

# Rehabilitation from Protected Areas

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PRESENTED BY :-

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# Rehabilitation

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“The action of restoring something that has been damaged to its former condition”.

# Background

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- Long history of relocating villages from core tiger reserve habitat.
- Guidelines by NTCA in 2008 for voluntary village relocation.
- **56247** Families in **751** villages across the 50 Tiger Reserves.
- Around **12327** families in **173** villages – relocated/resettled till now.

# Successful case studies of relocation

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- Satkosia Tiger reserve, Odisha- Raigoda village
- Satpuda Tiger Reserve, Madhya Pradesh- 42 villages relocated out of 97. Recovered area ~ 97 sq.km.
- Bor Tiger Reserve, Maharashtra – Nawargaon village
- Melghat Tiger Reserve, Maharashtra- 16 villages relocated
- Tadoba-Andhari Tiger Reserve, Maharashtra- 5 villages relocated

# Necessity of Rehabilitation

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- Legal Perspective
- Wildlife Perspective
- Peoples Perspective

# Legal Perspective

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- Genesis of rehabilitation lies in Wildlife Protection Act, 1972.
- Section 18 – Declaration of Sanctuary & Section 35 – Declaration of National Parks.
- Inquiry by Collector for determination of rights.
- Section 24 – Acquisition of rights -
  - If it is decided to retain villages in the area of Sanctuary or National Park then it's the legal responsibility of the Government to Compensate or Rehabilitate the affected people.

# Wildlife Perspective

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- For viable tiger population (20 breeding females) a minimum inviolate area of 800-1200 sq. km and is required and an ecologically sensitive zone (buffer, coexistence area, multiple use area) of 1000-3000 sq.km is required to sustain a population of 75-100 tigers.
- 65% of nations tiger population resides in tiger reserves. Average area of tiger reserves in the country is 1456 sq.km and the average area of the core is 803 sq.km.
- Inhabitants in Protected area are largely dependent on forest resources. Increasing human population and unsustainable lifestyles continue to degrade forests due to overuse.



# Peoples Perspective

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- Lack of access to modern facilities.
- Lack of access to markets for purchasing and selling of their produce.
- Depredation of livestock by carnivores and crops raided by ungulates.
- Strict restrictions on resource use and extraction.
- No developmental activities are allowed.

## **Palasgaon Singru**

242 Families

Facilities – 1 Primary School; 3 Borewells; 1 well; Electricity

PHC – 10 Kms away

Market – 25-30 kms away

No Bus Service

Agriculture land – 51.43 Ha; 1 Crop per year

Agriculture land holders – 39

Employment avenue – Forest Department works

Crop & Cattle Depredation – Very High



# Peoples Perspective – Contd.



# Rules and Regulations

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- The Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
- Forest Rights Act, 2006.
- NTCA Guidelines regarding rehabilitation from the Core Area of Tiger Reