, Prior and Informed Consultations**

WWF has been working in the area with the Kadars even before the project started. We have had numerous consultations at village level, HH level and also combined village meetings about the resource use and collection. Under this project, the entire process of implementation of the project activities is to facilitate the IP communities to plan and take decisions for themselves. WWF India is playing a facilitating role. Our role will be to organize democratic and participative consultative processes within the community, among clans, in panchayats, between stakeholders (Forest department and IP communities) etc. The whole process is voluntary and community driven.

As the settlements also have Vana Samrakshana Samithis, we have been having a detailed discussions with them also.

The Kadars are familiar with the resource use issue and the need for conserving the area. They also have limited knowledge of the FRA as they have been given individual titles of land and we have discussed the Act to a certain extent. Some Kadars are also members of the Forest rights Committees and know some processes to be followed. The Community Forest Resource use area {CFR} issue is still not very clear to the Kadars and we are slowly explaining the whole right to them.

Besides, Kadars, we have also been having detailed discussions with the Forest department about the whole CFR issue. The forest department seem keen and are discussing ways on how we can proceed with this.

It is very important that the Forest Department comes along with this, as the community gets a lot of benefits from the department like wages and will not like to jeopardise this relationship.

The Malayars practise agriculture and are not very dependent on the NTFPs though a few do collect some items. They have been also part of the discussions as they also live in the same settlements but one still needs to clearly examine their role in the CFR issue.

### **Action Plan to ensure flow of social and economic benefits to IPs**

The entire project is about ensuring that the IPs can have some form of tenurial security over their resources and establish mechanisms to conserve and manage it. This will ensure that the

benefits of the forest and water resources will flow to them. In addition, a sub grant has also been proposed so that the institution mechanism which has been set up will have some seed money to initiate its work.

WWF is also working with the Forest department to help the Forest department through its FDA to develop projects to augment Kadar income from value addition of NTFPs. The honey unit is one example.

### Monitoring mechanisms and benchmarks

Major risks	Issues to be seen	Monitoring mechanisms	Benchmarks
<b>As perceived by CEPF</b>			
Curtailment of Rights	This is not applicable as the whole project is about ensuring that KADARS get rights under the FRA	None	Claim form submission
Loss of culture and social cohesion	Care has to be taken that we do not create any divisions within the Kadars and between Kadars and Malayars.	Regular meetings to ensure that there are no underlying tensions Get formal consent from all settlements on how to proceed for claims (individual settlement wise, cluster wise or all the settlements together)	Written consents
Dependency on external support	To a certain extent the communities are already dependent on the Forest department, Plantations, KSEB for daily wages, access to health services, education etc	This project is actually trying to create capacities so that the community can reduce this dependency, negotiate on their own for their betterment and also be more informed of all the decisions that are taken on resources and the area they are dependent upon	Capacity building exercises,  Community led initiatives
Inequitable participation	Currently the communities are marginalized. They are a part of various local level institutions like the Vana Samrakshan Samithis, Girijan Societies and even Panchayats but actually play very limited role in decision making in any of these institutions	The implementation of the project activities will clearly give recognition to the IP communities as managers/decision makers and custodians of their resource use areas. Setting up of an institution which is just of the community and not mandated by any agency will also enable them to participate in a free and meaningful manner	Institution building  Exposure visits  Management of the CFR areas
Poorly planned changes in resource use	The project may lead to curtailment of some resource use but that is completely voluntary and will be decided by the community itself	Participatory ecological monitoring is being done so that the Kadars understand the implications of (if any) their resource extraction. This will help them to decide	Findings of the ecological monitoring exercise

		by themselves if any practices need to be changed or curtailed.	
<b>As perceived by WWF</b>			
Conflict between FD and Kadars	There is a very slim chance that the FD may object to the whole FRA exercise	Detailed discussions with FD on each step Presence of FD at combined village meetings Minutes of these meetings	VSS or FDA to be part of this initiative.
The Tribal department due to govt pressure carry out a paper exercise	The Government may any day ask the Tribal department to get all Community rights declared under some deadline without actual participation of the communities	Keeping a watch on Tribal Department activities  Sharing with the Tribal department our work	Meeting with Tribal department/Collector

### Grievance mechanisms

The community and WWF should collectively be involved in the grievance mechanism design. so that the community representatives can identify key factors, such as the kinds of disputes that could arise during the project life, how people in the community actually want to raise concerns, what procedures to lay down for resolving complaints, and to resolve conflicts. Based upon this assessment, one is going to design and set up the mechanisms.

WWF also needs to ensure that the grievance mechanism is accessible to diverse members of the community, including more vulnerable groups such as women and youth. Multiple points of entry, including face-to-face meetings, written complaints, a telephone number, postal address should be available. Opportunities for confidentiality and privacy for complainants should be also be honoured.

A few steps planned and under process are

Community meetings on regular intervals

Postal address and Phone number of

Landscape Coordinator  
WWF India  
Coimbatore

Head  
Sustainable Livelihoods and Governance  
New Delhi

These addresses are kept with VSS members, Forest department, RRC (a local group) and in the settlements

**History of the Vazhachal Division**

The Vazhachal Forest Division falls in Mukundapuram Taluk of Thrissur District and Aluva Taluk of Ernakulam District and lies distributed in Sholayar, Kollathirumedu, Vazhachal, Charpa and Athirappilly Ranges. The tract dealt with falls between 10° 14" and 10° 23" North latitudes and 76° 25" and 76° 54" East longitudes.

The present Vazhachal Forest Division came into existence with effect from 1.8.1981 with its Headquarters at Chalakkudy consequent to the reorganization of the erstwhile Central Circle, Thrissur and Industrial Plantation Circle, Thrissur. The areas of this Division fall in Kodassery Reserve, Malayattur and Idayara Reserve and Athirappilly Reserve. The areas of this division were formerly parts of Chalakkudy Division and of Industrial Plantation Divisions of Perumuzhi and Vazhachal. There are five ranges belonging to Vazhachal Forest Division given in the table below:

<b>Name of the Range</b>	<b>Headquarters</b>
1 Athirappilly	Ezhattumukham
2 Charpa	Vazhachal
3 Kollathirumedu	Kollathirumedu
4 Sholayar	Ambalapara
5 Vazhachal	Pokallapara

The tracts of Vazhachal forest was part of the Chalakudi Division until it was formed as a separate division as Vazhachal Forest Division with effect from 01- 08- 1981 as per GO ( M.S) 197/811 Forest dated 31.07.1981. Before the integration of the then Travancore and Cochin States, the forest areas were under the possession and control of Naduvazhis – Feudal Chiefs who in turn owed allegiance to the Raja of Cochin. On many occasions these forests were claimed from several quarters, few instances of which are:

- ❖ In 1853, Coimbatore claimed the famous Parambikulam valley, which was rejected by the Jury, after an inquiry
- ❖ In 1886, Travancore claimed the whole of Idayara
- ❖ In 1893, Malabar also put forth a claim for Parambikulam Valley

The claim of Malabar was allowed. As a result Parambikulam Valley was handed over to Malabar. However, the claim of Travancore was allowed only partly i.e. the forests from Athirapally to Ezhattumugham was handed over to Travancore.

The forests were first divided into territorial Divisions during 1809 – 1810. But again in 1907 – 1908, the above system was abolished and the whole forests of Cochin were put into three Ranges with sub ranges under them. This is the starting of the administration with ranges as its units. Till 1944, this system continued and due pressure of works again the division system was restored. Consequent to the integration of the then Travancore and Cochin States in 1949, the forests of Cochin were divided into two divisions viz Chalakudi and Thrissur with their headquarters at Chalakudi and Thrissur respectively. (Working Plan of Vazhachal Forest Division (2003-04 to 2012-13), 2002, B.P.Vergheese)

The Vazhachal Forest Division has a total area of around 400 sq.km and is located in Thrissur and Ernakulam districts of Kerala. It is a beautiful landscape with some of natures most relaxing places - the beautiful waterfalls of Athirarapally and Vazhachal. The tropical tropical moist deciduous and evergreen forests are also home to hornbills, elephants and local community called the Kadars . Some of the unique flora includes *Aglaia barberi*, *Aglaia canarensis*, *Ammonum microstephanum*, *Piper barberi*, and *Syzygium occidentalis*. There is also great

diversity in fauna like the Niligiri langur, elephants, gaur, sambhar, spotted deer, barking deer, Malabar giant squirrel, porcupine, Indian civet, toddy cat, sloth bear, tiger and leopard.

Annexure 2

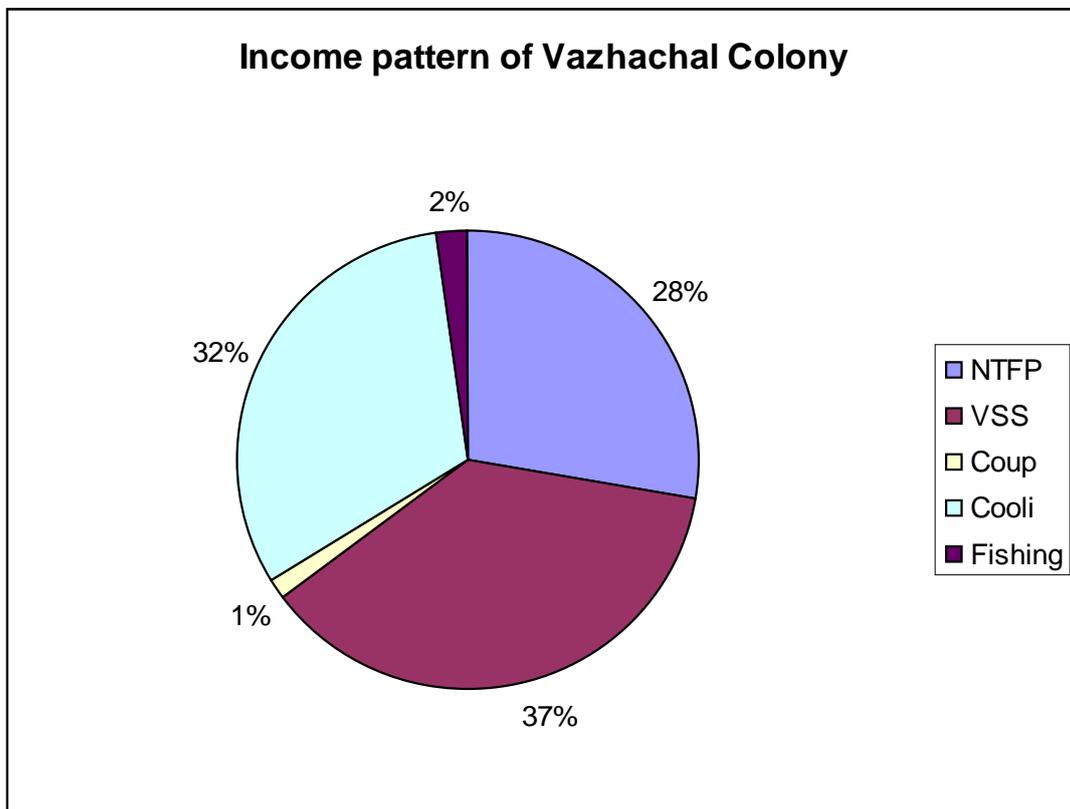
**Colony wise descriptions**

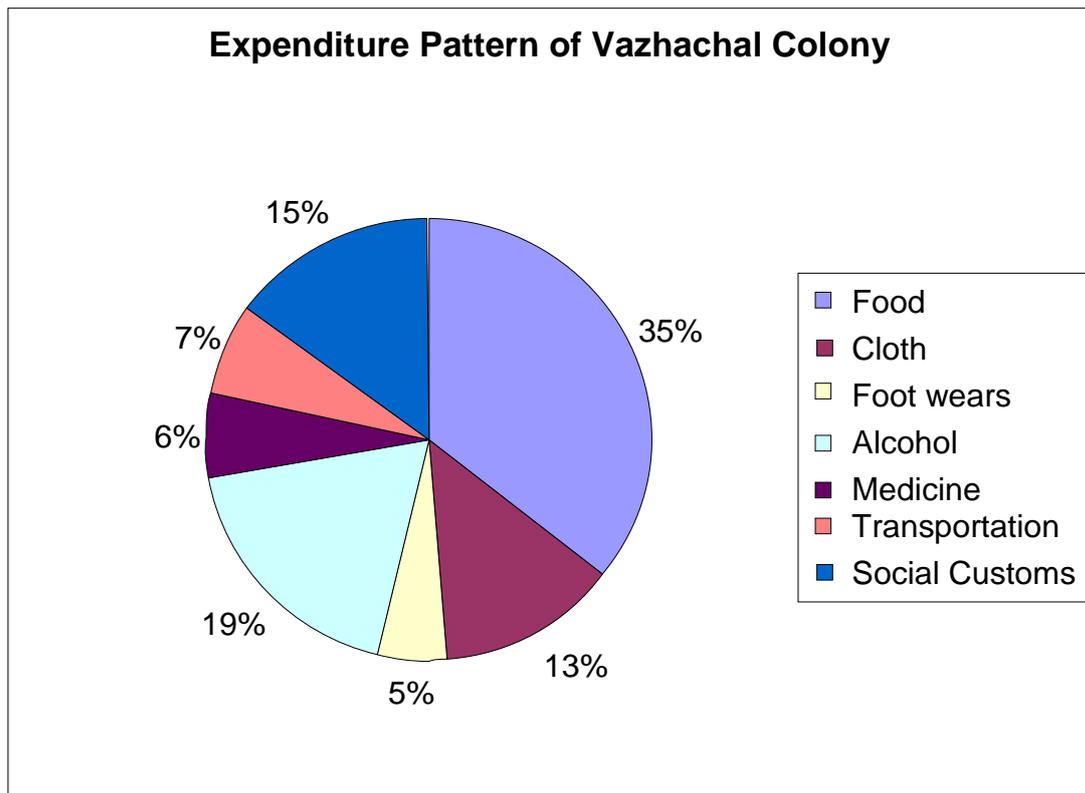
Vazhachal

Vazhachal colony is situated 5 Km away from Athirapilly, There are 44 Kadar families. They are fully dependents on VSS works, NTFP, and labour work for their livelihoods. This VSS falls under Charpa Range of the Vazhachal Forest Division and is primarily engaged with tourism. VSS members are working in Vazhachal picnic spot as guides, cleaners etc. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are their main resources collected from the forest. They sell these items through the Girijan Society at Vazhachal. But economically, they are poor.

From the socio-economic survey, we could understand that their average income is Rs. 5324 and average expenditure is Rs. 3684 per month. This may vary in the months of June, July and August, ie, their lean periods. 32 families in the colony are depending on NTFP collection for their income and 38 families on VSS works. These people have electricity connection and other house hold items at home like TV, VCD/DVD players, etc.

Colony's average income and expenditure patterns are given below.





There are 9 terraces, 23 tiled and 12 thatched houses in the colony. 9 families are depending on pipe connection under Jalanidhi drinking water project for their drinking water supply. Colony people are living in harmony and using interrelationships with families. All the families cooperating with their social customs like marriage, death related programmes, etc.

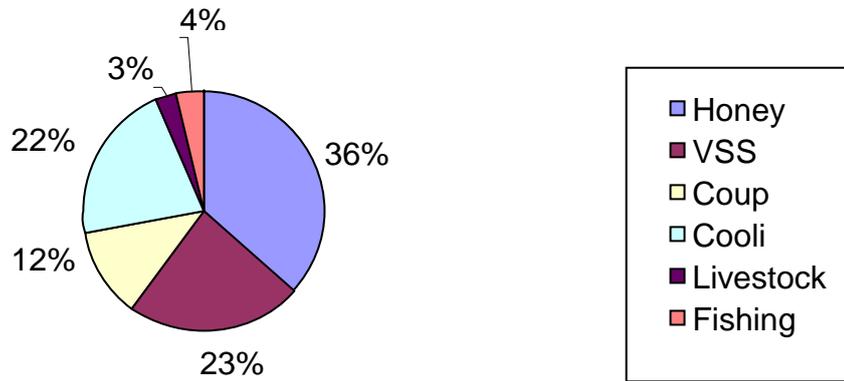
#### Pokalappara

Pokalappara colony is situated 9 Km away from Athirapilly, coming under Athirapilly Grama Panchayath, Thrissur district of Kerala. The community belongs to the Kadar tribe. There are 23 Kadar families. They are fully dependent on NTFP, Fishing and VSS works for their livelihoods. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are the main resources collected from the forest. They sell these items through the Girijan Society at Vazhachal. This VSS falls under Vazhachal Range under Vazhachal Forest Division.

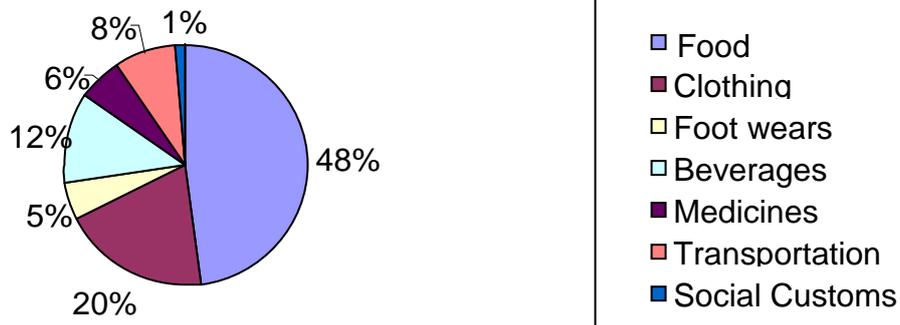
From the socio-economic survey, we could understand that their average income is Rs. 4895 and average expenditure is Rs. 2413 per month. This may vary in the months of June, July and August, which is the lean period for earning income. 11 families in the colony are fully dependent on NTFP collection for their income and 16 families on VSS works. These people have electricity connection and other house hold items in their home. Two families have goats and two have cows and they grazed in the forest.

Income and expenditure pattern of Pokalappara colony are shown below.

### Income Pattern of Pokalappara



### Expenditure Pattern of Pokalappara



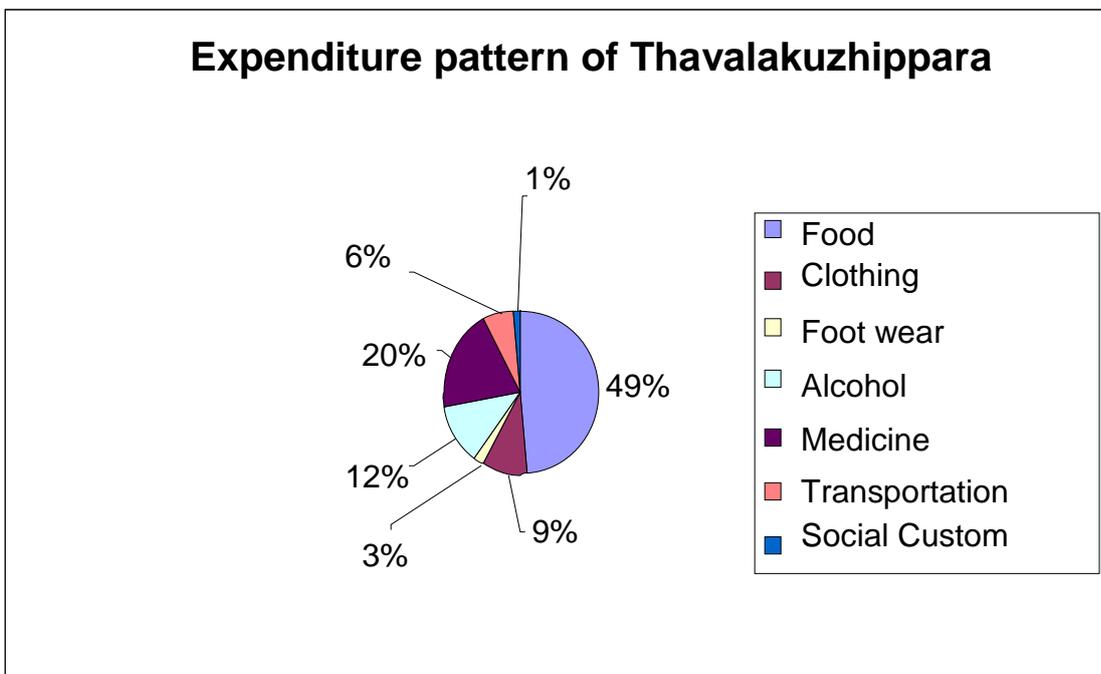
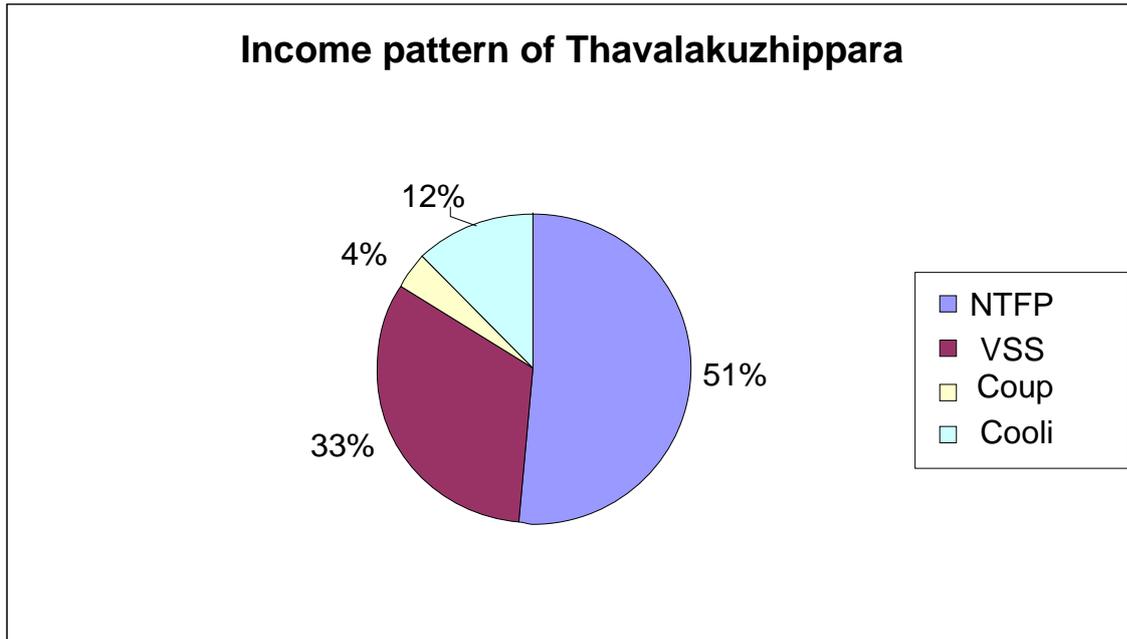
Colony people are daily using around 200 kg of fire wood from the forest. 100% of the houses have terraces. 13 families are dependent on the river for their drinking water and 10 on piped water through Jalanidhi Drinking water project.

### Thavalakuzhippara

Thavalakuzhippara colony situated 17 Km away from Athirapilly, belongs to the Athirapilly Grama Panchayath, Thrissur district of Kerala. They belong to the Malayar tribe. There are 33 Malayar families. They are fully dependent on NTFP and VSS works for their livelihoods. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are their main resources collected from the forest. They sell these items through the Girijan Society at Wachumaram. This VSS is coming under Sholayar Range under Vazhachal Forest Division.

From the socio-economic survey, we could understand that their average income is Rs. 3753 and average expenditure is Rs. 2796 per month. This may vary in the months of June, July and August, which is their leanest period for income. 28 families in the colony are fully dependent on NTFP collection for their income and 32 families on VSS works.

Income and expenditure pattern of Thavalakuzhippara colony are shown below.

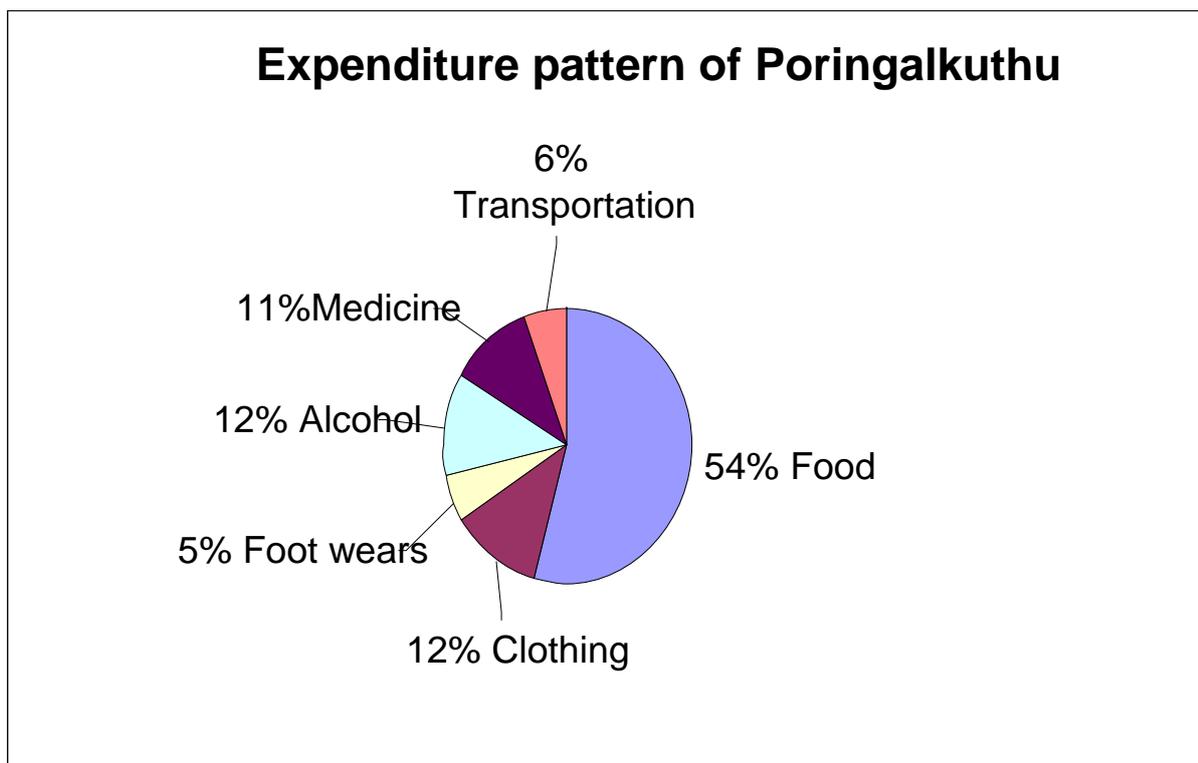
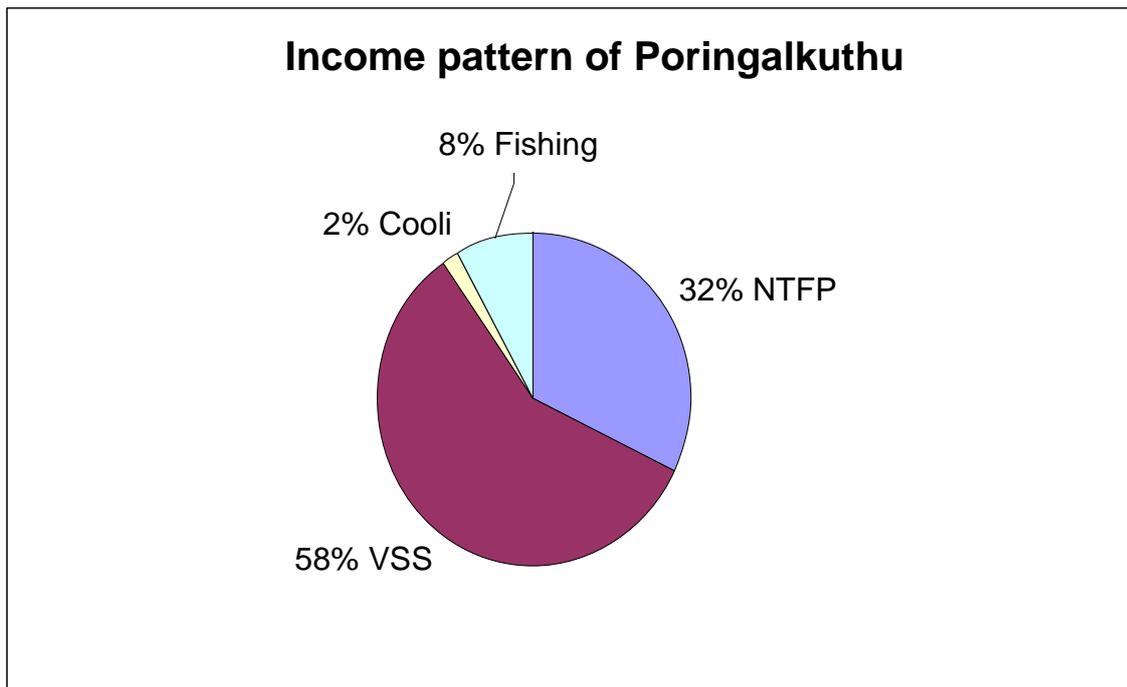


Colony people are daily using around 300 kg of fire wood from the forest. There are 27 terraces and 5 thatched houses in the colony. 9 families are depending on the river for their drinking water, 20 families on piped water and 4 families on well.

#### Poringalkuthu Colony

Poringalkuthu colony situated 13 Km away from Athirapilly, belongs to Athirapilly Grama Panchayath, Thrissur district of Kerala. The community belongs to the Kadar tribe and there are 21 Kadar families. They are fully dependent on NTFP, Fishing and VSS works for their livelihoods. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are their main resources collected from the forest. They sell these items through the Girijan Society located at Vazhachal. This VSS falls under Vazhachal Range of the Vazhachal Forest Division. From the socio-economic survey, we could understand that their average income is Rs. 5050 and average expenditure is Rs. 2653 per month. This may vary in the months of June, July and August, which is their lean period for income. 13 families in the colony are fully depending on

NTP collection for their income and 16 families on VSS works. These people have electricity connection and other house hold items at home. Income and expenditure pattern of Poringalkuthu colony are shown below.



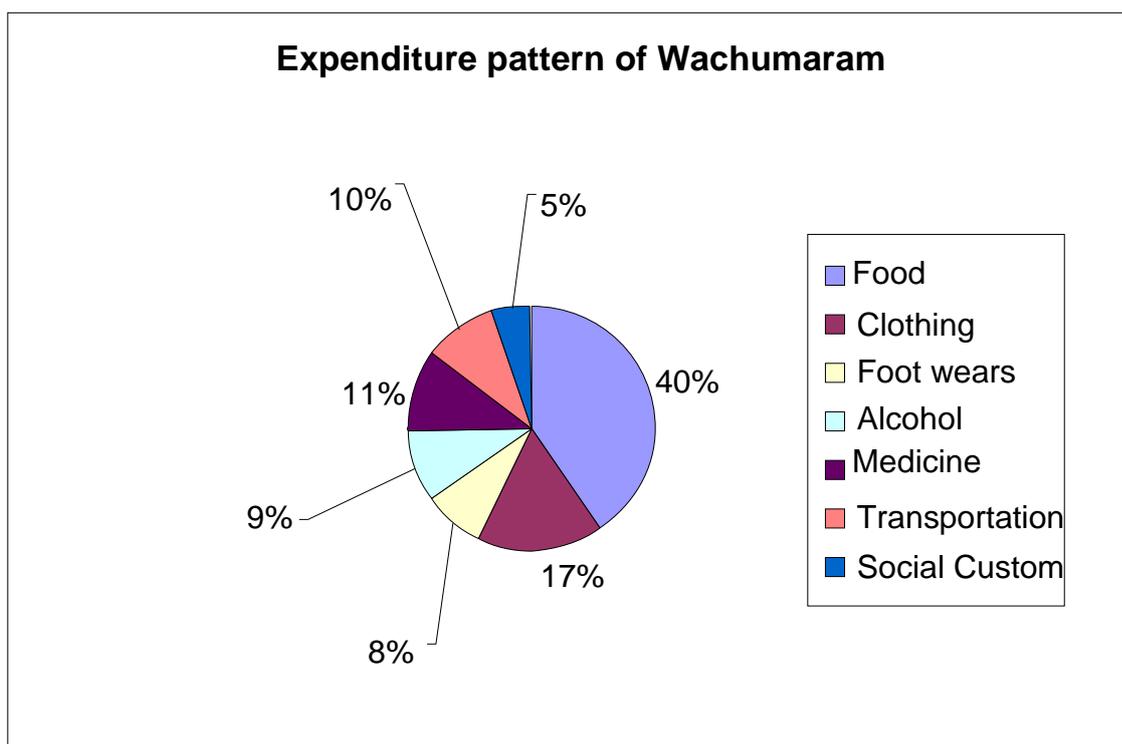
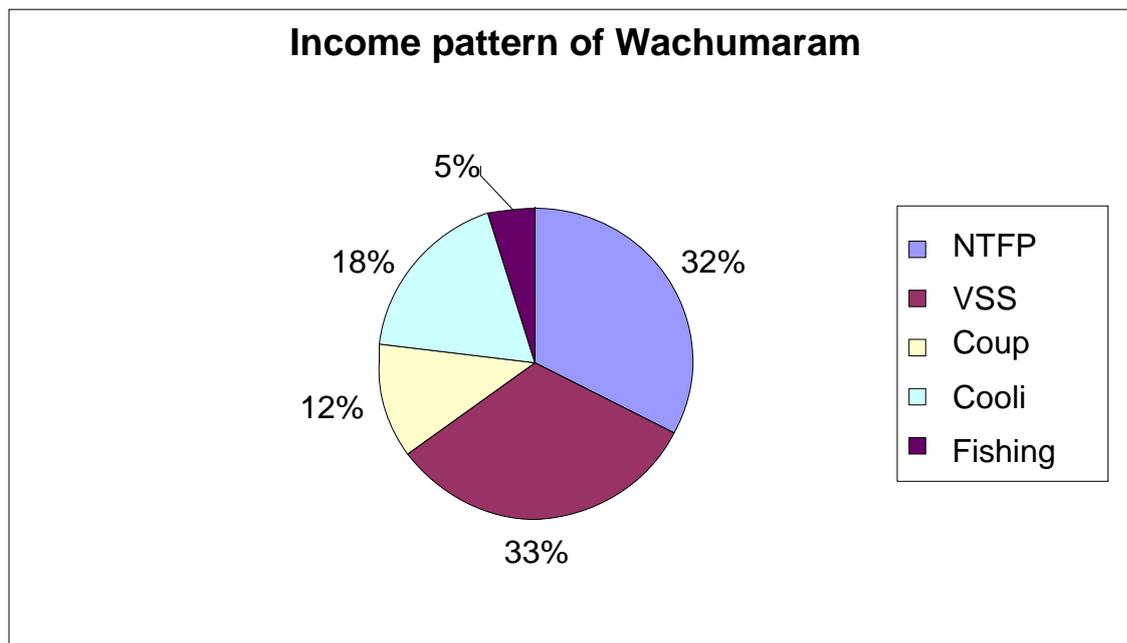
Colony people are daily using around 200 kg of fire wood from the forest. There are 6 terrace houses, 4 tiled houses and 10 thatched houses in the colony. All families are depending on the river for their drinking water.

## Wachumaram Colony

Wachumaram colony is situated 15 Km away from Athirapilly, and belongs to Athirapilly Grama Panchayath, Thrissur district of Kerala. They belong to the Kadar and Malayan tribes. There are 36 Kadar families and 9 Malayan families. They are fully dependent on NTFP, Fishing and VSS works for their livelihoods. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are their main collecting resources from the forest. They sell these items through the Girijan Society at Wachumaram itself. This VSS falls under Kollathirumedu Range of the Vazhachal Forest Division.

From the socio-economic survey, we could understand that their average income is Rs. 4903 and average expenditure is Rs. 2411 per month. This may vary in the months of June, July and August, which is their lean period for earning income. 35 families in the colony are fully depending on NTFP collection for their income and 40 families on VSS works.

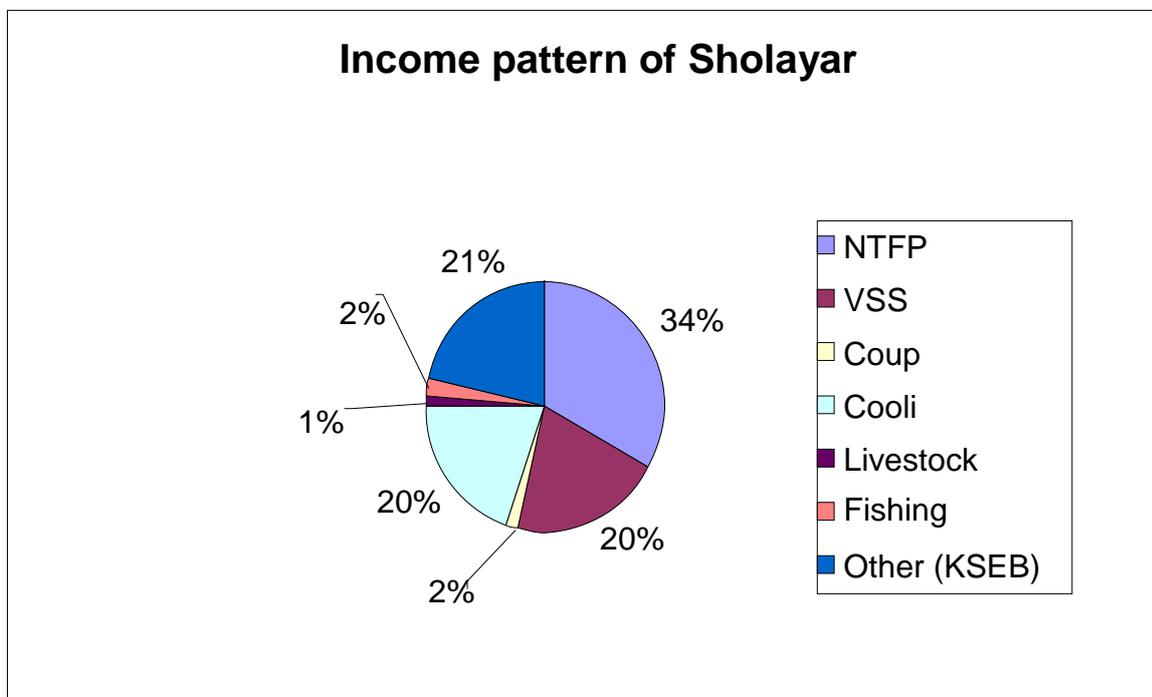
Income and expenditure pattern of Wachumaram colony are shown below.



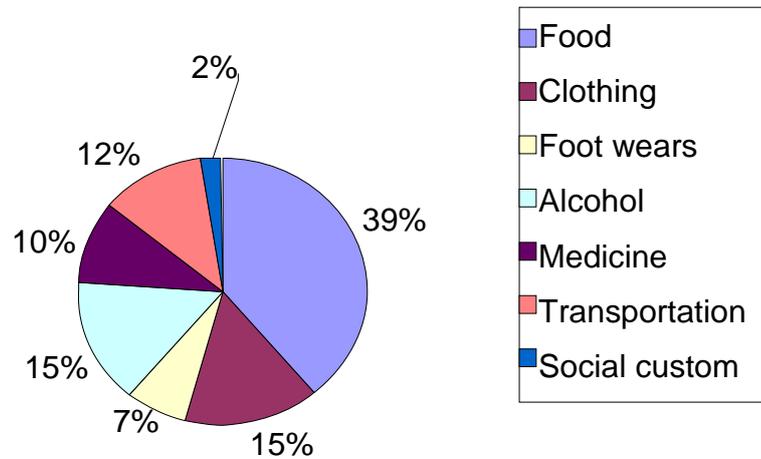
Colony people are daily using around 300 kg of fire wood from the forest. 31 houses have terraces and there are 14 thatched houses in the colony. 8 families are depending river for their drinking water, 2 families on piped water and 35 families on well.

### Sholayar Colony

Sholayar colony is situated 25 Km away from Athirapilly and situated in Athirapilly Grama Panchayath, Thrissur district of Kerala. The community belongs to the Kadar tribe and there are 28 Kadar families. They are fully dependent on NTFP, Fishing and VSS works for their livelihoods. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are the main resources collected from the forest. They sell these items through the Girijan Society at Wachumaram. This VSS falls under Sholayar Range of the Vazhachal Forest Division. From the socio-economic survey, we could understand that their average income is Rs. 5121 and average expenditure is Rs. 2916 per month. This may vary in the months of June, July and August, which is their lean period for income. 21 families in the colony are fully depending on NTFP collection for their income and 27 families on VSS works. These people have electricity connection and other house hold items at home. Income and expenditure pattern of Sholayar colony are shown below.



### Expenditure pattern of Sholayar



Colony people are daily using around 300 kg of fire wood from the forest. 100% of the houses have terraces. All families are depending piped drinking water supply.

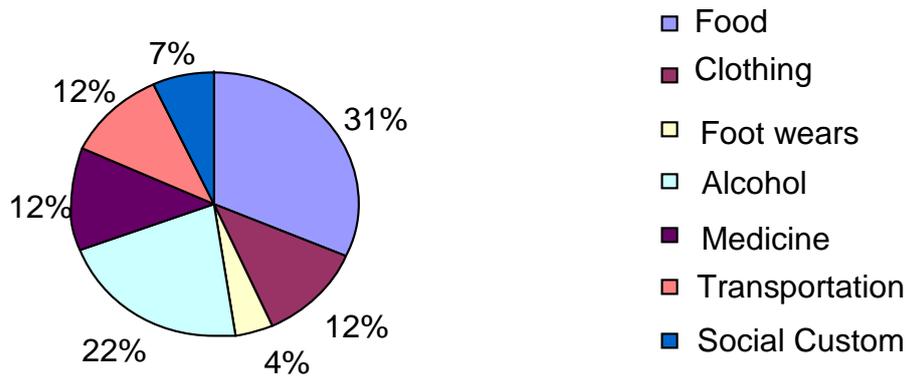
#### Mukkumpuzha Colony

Mukkumpuzha colony is situated 12 Km away from Athirapilly and belongs to, Athirapilly Grama Panchayath, Thrissur district of Kerala. The community belongs to the Kadar tribe. There are 13 Kadar families. They are fully dependent on NTFP, Fishing and VSS works for their livelihoods. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are the main resources collected from the forest. They sell these items through the Girijan Society at Wachumaram. This VSS falls under Sholayar Range of the Vazhachal Forest Division.

From the socio-economic survey, we could understand that their average expenditure is Rs. 5027 per month. This may vary in the months of June, July and August, which is their lean period for earning income. All families in the colony are fully depending on NTFP collection for their main income.

Expenditure pattern of Mukkumpuzha colony are shown below.

## Mukkumpuzha Expenditure pattern



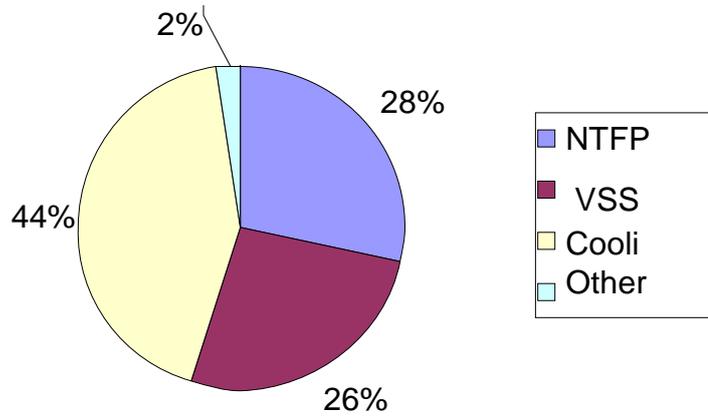
Colony people are daily using around 200 kg of fire wood from the forest. There are 5 terraces and 4 thatched houses in the colony. All families are depending on the river for their drinking water.

### Malakappara Colony

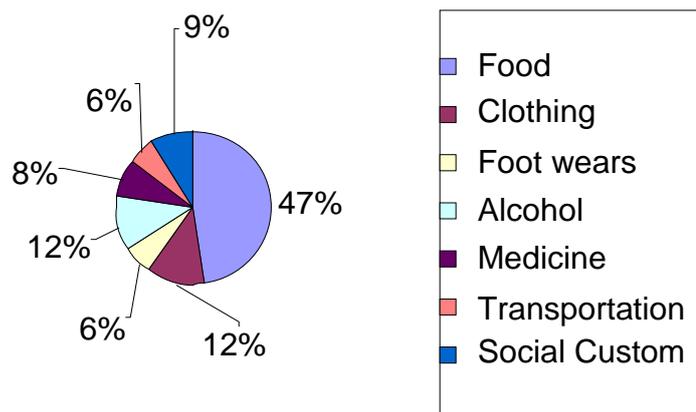
Malakkappara colony is situated 57 Km away from Athirapilly, and belongs to the Athirapilly Grama Panchayath, Thrissur district of Kerala. The community belongs to the Kadar tribe. There are 56 Kadar families. They are depending on NTFP, Society work and VSS works for their livelihoods. Honey, Thelli, Koova, Pathiripoovu, Cheenikka, Maravettikkuru etc. are the main resources collected from the forest. They sell these items through the Girijan Society at Malakkappara itself. This VSS falls under Sholayar Range of the Vazhachal Forest Division. From the socio-economic survey, we could understand that their average income is Rs. 4309 and average expenditure is Rs. 2685 per month. This may vary in the months of June, July and August, which is the lean period for earning income. 30 families in the colony are depending on NTFP collection for their income and all families also earn through VSS works. These people have electricity connection and other house hold items at home.

Income and expenditure pattern of Malakkappara colony are shown below.

### Income pattern of Malakkappara



### Expenditure pattern of Malakkappara



Colony people are daily using around 500 kg of fire wood from the forest. There are 43 terraces and 13 tiled houses in the colony. All families are depending on piped for their drinking water supply.

### Annexure 3 Legal and Institutional Instruments applicable to the IPS

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
Nodal agency at the Centre/State	Ministry of Environment and Forests	Ministry of Environment and Forests	Ministry of Tribal Affairs or any officer or authority authorised by the Central Government in this behalf, Tribal/Social Welfare Department	Ministry of Environment and Forests	Ministry of Environment and Forests	Ministry of Environment and Forests
Overall purpose	To provide for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental thereto with a view to ensuring the ecological and environmental security of the country.	To provide for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental thereto with a view to ensuring the ecological and environmental security of the country.	To recognise and vest forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers.	To provide for conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge and for matters connected therewith or incidental thereto.	To provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto.	To consolidate the law relating to forests, the transit of forest-produce and the duty leviable on timber and other forest-produce.
Various rights conferred/re-cognised at community level under each Act and to whom	<p><i>Types of rights not specified except</i>  <b>Section 65. Rights of Scheduled Tribes to be protected.</b> - Nothing in this Act shall affect the hunting rights conferred on the Scheduled Tribes of the Nicobar Islands in the Union Territory of Andaman and Nicobar Islands by notification of the Andaman and Nicobar Administration, NO. 40/97/1'. No.G-635. Vol. III, dated the 28th April, 1967 published at pages 1 to 5 Extraordinary issue of the Andaman and Nicobar Gazette, dated 28th April, 1967.</p> <p><b>Section 24 Acquisition of rights.</b> (2) If such claim is admitted in whole or in part, the Collector may either - (c) allow, in consultation with the Chief Wildlife Warden, the</p>	<p><i>Types of rights not specified</i></p>	<p><b>Section 3. Forest rights of Forest dwelling Scheduled Tribes and other traditional forest dwellers.-</b> (1) For the purposes of this Act, the following rights, which secure individual or community tenure or both, shall be the forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers on all forest lands, namely:-            (a) right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers;            (b) community rights such as nistar, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;            (c) right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected</p>	<p><i>Rights not specified</i></p>	<p><i>Rights not specified</i></p>	<p>Right over shifting cultivation, grazing..... To be added.....</p> <p><b>Section 10 Treatment of claims relating to practice of shifting cultivation.—</b>            (1) In the case of a claim relating to the practice of shifting cultivation, the Forest Settlement-officer shall record a statement setting forth the particulars of the claim and of any local rule or order under which the practice is</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>continuance of any right of any person in, or over any land within the limits of the sanctuary.</p> <p><u>NOT mentioned as a right but grazing in Sanctuaries permitted</u></p> <p><b>Section 33 Control of sanctuaries</b> – The Chief Wildlife Warden shall be the authority who shall control, manage and maintain all sanctuaries and for that purpose, within the limits of any sanctuary, (d) may regulate, control or prohibit, in keeping with the interests of wildlife, the grazing or movement of [livestock]).</p>		<p>within or outside village boundaries;</p> <p>(d) other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;</p> <p>(e) rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;</p> <p>(f) rights in or over disputed lands under any nomenclature in any State where claims are disputed;</p> <p>(g) rights for conversion of Pattas or leases or grants issued by any local authority or any State Government on forest lands to titles;</p> <p>(h) rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;</p> <p>(i) right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;</p> <p>(j) rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribals under any traditional or customary law of the concerned tribes of any State;</p> <p>(k) right of access to biodiversity and community right to intellectual property and traditional knowledge related to</p>			<p>allowed or regulated, and submit the statement to the State Government, together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.</p> <p>(2) On receipt of the statement and opinion, the State Government may make an order permitting or prohibiting the practice wholly or in part.</p> <p>(3) If such practice is permitted wholly or in part, the Forest Settlement-officer may arrange for its exercise</p> <p>(a) by altering the limits of the land under settlement so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants, or</p> <p>(b) by causing certain portions of the land under settlement to be</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>biodiversity and cultural diversity;</p> <p>(l) any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers, as the case may be, which are not mentioned in clauses (a) to (k) but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal;</p> <p>(m) right to in situ rehabilitation including alternative land in cases where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13th day of December, 2005.</p> <p>(2) Notwithstanding anything contained in the Forest (Conservation) Act, 1980, the Central Government shall provide for diversion of forest land for the following facilities managed by the Government which involve felling of trees not exceeding seventy-five trees per hectare, namely:-</p> <p>(a) schools;</p> <p>(b) dispensary or hospital;</p> <p>(c) anganwadis;</p> <p>(d) fair price shops;</p> <p>(e) electric and telecommunication lines;</p> <p>(f) tanks and other minor water bodies;</p> <p>(g) drinking water supply and water pipelines;</p> <p>(h) water or rain water harvesting structures;</p> <p>(i) minor irrigation canals;</p> <p>(j) non-conventional source of energy;</p>			<p>separately demarcated, and giving permission to the claimants to practise shifting cultivation therein under such conditions as he may prescribe.</p> <p>(4) All arrangements made under subsection (3) shall be subject to the previous sanction of the State Government.</p> <p>(5) The practice of shifting cultivation shall in all cases be deemed a privilege subject to control, restriction and abolition by the State Government.</p> <p><u>Section 12.</u> Order on claims to rights of pasture or to forest-produce.— In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			(k) skill upgradation or vocational training centres; (l) roads; and (m) community centres:			
Rights settlement process	<p><b>Section 18B- Appointment of Collectors</b> - The State Government shall appoint, an officer to act as Collector under the Act, within ninety days of coming into force of the Wild Life (Protection) Amendment Act, 2002, or within thirty days of the issue of notification under section 18, to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of the sanctuary which may be notified under sub section (1) of section 18."</p> <p><b>Section 19- Collector to determine rights</b> - When a notification has been issued under Sec.18, the collector shall inquire into, and determine the existence, nature and extent of the rights of any person in or over the land comprised within the limits of the sanctuary.</p> <p><b>Section 22- Inquiry by collector</b> -The Collector shall, after service of the prescribed notice upon the claimant, expeditiously inquire into (a) the claim preferred before him under clause (b) of Section 21, and (b) the existence of any right mentioned in</p>	<p><b>Section 18B- Appointment of Collectors</b> - The State Government shall appoint, an officer to act as Collector under the Act, within ninety days of coming into force of the Wild Life (Protection) Amendment Act, 2002, or within thirty days of the issue of notification under section 18, to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of the sanctuary which may be notified under sub section (1) of section 18."</p> <p><b>Section 19- Collector to determine rights</b> - [When a notification has been issued under Sec.18,] the collector shall inquire into, and determine the existence, nature and extent of the rights of any person in or over the land comprised within the limits of the sanctuary.</p> <p><b>Section 22- Inquiry by collector</b> -The Collector shall, after service of the prescribed notice upon the claimant, expeditiously inquire into (a) the claim preferred before him under clause</p>	<p><b>Section 6. Authorities to vest forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers and procedure thereof,</b> (1) The Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.</p> <p><b>Rule 11</b>-Procedure of filing, determination and verification of claims by the Gram Sabha - (1) The Gram Sabhas shall - (a) call for claims and authorize the Forest Rights Committee to accept the claims in the Form as provided in Annexure-I of these rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, shall be made within a period of three months: Provided that the Gram Sabha may, if consider necessary,</p>	<p><b>Section 37</b> Biodiversity Heritage sites- (1) Without prejudice to any other law for the time being in force, the State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as biodiversity heritage sites under this Act. (3) The State Government shall frame schemes for compensating or rehabilitating any person or section of people economically affected by such notification.</p>	<p><b>Section 4: Notification by State Government.</b> - (1) Whenever it has been decided to constitute any land a reserved forest, the State Government shall issue a notification in the Official Gazette— (c) appointing an officer (hereinafter called "the Forest Settlement-officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest-produce, and to deal with the same as provided in this Chapter. Explanation.—For the purpose of clause (b), it shall be sufficient to describe the limits of the</p>	

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>Section 19 and not claimed under clause (b) of Section 21, so far as the same may be ascertainable from the records of the State Governments and the evidence of any person acquainted with the same.</p> <p><b>Section 24- Acquisition of rights</b> - (1) In the case of a claim to a right in or over any land referred to in Sec.19, the Collector shall pass an order admitting or rejecting the same in whole or in part.</p> <p>(2) If such claim is admitted in whole or in part, the Collector may either</p> <p>(a) exclude such land from the limits of the proposed sanctuary, or</p> <p>(b) proceed to acquire such land or rights, except where by an agreement between the owner of such land or the holder of rights and the Government the owner or holder of such rights has agreed to surrender his rights to the Government, in or over such land, and payment of such compensation, as is provided in the Land Acquisition Act, 1894 (1 of 1894)</p> <p>[(c) allow, in consultation with the Chief Wildlife Warden, the continuance of any right of any person in, or over any land within the limits of the sanctuary.]</p>	<p>(b) of Section 21, and (b) the existence of any right mentioned in Section 19 and not claimed under clause (b) of Section 21, so far as the same may be ascertainable from the records of the State Governments and the evidence of any person acquainted with the same.</p> <p><b>Section 24- Acquisition of rights</b> - (1) In the case of a claim to a right in or over any land referred to in Sec.19, the Collector shall pass an order admitting or rejecting the same in whole or in part.</p> <p>(2) If such claim is admitted in whole or in part, the Collector may either</p> <p>(a) exclude such land from the limits of the proposed sanctuary, or</p> <p>(b) proceed to acquire such land or rights, except where by an agreement between the owner of such land or the holder of rights and the Government the owner or holder of such rights has agreed to surrender his rights to the Government, in or over such land, and payment of such compensation, as is provided in the Land Acquisition Act, 1894 (1 of 1894)</p> <p>[4(c) allow, in</p>	<p>extend such period of three months after recording the reasons thereof in writing.</p> <p>(b) fix a date for initiating the process of determination of its community forest resource and intimate the same to the adjoining Gram Sabhas where there are substantial overlaps, and the Sub-Divisional Level Committee.</p> <p>(2) The Forest Rights Committee shall assist the Gram Sabha in its functions to -</p> <p>(i) receive, acknowledge and retain the claims in the specified form and evidence in support of such claims;</p> <p>(ii) prepare the record of claims and evidence including maps;</p> <p>(iii) prepare a list of claimants on forest rights;</p> <p>(iv) verify claims as provided in these rules;</p> <p>(v) present their findings on the nature and extent of the claim before the Gram Sabha for its consideration.</p> <p>(3) Every claim received shall be duly acknowledged in writing by the Forest Rights Committee.</p> <p>(4) The Forest Rights Committee shall also prepare the claims on behalf of Gram Sabha for community forest rights in Form B as provided in Annexure I of these Rules.</p> <p>(5) The Gram Sabha shall on receipt of the findings under clause (v) of sub-rule (2), meet with prior notice, to consider the findings of the Forest Rights Committee, pass appropriate resolutions, and shall forward the same to the Sub-Divisional Level Committee.</p> <p>(6) The Secretary of Gram Panchayat will also act as Secretary to the Gram Sabhas</p>			<p>forest by roads, rivers, ridges or other well-known or readily intelligible boundaries.</p> <p><b>Section 5. Bar of accrual of forest-rights.</b>—</p> <p>After the issue of a notification under section 4, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land except in accordance with such rules as may be made by the State Government in this behalf.</p> <p><b>Section 6. Proclamation by Forest Settlement-</b></p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
		<p>consultation with the Chief Wildlife Warden, the continuance of any right of any person in, or over any land within the limits of the sanctuary.]</p> <p><u>Section 38V (5)</u> Save as for voluntary relocation on mutually agreed terms and conditions, provided that such terms and conditions satisfy the requirements laid down in this sub-section, no Scheduled Tribes or other forest dwellers shall be resettled or have their rights adversely affected for the purpose of creating inviolate areas for tiger conservation unless— (i) the process of recognition and determination of rights and acquisition of land or forest rights of the Scheduled Tribes and such other forest dwelling persons is complete; (v) the informed consent of the Gram Sabha concerned, and of the persons affected, to the resettlement programme has been obtained;</p>	<p>in discharge of its functions.</p> <p><b>Rule 12. Process of verifying claims by Forest Rights Committee.</b>- (1) The Forest Rights Committee shall, after due intimation to the concerned claimant and the Forest Department – (a) visit the site and physically verify the nature and extent of the claim and evidence on the site; (b) receive any further evidence or record from the claimant and witnesses; (c) ensure that the claim from pastoralists and nomadic tribes for determination of their rights, which may either be through individual members, the community or traditional community institution, are verified at a time when such individuals, communities or their representatives are present; (d) ensure that the claim from member of a primitive tribal group or preagricultural community for determination of their rights to habitat, which may either be through their community or traditional community institution, are verified when such communities or their representatives are present; and (e) prepare a map delineating the area of each claim indicating recognizable landmarks. (2) The Forest Rights Committee shall then record its findings on the claim and present the same to the Gram Sabha for its consideration. (3) If there are conflicting claims in respect of the traditional or customary boundaries of another village or if a forest area</p>			<p><b>officer.</b>—When a notification has been issued under section 4, the Forest Settlement-officer shall publish in the local vernacular in every town and village in the neighbourhood of the land comprised therein, a proclamation (a) specifying, as nearly as possible, the situation and limits of the proposed forest; (b) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and (c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or section, 5 within such period either to present to the Forest Settlement-officer a written notice specifying</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>is used by more than one Gram Sabha, the Forest Rights Committees of the respective Gram Sabhas shall meet jointly to consider the nature of enjoyment of such claims and submit the findings to the respective Gram Sabhas in writing:            Provided that if the Gram Sabhas are not able to resolve the conflicting claims, it shall be referred by the Gram Sabha to the Sub-Divisional Level Committee for its resolution.            (4) On a written request of the Gram Sabha or the Forest Rights Committee for information, records or documents, the concerned authorities shall provide an authenticated copy of the same to the Gram Sabha or Forest Rights Committee, as the case may be, and facilitate its clarification, if required, through an authorized officer .</p>			<p>or to appear before him and state, the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.</p> <p><u>Section 7.:</u>  <b>Inquiry Forest Settlement-officer.</b>—            The Forest Settlement-officer shall take down in writing all statements made under section 6, and shall at some convenient place inquire into all claims duly preferred under that section, and the existence of any rights mentioned in section 4 or section 5 and not claimed under section 6 so far as the same may be ascertainable from the records of Government and the evidence of any persons likely to be acquainted with the same.  <b>Section 8.</b>  <b>Powers of Forest Settlement-officers.</b>-For the purpose of such inquiry, the</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>Forest Settlement-officer may exercise the following powers, that is to say:  (a) power to enter, by himself or any officer authorised by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and  (b) the powers of a Civil Court in the trial of suits.</p> <p><u>Section 9.</u>  <b>Extinction of rights.</b>-Rights in respect of which no claim has been preferred under section 6, and of the existence of which no knowledge has been acquired by inquiry under section 7, shall be extinguished, unless before the notification under section 20 is published, the person claiming them satisfies the Forest Settlement-officer that he had sufficient cause for not prefer-ring such</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>claim within the period fixed under section 6.</p> <p><u>Section 10</u>  <b>Treatment of claims relating to practice of shifting cultivation.—</b>  (1) In the case of a claim relating to the practice of shifting cultivation, the Forest Settlement-officer shall record a statement setting forth the particulars of the claim and of any local rule or order under which the practice is allowed or regulated, and submit the statement to the State Government, together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.  (2) On receipt of the statement and opinion, the State Government may make an order permitting or prohibiting the practice wholly</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>or in part.  (3) If such practice is permitted wholly or in part, the Forest Settlement-officer may arrange for its exercise  (a) by altering the limits of the land under settlement so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants, or  (b) by causing certain portions of the land under settlement to be separately demarcated, and giving permission to the claimants to practise shifting cultivation therein under such conditions as he may prescribe.  (4) All arrangements made under sub-section (3) shall be subject to the previous sanction of the State Government.  (5) The practice of shifting</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>cultivation shall in all cases be deemed a privilege subject to control, restriction and abolition by the State Government.</p> <p><u>Section 11</u>  <b>Power to acquire land over which right is claimed.</b>—(1) In the case of a claim to a right in or over any land, other than a right of way or right of pasture, or a right to forest produce or a water-course, the Forest Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.  (2) If such claim is admitted in whole or in part, the Forest Settlement-officer shall either  (i) exclude such land- from the limits of the proposed forest; or  (ii) come to an agreement with the owner thereof for the</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>surrender of his rights; or  (iii) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1894 (1 of 1894).  (3) For the purpose of so acquiring such land  (a) the Forest Settlement-officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1894 (1 of 1894);  (b) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act;  (c) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and  (d) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land, or partly in land and partly in</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>money.</p> <p><u>Section 12.</u>  <b>Order on claims to rights of pasture or to forest-produce.</b>—In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.</p> <p><u>Section 13.</u>  <b>Record to be made by Forest Settlement-officer.</b>—The Forest Settlement officer, when passing any order under section 12, shall record, so far as may be practicable,—  (a) the name, father's name, caste, residence and occupation of the person claiming the right; and  (b) the designation, position and area of all fields or groups fields (if any), and the designation and</p>

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						<p>position of all buildings (if any) in respect of which the exercise of such rights is claimed.</p> <p><u>Section 14.</u>  <b>Record where he admits claim.</b>—If the Forest Settlement-officer admits in whole or in part any claim under section 12, he shall also record the extent to which the claim is so admitted, specifying the number and description of the cattle which the claimant is from time to time entitled to graze in the forest, the season during which such pasture is permitted, the quantity of timber and other forest produce which he is from time to time authorised to take or receive, and such other particulars as the case may require. He shall also record whether the timber or other forest-produce obtained by the</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>exercise of the rights claimed may be sold or bartered.</p> <p><u>Section 15.</u>  <b>Exercise of rights admitted.</b>-(1)  After making such record the Forest Settlement officer shall, to the best of his ability, having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as will ensure the continued exercise of the rights so admitted.  (2) For this purpose the Forest Settlement-officer may  (a) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient, for the purposes of such claimants, and record an order conferring upon them a right of pasture or to forest-produce (as the case may be) to</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>the extent so admitted; or (b) so alter the limits of the proposed forest as to exclude forest-land of sufficient extent, and in a locality reasonably convenient, for the purposes of the claimants; or (c) record an order, continuing to such claimants a right of pasture or to forest-overpage produce, as the case may be, to the extent so admitted, at such seasons, within such portions of the proposed forest, and under such rules, as may be made in this behalf by the State Government.</p> <p><u>Section 16. Commutation of rights.</u>— In case the Forest Settlement-officer finds it impossible having due regard to the maintenance of the reserved forest, to make such settlement under section 15 as shall ensure</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>the continued exercise of the said rights to the extent so admitted, he shall, subject to such rules as the State Government may make in this behalf, commute such rights, by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.</p>
Exercise of rights			<p>Conditions may be imposed by DLCs. This aspect needs to be clarified further.</p>			<p><b>Section 15. Exercise of rights admitted.</b>-(1) After making such record the Forest Settlement officer shall, to the best of his ability, having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as will ensure the continued exercise of the rights so admitted. (2) For this purpose the Forest Settlement-officer may (a) set out some</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>other forest-tract of sufficient extent, and in a locality reasonably convenient, for the purposes of such claimants, and record an order conferring upon them a right of pasture or to forest-produce (as the case may be) to the extent so admitted; or (b) so alter the limits of the proposed forest as to exclude forest-land of sufficient extent, and in a locality reasonably convenient, for the purposes of the claimants; or (c) record an order, continuing to such claimants a right of pasture or to forest-overpage produce, as the case may be, to the extent so admitted, at such seasons, within such portions of the proposed forest, and under such rules, as may be made in this behalf by the State Government.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
Any time frames prescribed for the Rights settlement process	<p><b>Section 18B. Appointment of collectors</b> - The State Government shall appoint, an officer to act as Collector under the Act, within ninety days of coming into force of the Wild Life (Protection) Amendment Act, 2002, or within thirty days of the issue of notification under section 18, to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of the sanctuary which may be notified under sub section (1) of section 18."</p> <p><b>Section 25 A. Time limit for completion of acquisition proceedings</b> - Complete the proceedings under sections 19 (determine rights) to 25 (acquisition proceedings) (both inclusive) within a period of two years from the date of notification of declaration of sanctuary or National Park under section 18.</p>		<p><b>Rules 11. Procedure for filing, determination and verification of claims by the Gram Sabha.</b>- (1) The Gram Sabhas shall -(a) call for claims and authorize the Forest Rights Committee to accept the claims in the Form as provided in Annexure-I of these rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, shall be made within a period of three months: Provided that the Gram Sabha may, if consider necessary, extend such period of three months after recording the reasons thereof in writing.</p> <p><b>Rule 14. Petitions to Sub-Divisional Level Committee.</b> - (1) Any person aggrieved by the resolution of the Gram Sabha may within a period of sixty days from the date of the resolution file a petition to the Sub-Divisional Level Committee . (2) The Sub-Divisional Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Gram Sabha in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing. (3) The Sub-Divisional Level Committee may either allow or reject or refer the petition to concerned Gram Sabha for its reconsideration. (4) After receipt of such reference, the Gram Sabha shall meet within a period of thirty days, hear the petitioner,</p>			<p><b>Section 6. Proclamation by Forest Settlement-officer.</b>—When a notification has been issued under section 4, the Forest Settlement-officer shall publish in the local vernacular in every town and village in the neighbourhood of the land comprised therein, a proclamation (c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or section, 5 within such period either to present to the Forest Settlement-officer a written notice specifying or to appear before him and state, the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>pass a resolution on that reference and forward the same to the Sub-Divisional Level Committee.</p> <p>(7) In case of a dispute between two or more Gram Sabhas and on an application of any of the Gram Sabhas or the Sub-Divisional Level Committee on its own, shall call for a joint meeting of the concerned Gram Sabhas with a view to resolving the dispute and if no mutually agreed solution can be reached within a period of thirty days, the Sub-Divisional Level Committee shall decide the dispute after hearing the concerned Gram Sabhas and pass appropriate orders.</p> <p><b>Rule 15. Petitions to District Level Committee.</b>- (1) Any person aggrieved by the decision of the Sub-Divisional Level Committee may within a period of sixty days from the date of the decision of the Sub-Divisional Level Committee file a petition to the District Level Committee.</p> <p>(2) The District Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Sub-Divisional Level Committee in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing.</p>			
Offences and penalties under each Act	<p><b>Section 50 – Power of entry search and detention,</b></p> <p><b>Section 51 - Penalties</b></p> <p><b>Section 52 – Attempts and abatement,</b></p>	<p><b>Section 50 – Power of entry search and detention,</b></p> <p><b>Section 51 - Penalties</b></p> <p><b>Section 52 – Attempts and abatement,</b></p>	<p><b>Section 7. Offences by members or officers of authorities and Committees under this Act.</b> - Where any authority or Committee or officer or member of such authority or Committee contravenes any provision of this Act or any rule</p>	<p><b>Section 55- Penalties - (1)</b> Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 3 or section 4 or section 6 shall be punishable with imprisonment for a term which may extend to</p>	<p><b>Section 3A Penalty for contravention of the provisions of the Act -</b> Whoever contravenes or abets the contravention of any of the provisions of Section 2, shall be punishable with simple</p>	<p><b>Section 33.: Penalties for acts in contravention of notification under section 30 or of rules under section</b></p>

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	<p><u>Section 53</u> – <b>Punishment for wrongful seizure,</b></p> <p><u>Section 58</u> – <b>Offences by companies</b></p>	<p><u>Section 53</u> – <b>Punishment for wrongful seizure,</b></p> <p><u>Section 58</u> – <b>Offences by companies</b></p>	<p>made thereunder concerning recognition of forest rights, it, or they, shall be deemed to be guilty of an offence under this Act and shall be liable to be proceeded against and punished with fine which may extend to one thousand rupees: Provided that nothing contained in this sub-section shall render any member of the authority or Committee or head of the department or any person referred to in this section liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.</p> <p><u>Section 8. Cognizance of offences.</u>- No court shall take cognizance of any offence under section 7 unless any forest dwelling Scheduled Tribe in case of a dispute relating to a resolution of a Gram Sabha or the Gram Sabha through a resolution against any higher authority gives a notice of not less than sixty days to the State Level Monitoring Committee and the State Level Monitoring Committee has not proceeded against such authority.</p>	<p>five years, or with fine which may extend to ten lakh rupees and where the damage caused exceeds ten lakh rupees such fine may commensurate with the damage caused, or with both.</p> <p>(2) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 7 or any order made under sub-section (2) of section 24 shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five lakh rupees, or with both.</p> <p><u>Section 56: Penalty for contravention</u> - If any person contravenes any direction given or order made by the Central Government, the State Government, the National Biodiversity Authority or the State Biodiversity Board for which no punishment has been separately provided under this Act, he shall be punished with a fine which may extend to one lakh rupees and in case of a second subsequent offence, with fine which may extend to two lakh rupees and in the case of continuous contravention with additional fine may extend to two lakh rupees everyday during which the default continues.</p> <p><u>Section 57: Offences by companies</u> - (1) Where an offence or contravention under this Act has been committed by a company, every person who at the time the offence or contravention was committed was in charge of, and was responsible to, the company for the conduct of the business of</p>	<p>imprisonment for a period which may extend to fifteen days.</p> <p><u>Section 3B Offences by Authorities and Government Departments.</u></p> <p>(1) Where any offence under this Act has been committed -</p> <p>(a) by any department of Government, the head of the department; or</p> <p>(b) by any authority, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority; shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.</p> <p>(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section</p>	<p><b>32</b> - (1) Any person who commits any of the following offences, namely:—</p> <p>(a) fells, girdles, lops, taps or bums any tree reserved under section 30, or strips off the bark or leaves from, or otherwise damages, any such tree;</p> <p>(b) contrary to any prohibition under section 30, quarries any stone, or bums any lime or charcoal or collects, subjects to any manufacturing process, or removes any forest-produce;</p> <p>(c) contrary to any prohibition under section 30, breaks up or clears for cultivation or any other purpose any land in any protected forest;</p> <p>(d) sets fire to such forest, or kindles a fire without taking all reasonable precautions to prevent its spreading to any tree reserved under section</p>

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				<p>the company, as well as the company, shall be deemed to be guilty of the offence or contravention was committed without the knowledge or that he had exercised all due diligence to prevent the commission of such offence or contravention.</p> <p>(2) Notwithstanding anything contained in this sub-section (1), where an offence or contravention under this Act has been committed by a company and it is proved that the offence or contravention has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence or contravention and shall be liable to be proceeded against and punished accordingly.</p>	<p>(1) and it is proved that the offence has been committed with the consent or connivance of; or is attributable to any neglect on the part of any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.</p> <p><u>Rule 9:</u> Proceedings against persons guilty of offences under the Act (1) The Central Government may, by notification, authorize any officer not below the rank of Conservator of Forests or the concerned forest officer having territorial jurisdiction over the forest land in respect of which the said offence is said to have been committed, to file complaints against the person (s) prima-facie found guilty of offence under the Act or the violation of the rules made thereunder, in the court having jurisdiction in the matter. Provided that no complaint shall be filed in the court, without giving the person (s) or officer (s) or authority (s) against whom the allegations of offence exist, an opportunity to explain his or their conduct and to show cause, by issuing a</p>	<p>30, whether standing fallen or felled, or to say closed portion of such forest;</p> <p>(e) leaves burning any fire kindled by him in the vicinity of any such tree or closed portion;</p> <p>(f) fells any tree or drags any timber so as to damage any tree reserved as aforesaid;</p> <p>(g) permits cattle to damage any such tree;</p> <p>(h) infringes any rule made under section 32, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.</p> <p>(2) Whenever fire is caused wilfully or by gross negligence in a protected forest, the State Government may, notwithstanding that any penalty has been inflicted under this section, direct that in such forest or</p>

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					<p>notice in writing of not less than sixty days, as to why a complaint should not be filed in the court against him or them for alleged offences.</p> <p>(2) The officer authorised by the Central Government in sub-rule (1) may require any State Government or its officer or any person or any other authority to furnish to it within a specified period any reports, documents, statistics and any other information related to contravention of the Act or the rules made thereunder, considered necessary for making a complaint in any court of jurisdiction and every such State Government or officer or person or authority shall be bound to do so.</p>	<p>any portion thereof the exercise of any right of pasture or to forest-produce shall be suspended for such period as it thinks fit.</p> <p><u>Section 42:</u>  <b>Penalty for breach of rules made under section 41.-(1)</b>  The State Government may by such rules prescribe as penalties for the contravention thereof imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.  (2) Such rules may provide that penalties which are double of those mentioned in subsection (1) may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or where the offender has</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>been previously convicted of a like offence.</p> <p><b>Section 77. Penalties for breach of rules.-</b>Any person contravening any rule under this Act, for the contravention of which no special penalty is provided, shall be punishable with imprisonment for a term which may extend to one month, or fine which may extend to five hundred rupees, or both.</p> <p><i>CHAPTER IX PENALTIES AND PROCEDURE</i></p>
Procedures related to destruction/ damage of resources/land/biodiversity	<p><b>Section 29: Destruction, etc., in a sanctuary prohibited without a permit.-</b> No person shall destroy, exploit or remove any wild life including forest produce from a sanctuary or destroy or damage or divert the habitat of any wild animal by any act whatsoever or divert, stop or enhance the flow of water into or outside the sanctuary, except under and in accordance with a permit granted by the Chief Wild</p>		<p><b>Section 5. Duties of holders of forest rights.-</b> The holders of any forest right, Gram Sabha and village level institutions in areas where there are holders of any forest right under this Act are empowered to-</p> <p>(d) ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.</p>	<p><b>Section 24 Power to State Biodiversity Board to restrict certain activities violating the objectives of conservation etc. -</b> Any citizen of India or a body corporate, organization or association registered in India intending to undertake any activity referred to in section 7 shall give prior intimation in such form as may be prescribed by the State Government to the State Biodiversity Board.</p> <p>(2) On receipt of an intimation under sub-section (1), the State Biodiversity Board may, in consultation with the local</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>Life Warden, and no such permit shall be granted unless the State Government being satisfied in consultation with the Board that such removal of wild life from the sanctuary or the change in the flow of water into or outside the sanctuary is necessary for the improvement and better management of wild life therein, authorises the issue of such permit:</p>			<p>bodies concerned and after making such enquires as it conservation, may deem fit, by order, prohibit or restrict any such activity if it is of opinion that such activity is detrimental or contrary to the objectives of conservation and sustainable use of biodiversity or equitable sharing of benefits arising out of such activity: Provided that no such order shall be made without giving an opportunity of being heard to the person affected.</p> <p>(3) Any information given in the form referred to in sub-section (1) for prior intimation shall be kept confidential and shall not be disclosed, either intentionally or unintentionally, to any person not concerned thereto.</p> <p><b>Section 36: Central government to develop National strategies, plans etc. for conservation etc., of biological diversity</b> - (1) The Central Government shall develop national strategies, plans, programmes for the conservation and promotion and sustainable use of biological diversity including measures for identification and monitoring of areas rich in biological resources, promotion of in situ, and ex situ, conservation of biological resources, incentives for research, training and public education to increase awareness with respect to biodiversity.</p> <p>(2) Where the Central Government has reason to believe that any rich in biological diversity, biological resources and their habitats is being threatened by overuse, abuse or</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
				<p>neglect, it shall issue directives to the concerned State Government to take immediate ameliorative measures; offering such State Government any technical and other assistance that is possible to be provided or needed.</p> <p>(3) The Central Government shall, as far as practicable wherever it deems appropriate, integrate the conservation, promotion and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.</p> <p>(4) The Central Government shall undertake measures, -</p> <p>(i) wherever necessary, for assessment of environmental impact of that project which is likely to have adverse effect on biological diversity, with a view to avoid or minimize such effects and where appropriate provide for public participation in such assessment;</p> <p>(ii) to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology likely to have adverse impact on the conservation and sustainable use of biological diversity and human health.</p>		
Any specific conservation related provisions	<p><u>Chapter IIIA: PROTECTION OF SPECIFIED PLANTS</u></p> <p><u>Chapter IV PROTECTED AREAS</u></p> <p><u>Section 18. Declaration of sanctuary</u> - (1) The State Government may, by</p>	<p><u>Chapter IV B NATIONAL TIGER CONSERVATION AUTHORITY</u></p> <p><u>Section 38V Tiger Conservation plan</u> - (1) The State Government shall, on the recommendation of</p>	<p><u>Section 3 (1) (i)</u> right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;</p> <p><u>Section 5. Duties of holders of forest rights.</u>- The holders of any forest right, Gram Sabha</p>	<p><u>Section 36 Central Government to develop National strategies plans. Etc., for conservation, etc., of biological diversity</u> (1) The Central Government shall develop national strategies, plans, programmes for the conservation and promotion and sustainable use of biological</p>	<p><u>Section 2</u> Restriction on the dereservation of forests or use of forest land for non forest purpose: Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make,</p>	<p><u>Chapter II RESERVED FORESTS</u></p> <p><u>Section 3. Power to reserve forests.</u>- The State Government</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>notification, declare its intention to constitute any area other than area comprised within any reserve forest or the territorial waters as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural, or zoological significance, for the purpose of protecting, propagating or developing wildlife or its environment.</p> <p><b>Section 18A:</b> (1) When the State Government declares its intention under sub-section of section 18 to constitute any area, not comprised within any reserve forest or territorial waters under that sub-section, as a sanctuary, the-provisions of sections 27 to 33A (both inclusive) shall come into effect forthwith.</p> <p><b>Section 35: Declaration of National Parks.</b> – (1) Whenever it appears to the State Government that an area, whether within a sanctuary or not, is, by reason of its ecological, faunal, floral, geomorphological, or zoological association or importance, needed to be constituted as a National Park for the purpose of protecting, propagating or developing wildlife therein or its environment, it may, by notification, declare its intention to constitute such</p>	<p>the Tiger Conservation Authority, notify an area as a tiger reserve.</p> <p>(2) The provisions of sub-section (2) of section 18, sub-sections (2), (3) and (4) of section 27, sections 30, 32 and clauses (b) and (c) of section 33 of this Act shall, as far as may be, apply in relation to a tiger reserve as they apply in relation to a sanctuary.</p> <p>(3) The State Government shall prepare a Tiger Conservation Plan including staff development and deployment plan for the proper management of each area referred to in sub-section (1), so as to ensure—</p> <p>(a) protection of tiger reserve and providing site specific habitat inputs for a viable population of tigers co-predators and prey animals without distorting the natural prey-predator ecological cycle in the habitat;</p> <p>(b) ecologically compatible land uses in the tiger reserves and areas linking one protected area or tiger reserve with another for addressing the livelihood concerns of local people, so as to provide dispersal habitats and corridor for spill over population of wild</p>	<p>and village level institutions in areas where there are holders of any forest right under this Act are empowered to-</p> <p>(a) protect the wild life, forest and biodiversity;</p> <p>(b) ensure that adjoining catchments area, water sources and other ecological sensitive areas are adequately protected;</p> <p>(c) ensure that the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers is preserved from any form of destructive practices affecting their cultural and natural heritage;</p> <p>(d) ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.</p> <p><b>Section 4 (2)</b> The forest rights recognised under this Act in critical wildlife habitats of National Parks and Sanctuaries may subsequently be modified or resettled, provided that no forest rights holders shall be resettled or have their rights in any manner affected for the purposes of creating inviolate areas for wildlife conservation except in case all the following conditions are satisfied, namely:- Provided that the critical wildlife habitats from which rights holders are thus relocated for purposes of wildlife conservation shall not be subsequently diverted by the State Government or the Central Government or any other entity for other uses.</p>	<p>diversity including measures for identification and monitoring of areas rich in biological resources, promotion of in situ, and ex situ, conservation of biological resources, incentives for research, training and public education to increase awareness with respect to biodiversity.</p> <p>(2) Where the Central Government has reason to believe that any area rich in biological diversity, biological resources and their habitats is being threatened by overuse, abuse or neglect, it shall issue directives to the concerned State Government to take immediate ameliorative measures, offering such State Government any technical and other assistance that is possible to be provided or needed.</p> <p>(3) The Central Government shall, as far as practicable wherever it deems appropriate, integrate the conservation, promotion and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.</p> <p>4) The Central Government shall undertake measures,-</p> <p>(i) wherever necessary, for assessment of environmental impact of that project which is likely to have adverse effect on biological diversity, with a view to avoid or minimize such effects and where appropriate provide for public participation in such assessment;</p> <p>(ii) to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology likely to</p>	<p>except with the prior approval of the Central Government, any order directing-</p> <p>(i) that any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;</p> <p>(ii) that any forest land or any portion thereof may be used for any nonforest purpose;</p> <p>(iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government;</p> <p>(iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reafforestation.</p>	<p>may constitute any forest-land or waste-land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled, a reserved forest in the manner hereinafter provided.</p> <p><b>Section 4: Notification by State Government.-</b></p> <p>(1) Whenever it has been decided to constitute any land a reserved forest, the State Government shall issue a notification in the Official Gazette—</p> <p>(a) declaring that it has been decided to constitute such land a reserved forest;</p> <p>(b) specifying, as nearly as possible, the situation and limits of such land; and</p> <p>(c) appointing an officer (hereinafter</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>area as a National Park.</p> <p><u>Chapter VA</u> PROHIBITION OF TRADE OR COMMERCE IN TROPHIES, ANIMAL ARTICLES, ETC. DERIVED FROM CERTAIN ANIMALS Chapter VIA: FORFEITURE OF PROPERTY DERIVED FROM ILLEGAL AND TRADE</p>	<p>animals from the designated core areas of tiger reserves or from tiger breeding habitats within other protected areas;</p> <p>(c) the forestry operations of regular forest divisions and those adjoining tiger reserves are not incompatible with the needs of tiger conservation.</p> <p>(4) Subject to the provisions contained in this Act, the State Government shall, while preparing a Tiger Conservation Plan, ensure the agricultural, livelihood, developmental and other interests of the people living in tiger bearing forests or a tiger reserve.</p> <p><i>Explanation</i>— For the purposes of this section, the expression “tiger reserve” includes:—</p> <p>(i) core or critical tiger habitat areas of National Parks and Sanctuaries, where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers, and notified as such by the State Government in consultation with an</p>	<p><u>Rule 4 (1) (e)</u> The Gram Sabha shall constitute Committees for the protection of wildlife, forest and biodiversity, from amongst its members, in order to carry out the provisions of section 5 of the Act.-with section 5:</p> <p><u>Preamble:</u> WHEREAS the recognised rights of the forest dwelling Scheduled Tribes and other traditional forest dwellers include the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwelling Scheduled Tribes and other traditional forest dwellers;</p>	<p>have adverse impact on the conservation and sustainable use of biological diversity and human health.</p> <p><u>Section 37</u> Biodiversity Heritage sites- (1) Without prejudice to any other law for the time being in force, the State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as biodiversity heritage sites under this Act.</p> <p>(2) The State Government, in consultation with the Central Government, may frame rules for the management and conservation of all the heritage sites.</p> <p><u>Section 38: Power of Central Government to notify threatened species</u>- Without prejudice to the provisions of any other law for the time being in force, the Central Government, in consultation with the concerned State Government, may from time to time notify any species which is on the verge of extinction or likely to become extinct in the near future as a threatened species and prohibit or regulate collection thereof for any purpose and take appropriate steps to rehabilitate and preserve those species</p> <p>Biodiversity Heritage Sites (Section 37, <a href="#">also guidelines</a>),</p>		<p>called "the Forest Settlement-officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest-produce, and to deal with the same as provided in this Chapter.</p> <p><i>Explanation.</i>—For the purpose of clause (b), it shall be sufficient to describe the limits of the forest by roads, rivers, ridges or other well-known or readily intelligible boundaries.</p> <p><u>Section 5.</u> Bar of accrual of forest-rights.—After the issue of a notification under section 4, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
		<p>Expert Committee constituted for the purpose;</p> <p>(ii) buffer or peripheral area consisting of the area peripheral to critical tiger habitat or core area, identified and established in accordance with the provisions contained in <i>Explanation (i)</i>, of section 38V(4), where a lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species, and which aim at promoting co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people, wherein the limits of such areas are determined on the basis of scientific and objective criteria in consultation with the concerned Gram Sabha and an Expert Committee constituted for the purposes.</p>				<p>writing made or entered into by or on behalf of the Government or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land except in accordance with such rules as may be made by the State Government in this behalf.</p> <p>Chapter III <b>VILLAGE FOREST</b> <u>Section 28</u> <b>Formation of village-forests.-</b> <b>(1)</b> The State Government may assign to any village-community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called village-forests. <b>(2)</b> The State Government</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>may make rules for regulating the management of village forests, prescribing the conditions under which the community to which any such assignment is made may be provided with timber or other forest-produce or pasture, and their duties for the protection and improvement of such forest.</p> <p>(3) All the provisions of this Act relating to reserved forests shall (so far as they are not inconsistent with the rules so made) apply to village-forests.</p> <p>Chapter IV  <b>PROTECTED FOREST,</b>  <u>Section 29:</u>  <b>Protected forests.</b>—(1) The State Government may, by notification in the Official Gazette, declare the provisions of this Chapter applicable to any forest-land or waste-land or which,, is not</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>included in a reserved forest but which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest produce of which the Government is entitled.</p> <p>(2) The forest-land and waste-lands comprised in any such notification shall be called a "protected forest".</p> <p>(3) No such notification shall be made unless the nature and extent of the rights of Government and of private persons in or over the forest-land or waste-land comprised therein have been inquired into and recorded at a survey or settlement, or in such other manner as the State Government thinks sufficient. Every such record shall be presumed to be correct until the</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>contrary is proved:            Provided that, if, in the case of any forest-land or waste land, the State Government thinks that such inquiry and record are necessary, but that they will occupy such length of time as in the meantime to endanger the rights of Government, the State Government may, pending such inquiry and record, declare such land to be a protected forest, but so as not to abridge or affect any existing rights of individuals or communities.</p> <p><b>Section 26. Acts prohibited in such forests.–</b>            (1) Any person who—            (a) makes any fresh clearing prohibited by section 5, or            (b) sets fire to a reserved forest,            or, in contravention of any rules made by the State Government in</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>this behalf,  kindles any fire,  or leaves any fire  burning, in such  manner as to  endanger such a  forest; or who, in  a reserved  forest—  (c) kindles,  keeps or carries  any fire except at  such seasons as  the Forest-officer  may notify in this  behalf,  (d) trespasses or  pastures cattle,  or permits cattle  to trespass;  (e) causes any  damage by  negligence in  felling any tree  or cutting or  dragging any  timber;  (f) fells, girdles,  lops, or bums  any tree or strips  off the bark or  leaves from, or  otherwise  damages, the  same;  (g) quarries  stone, bums lime  or charcoal, or  collects, subjects  to any  manufacturing  process, or  removes, any  forest-produce;  (h) clears or  breaks up any  land for  cultivation or any  other purpose;</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>(i) in contravention of any rules made in this behalf by the State Government hunts, shoots, fishes, poisons water or sets traps or snares; or</p> <p>(j) in any area in which the Elephants' Preservation Act, 1879 (6 of 1879), is not in force, kills or catches elephants in contravention of any rules so made, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.</p> <p>(2) Nothing in this section shall be deemed to prohibit</p> <p>(a) any act done by permission in writing of the Forest-officer, or under any rule made by the</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>state Government; or (b) the exercise of any right continued under clause (c) of sub-section (2) of section 15, or created by grant or contract in writing made by or on behalf of the Government under section 23.</p> <p>(3) Whenever fire is caused wilfully or by gross negligence in a reserved forest, the State Government may (notwithstanding that any penalty has been inflicted under this section) direct that in such forest or any portion thereof the exercise of all rights of pasture or to forest produce shall be suspended for such period as it thinks fit.</p> <p><u>Section 30.</u>  <b>Power to issue notification reserving trees, etc.</b>—The State Government may, by notification in the Official Gazette,</p>

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						<p>(a) declare any trees or class of trees in a protected forest to be reserved from a date fixed by, the notification;</p> <p>(b) declare that any portion of such forest specified in the notification shall be closed for such term, not exceeding thirty years, as the State Government thinks fit, and that the rights of private persons, if any, over such portion shall be suspended during such terms, provided that the remainder of such forest be sufficient, and in a locality reasonably convenient, for the due exercise of the right suspended in the portion so closed; or</p> <p>(c) prohibit, from a date fixed as aforesaid, the quarrying of stone, or the burning of lime or charcoal, or the collection or subjection to any manufacturing</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>process, or removal of, any forest-produce in any such forest, and the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, of any land in any such forest.</p> <p><u>Section 35.</u>  <b>Protection of forests for special purposes.</b>-(1)  The State Government may, by notification in the Official Gazette, regulate or prohibit in any forest or waste-land  (a) the breaking up or clearing of land for cultivation;  (b) the pasturing of cattle; or  (c) the firing or clearing of the vegetation;  when such regulation or prohibition appears necessary for any of the following purposes:-  (i) for protection against storms, winds, rolling stones, floods</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
						<p>and avalanches;  (ii) for the preservation of the soil on the ridges and slopes and in the valleys of hilly tracts, the prevention of land slips or of the formation of ravines, and torrents, or the protection of land against erosion, or the deposit thereon of sand, stones or gravel;  (iii) for the maintenance of a water-supply in springs, rivers and tanks;  (iv) for the protection of roads, bridges, railways and other lines of communication;  (v) for the preservation of the public health.  (2) The State Government may, for any such purpose, construct at its own expense, in or upon any forest or waste-land, such work as it thinks fit.</p>
Institutions mandated/r recognised (Centre)	NBWL, Central Zoo Authority, Wildlife Crime Control Bureau	NTCA	MoTA	National Biodiversity Authority	Forest Advisory Committee, MoEF	MoEF

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
Institutions mandated/r ecognised (State)	State Board of Wildlife, State Advisory committee	State Steering Committee/FD	SLMC	State Biodiversity Board	Regional Empowered Committee (6 regional offices, each cover few states), FD	FD
Institutions mandated/r ecognised (Sub-State)	Sanctuary/PA Advisory Committee	Tiger Foundations	DLC, SDLC	District level BMCs (some states)	FD	FD
Institutions mandated/r ecognised (local)	Conservation Reserve Management Committee, Community Reserve Management Committee, Village Panchayat, Gram Sabha	Gram Sabha	Gram Sabha, FRC	BMC, Panchayat		Village Community (only for village forest)
Role of these institutions	<p><b>National Board for Wildlife Section 5C:</b> Functions of the National Board- (1) It shall be the duty of the National Board to promote the conservation and development of wild life and forests by such measures as it thinks fit.: (2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for –</p> <p>(a) framing policies and advising the Central Government and the State Governments on the ways and means of promoting wild life conservation and effectively controlling poaching and illegal trade of wild life and its products;</p> <p>(b) making recommendations on the setting up of and management of national parks, sanctuaries and other protected areas and on matters relating to restriction of activities in those areas;</p>	<p><b>NTCA Section 38O:</b> Powers and functions of Tiger Conservation Authority - (1) The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:—</p> <p>(a) to approve the Tiger Conservation Plan prepared by the State Government under sub-section (3) of section 38V of this Act;</p> <p>(b) evaluate and assess various aspects of sustainable ecology and disallow any ecologically unsustainable land use such as, mining, industry and other projects within the tiger reserves;</p> <p>(c) lay down normative standards for tourism activities and guidelines for project tiger from time to time for tiger conservation in the</p>	<p><b>Gram Sabha - Section 6 (1)</b> Authorities to vest forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers and procedure thereof. -</p> <p>(1) The Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.</p> <p><b>SDLC Section 6 (3)</b> The State Government shall constitute a Sub-Divisional Level Committee</p>	<p><b>National Biodiversity Authority Section 18</b> Functions and powers of National Biodiversity Authority (1) It shall be the duty of the National Biodiversity Authority to regulate activities referred to in sections 3, 4 and 6 and by regulations issue guidelines for access to biological resources and for fair and equitable benefit sharing.</p> <p>(2) The National Biodiversity Authority may grant approval for undertaking any activity referred to in sections 3, 4 and 6.</p> <p>(3) The National Biodiversity Authority may (a) advise the Central Government on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of benefits arising out of the utilization of biological resources;</p> <p>(b) advise the State Governments in the selection of areas of biodiversity importance to be notified under sub-section (1) of section 37 as heritage sites and measures for the management of such heritage sites;</p>	<p><b>Rule 5: Conduct of business of the Committee-</b></p> <p>(i) The Chairperson shall call the meeting of the Committee whenever considered necessary but not less than once in a month.</p> <p>(ii) The meeting of the committee shall be held at New Delhi.</p> <p>(iii) In case where the Chairperson is satisfied that inspection of site or sites of forest land proposed to be used for non-forest purposes shall be necessary or expedient in connection with the consideration of the proposal or proposals received under sub-rule (3) of rule 6, he may direct that the meetings of the committee to be held at a place other than New Delhi from where such inspection of site or sites is necessary.</p> <p>(iv) The Chairperson shall preside over every meeting</p>	

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	<p>(c) carrying out or causing to be carried but impact assessment of various projects and activities on wild life or its habitat;</p> <p>(d) reviewing from time to time, the progress in the field of wild life conservation in the country and suggesting measures for improvement thereto; and</p> <p>(e) preparing and publishing a status report at least once in two years on wild life in the country."</p> <p><b>State Board for Wildlife Section 8</b> Duties of State Board of Wildlife - It shall be the duty of the State Board for Wildlife to advise the State Government,—</p> <p>(a) In the selection and management of areas to be declared as protected areas</p> <p>(b) in formulation of the policy for protection and conservation of wild life and specified plants;</p> <p>(c) in any matter relating the amendment of any Schedule;</p> <p>(cc) in relation to the measures to be taken for harmonizing the needs of the tribals and other dwellers of the forest with the protection and conservation of wildlife; and</p> <p>(d) in any other matter connected with the protection of wild life which may be referred to it by the State Government</p>	<p>buffer and core area of tiger reserves and ensure their due compliance;</p> <p>(d) provide for management focus and measures for addressing conflicts of men and wild animals and to emphasise on co-existence in forest areas outside the National Parks, sanctuaries or tiger reserve, in the working plan code;</p> <p>(e) provide information on protection measures including future conservation plan, estimation of population of tiger and its natural prey species, status of habitats, disease surveillance, mortality survey, patrolling, reports on untoward happenings and such other management aspects as it may deem fit including future plan conservation;</p> <p>(f) approve, co-ordinate research and monitoring on tiger, co-predators, prey, habitat, related ecological and socio-economic parameters and their evaluation;</p> <p>(g) ensure that the tiger reserves and areas linking one protected area or tiger reserve with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of</p>	<p>to examine the resolution passed by the Gram Sabha and prepare the record of forest rights and forward it through the Sub- Divisional Officer to the District Level Committee for a final decision.</p> <p><b>DLC Section 6 (5)</b> The State Government shall constitute a District Level Committee to consider and finally approve the record of forest rights prepared by the Sub-Divisional Level Committee.</p> <p><b>SLMC Section 6 (7)</b> The State Government shall constitute a State Level Monitoring Committee to monitor the process of recognition and vesting of forest rights and to submit to the nodal agency such returns and reports as may be called for by that agency.</p> <p><b>FRC Section 11.</b> Procedure for filing, determination and verification of claims by the Gram Sabha.- (1) The Gram Sabhas shall -</p> <p>(a) call for claims and authorize the Forest Rights Committee to accept the claims in the Form as provided in Annexure-I of these rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, shall be made within a period of three months.</p>	<p>(c) perform such other functions as may be necessary to carry out the provisions of this Act.</p> <p>(4) The National Biodiversity Authority may, on behalf of the Central Government, take any measures necessary to oppose the grant of intellectual property rights in any country outside India on any biological resource obtained from India or knowledge associated with such biological resource which is derived from India.</p> <p><b>State Biodiversity Board Section 23</b> Functions of State Biodiversity Board- The functions of the State Biodiversity Board shall be to—</p> <p>(a) advise the State Government, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilization of biological resources;</p> <p>(b) regulate by granting of approvals or otherwise requests for commercial utilization or bio-survey and bio utilization of any biological resource by Indians;</p> <p>(c) perform such other functions as may be necessary to carry out the provisions of this Act or as may be prescribed by the State Government.</p> <p><b>Section 24 Power to State Biodiversity Board to restrict certain activities violating the objectives of conservation etc.</b> - Any citizen of India or a body corporate, organization or association registered in India intending to undertake any</p>	<p>of the Committee at which he is present.</p> <p>(v) Every question upon which the Central Government is required to be advised shall be considered in the meeting of the Committee provided that in urgent cases if the meeting cannot be convened within a month, the Chairperson may direct that papers may be circulated and sent to the members for their opinion within the stipulated time.</p> <p>(vi) The quorum of the meeting of the Committee shall be three.</p>	

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	<p><b>Central Zoo Authority</b>  <u>Section 38 C:</u> Functions of the Authority – The Authority shall perform the following functions, namely:</p> <p>(a) specify the minimum standards for housing, unkeep and veterinary care of the animals kept in a zoo;</p> <p>(b) evaluate and assess the functioning of zoos with respect to the standards or the norms as may be prescribed;</p> <p>(c) recognise or derecognize zoos;</p> <p>(d) identify endangered species of wild animals for purposes of captive breeding and assigning responsibility in this regard to a zoo;</p> <p>(e) co-ordinate the acquisition, exchange and loaning of animals for breeding purposes;</p> <p>(f) ensure maintenance of stud books of endangered species of wild animals bred in captivity;</p> <p>(g) identify priorities and themes with regard to display of captive animals in a zoo;</p> <p>(h) co-ordinate training of zoo personnel in India and outside India;</p> <p>(i) co-ordinate research in captive breeding and educational programmes for the purposes of zoos;</p> <p>(j) provide technical and other assistance to zoos for their proper management and development on scientific lines;</p>	<p>the National Board for Wild Life and on the advice of the Tiger Conservation Authority;</p> <p>(h) facilitate and support the tiger reserve management in the State for biodiversity conservation initiatives through eco-development and people's participation as per approved management plans and to support similar initiatives in adjoining areas consistent with the Central and State laws;</p> <p>(i) ensure critical support including scientific, information technology and legal support for better implementation of the tiger conservation plan;</p> <p>(j) facilitate ongoing capacity building programme for skill development of officers and staff of tiger reserves; and</p> <p>(k) perform such other functions as may be necessary to carry out the purposes of this Act with regard to conservation of tigers and their habitat.</p> <p>(2) The Tiger Conservation Authority may, in the exercise of its powers and performance of its functions under this Chapter, issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such</p>		<p>activity referred to in section 7 shall give prior intimation in such form as may be prescribed by the State Government to the State Biodiversity Board.</p> <p>(2) On receipt of an intimation under sub-section (1), the State Biodiversity Board may, in consultation with the local bodies concerned and after making such enquires as it conservation, may deem fit, by order, prohibit or restrict any such activity if it is of opinion that such activity is detrimental or contrary to the objectives of conservation and sustainable use of biodiversity or equitable sharing of benefits arising out of such activity: Provided that no such order shall be made without giving an opportunity of being heard to the person affected.</p> <p>(3) Any information given in the form referred to in sub-section (1) for prior intimation shall be kept confidential and shall not be disclosed, either intentionally or unintentionally, to any person not concerned thereto.</p> <p><b>Biodiversity Management Committee</b> <u>Section 41:</u>  Constitution of Biodiversity Management Committees- (1) Every local body shall constitute a Biodiversity Management Committee within its area for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>(k) perform such other functions as may be necessary to carry out the purposes of this Act with regard to zoos.</p> <p><b>Wildlife Crime Control Bureau <u>Section 38Z:</u></b> Powers and functions of Wildlife Crime Control Bureau - (1) Subject to the provisions of this Act, the Wildlife Crime Control Bureau shall take measures with respect to—</p> <p>(i) collect and collate intelligence related to organized wildlife crime activities and to disseminate the same to State and other enforcement agencies for immediate action so as to apprehend the criminals and to establish a centralised wildlife crime data bank;</p> <p>(ii) co-ordination of actions by various officers, State Governments and other authorities in connection with the enforcement of the provisions of this Act, either directly or through regional and border units set up by the Bureau;</p> <p>(iii) implementation of obligations under the various international Conventions and protocols that are in force at present or which may be ratified or acceded to by India in future;</p> <p>(iv) assistance to concerned authorities in foreign countries and concerned international organisations to facilitate</p>	<p>person, officer or authority shall be bound to comply with the directions: Provided that no such direction shall interfere with or affect the rights of local people particularly the Scheduled Tribes.</p> <p><b>State Steering Committee <u>Section 38U.</u></b>-(1) The state Government may constitute a Steering Committee for ensuring co-ordination, monitoring, protection and conservation of tiger, copredators and prey animals within the tiger range States.</p> <p><b>Section 38X.</b> (1) The State Government shall establish a Tiger Conservation Foundation for tiger reserves within the State in order to facilitate and support their management for conservation of tiger and biodiversity and, to take initiatives in eco-development by involvement of people in such development process. (2) The Tiger Conservation Foundation shall, <i>inter alia</i> have the following objective:— (a) to facilitate ecological, economic, social and cultural development in the tiger</p>		biological diversity.		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>co-ordination and universal action for wildlife crime control;</p> <p>(v) develop infrastructure and capacity building for scientific and professional investigation into wildlife crimes and assist State Governments to ensure success in prosecutions related to wildlife crimes;</p> <p>(vi) advice the Government of India on issues relating to wildlife crimes having national and international ramifications, and suggest changes required in relevant policy and laws from time to time.</p> <p>(2) The Wildlife Crime Control Bureau shall exercise—</p> <p>(i) such powers as may be delegated to it under sub-section (1) of section 5; sub-sections (1) and (8) of section 50 and section 55 of this Act; and</p> <p>(ii) Such other powers as may be prescribed."</p> <p><b>Conservation Reserve Management Committee</b>  <u>Section 36B:</u> (1) The State Government shall constitute a conservation reserve management committee to advise the Chief Wild Life Warden to conserve, manage and maintain the conservation reserve.</p> <p>(3) The Committee shall regulate its own procedure including the quorum.</p> <p><b>Community Reserve Management Committee</b>  <u>Section 36D.</u> (1) The State</p>	<p>reserves;</p> <p>(b) to promote eco-tourism with the involvement of local stakeholder communities and provide support to safeguard the natural environment in the tiger reserves;</p> <p>(c) to facilitate the creation of, and or maintenance of, such assets as may be necessary for fulfilling the above said objectives;</p> <p>(d) to solicit technical, financial, social, legal and other support required for the activities of the Foundation for achieving the above said objectives;</p> <p>(e) to augment and mobilise financial resources including recycling of entry and such other fees received in a tiger reserve, to foster stakeholder development and eco-tourism;</p> <p>(f) to support research, environmental education and training in the above related fields.</p> <p><b>Tiger Conservation Foundation</b> <u>Section 38X.</u> (1) The State Government shall establish a Tiger Conservation Foundation for tiger reserves within the State in order to facilitate and support their management for</p>				

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>Government shall constitute a Community Reserve management committee, which shall be the authority responsible for conserving, maintaining and managing the community reserve.</p> <p>(3) The committee shall be the competent authority to prepare and implement the management plan for the community reserve and to take steps to ensure the protection of wild life and its habitat in the reserve.</p> <p>(4) The committee shall elect a Chairman who shall also be the Honorary Wild Life Warden on the community reserve,</p> <p>(5) The committee shall regulate its own procedure including the quorum.".</p>	<p>conservation of tiger and biodiversity and, to take initiatives in eco development by involvement of people in such development process.</p>				
Dispute settlement mechanism			<p><b>Rule 12 Process of verifying claims by Forest Rights Committee.-</b> (3) If there are conflicting claims in respect of the traditional or customary boundaries of another village or if a forest area is used by more than one Gram Sabha, the Forest Rights Committees of the respective Gram Sabhas shall meet jointly to consider the nature of enjoyment of such claims and submit the findings to the respective Gram Sabhas in writing: Provided that if the Gram Sabhas are not able to resolve the conflicting claims, it shall be referred by the Gram Sabha to the Sub-Divisional Level Committee for its resolution.</p> <p><b>Rule 14. Petitions to Sub-Divisional Level Committee.-</b> (7) In case of a dispute between</p>	<p><b>Section 50: Settlements of disputes between State Biodiversity Boards – 50.</b>(1) If a dispute arises between the National Biodiversity Authority and a State Biodiversity Board, the said Authority or the Board, as the case may be, may prefer an appeal to the Central Government within such time as may be prescribed. (2) Every appeal made under sub-section (1) shall be in such form as may be prescribed by the Central Government. (3) The procedure for disposing of an appeal shall be such as may be prescribed by the Central Government: Provided that before disposing of an appeal, the parties shall be given a reasonable opportunity of, being heard. (4) If a dispute arises between</p>	National Green Tribunal	

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
			<p>two or more Gram Sabhas and on an application of any of the Gram Sabhas or the Sub-Divisional Level Committee on its own, shall call for a joint meeting of the concerned Gram Sabhas with a view to resolving the dispute and if no mutually agreed solution can be reached within a period of thirty days, the Sub-Divisional Level Committee shall decide the dispute after hearing the concerned Gram Sabhas and pass appropriate orders.</p> <p><b>Rule 15. Petitions to District Level Committee.-</b> (7) In case there is a discrepancy between orders of two or more Sub-Divisional Level Committees, the District Level Committee on its own, shall call for a joint meeting of the concerned Sub-Divisional Level Committees with a view to reconcile the differences and if no mutually agreed solution can be reached, the District Level Committee shall adjudicate the dispute after hearing the concerned Sub-Divisional Level Committees and pass appropriate orders.</p>	<p>the State Biodiversity Boards, the Central Government shall refer the same to the National Biodiversity Authority.</p> <p>(5) While adjudicating any dispute under sub-section (4), the National Biodiversity Authority shall be guided by the principles of natural justice and shall follow such procedure as may be prescribed by the Central Government.</p> <p>(6) The National Biodiversity Authority shall have, for the purposes of discharging its functions under this section, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely–</p> <p>(a) summoning and enforcing the attendance of any person and examining him on oath;</p> <p>(b) requiring the discovery and production of documents;</p> <p>(c) receiving evidence on affidavits;</p> <p>(d) issuing commissions for the examination of witnesses or documents;</p> <p>(e) reviewing its decisions; dismissing an application for default or deciding it <i>ex parte</i>;</p> <p>(g) setting aside any order of dismissal of any application for default or any order passed by it <i>ex parte</i>;</p> <p>(h) any other matter which may be prescribed.</p> <p>(7) Every proceeding before the National Biodiversity Authority shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purpose of section 196, of the Indian Penal Code and the National Biodiversity Authority shall be deemed to be a civil</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
				<p>court for all the purposes of section 195 and Chapter XXV1 of the Code of Criminal Procedure, 1973.</p> <p><u>Section 23. Appeal for settlement of disputes under Section 50.</u> - (1) If a dispute arises between the Authority or a State Biodiversity Board or between one Board and other Board(s) on account of implementation of any order or direction or on any issue of policy decision, either of the aggrieved parties i.e. , Authority or the Board, as the case may be, prefer an appeal to the Central Government under section 50, in Form V to the Secretary, Ministry of Environment and Forests, Government of India</p> <p>(2) In case the dispute arises between a State Biodiversity Board and another state Biodiversity Board or Boards, the aggrieved Board or Boards, shall prefer the point or points of dispute to the Central Government which shall refer the same to the Authority.</p> <p>(3) The memorandum of appeal shall state the facts of the case, the grounds relied upon by the appellant, for preferring the appeal and the relief sought for.</p> <p>(4) The memorandum of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved and shall be duly signed by the authorised representative of the appellant.</p> <p>(5) The memorandum of appeal shall be submitted in quadruplicate, either in person or through a registered post with</p>		

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
				<p>Acknowledgement due, within 30 days from the date of the orders, direction or policy decision, impugned provided that if the Central Government is satisfied that there was good and sufficient reason for the delay in preferring the appeal, it may, for reason to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days but before the expiry of 45 days from the date of the orders impugned, direction or policy decision, as the case may be.</p> <p>(6) The notice for hearing of the appeal shall be given in Form VI by a registered post with an acknowledgement due.</p> <p>(7) The Central Government shall, after hearing the appellant and the other parties, dispose of the appeal.</p> <p>(8) In disposing of an appeal it may vary or modify or cancel impugned order, direction or policy, as the case may be.</p> <p>(9) In adjudicating a dispute, the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which the Central Government is required to follow under this rule.</p> <p>National Green Tribunal</p>		
Differences in any definitions of same terms	(15) "habitat" includes land, water, or vegetation which is the natural home of any wild animal;		(h) "habitat" includes the area comprising the customary habitat and such other habitats in reserved forests and protected forests of primitive tribal groups and pre-agricultural communities and other forest dwelling Scheduled Tribes;			
Provisions of community manageme	<b>Section 36A. Declaration and Management of a Conservation Reserve -</b> (1) The State Government		<b>Section 5. Duties of holders of forest rights.-</b> The holders of any forest right, Gram Sabha and village level institutions in	<b>Section 41: Constitution of Biodiversity Management Committees-</b> (1) Every local body shall constitute a		<b>Section 28 Formation of village-forests.-</b> (1) The State

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
nt in forest areas	<p>may, after having consultations with the local communities, declare any area owned by the Government, particularly the areas adjacent to National Parks and sanctuaries and those areas which link one protected area with another, as a conservation reserve for protecting landscapes, seascapes, flora and fauna and their habitat: Community reserve, Conservation reserve</p> <p><u>Section 36B:</u> <b>Conservation Reserve Management Committee</b> (1) The State Government shall constitute a conservation reserve management committee to advise the Chief Wild Life Warden to conserve, manage and maintain the conservation reserve. (2) The committee shall consist of a representative of the forest or Wild Life Department, who shall be the Member-Secretary of the Committee, one representative of each Village Panchayat in whose jurisdiction the reserve is located, three representatives of non-governmental organizations working in the field of wild life conservation and one representative each from the Department of Agriculture and Animal Husbandry. Community Reserve</p>		<p>areas where there are holders of any forest right under this Act are empowered to-</p> <p>(a) protect the wild life, forest and biodiversity; (b) ensure that adjoining catchments area, water sources and other ecological sensitive areas are adequately protected; (c) ensure that the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers is preserved from any form of destructive practices affecting their cultural and natural heritage; (d) ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.</p>	<p>Biodiversity Management Committee within its area for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.</p>		<p>Government may assign to any village-community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called village-forests. (2) The State Government may make rules for regulating the management of village forests, prescribing the conditions under which the community to which any such assignment is made may be provided with timber or other forest-produce or pasture, and their duties for the protection and improvement of such forest. (3) All the provisions of this Act relating to reserved forests shall (so far as they are not inconsistent with the rules so made) apply to village-forests.</p>

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	<p>Management Committee</p> <p><b>Section 36C Declaration and Management of Community Reserve. (1)</b> The State Government may, where the community or an individual has volunteered to conserve wild life and its habitat, declare any private or community land not comprised within a National Park, sanctuary or a conservation reserve, as a community reserve, for protecting fauna, flora and traditional or cultural conservation values and practices.</p> <p><b>Section 36D. Community Reserve Management Committee</b> (1) The State Government shall constitute a Community Reserve management committee, which shall be the authority responsible for conserving, maintaining and managing the community reserve. (2) The committee shall consist of five representatives nominated by the Village Panchayat or where such Panchayat does not exist by the members of the Gram Sabha and one representative of the State Forests or Wild Life Department under whose jurisdiction the community reserve is located. (3) The committee shall be the competent authority to prepare and implement the management plan for the</p>					

Parameters	WLPA (NP & S)	WLPA (TR)	TFRA	BDA	FCA	IFA
	community reserve and to take steps to ensure the protection of wild life and its habitat in the reserve. (4) The committee shall elect a Chairman who shall also be the Honorary Wild Life Warden on the community reserve, (5) The committee shall regulate its own procedure including the quorum."					

**WLPA: Wildlife Protection Act 1972 as amended in 2006**

**FRA: Forest Rights Act 2006**

**IFA: Indian Forest Act 1927**

**FCA: Forest Conservation Act 1980**

**BDA: Biodiveristy Act 2002**

**Some Rules of these acts also apply**

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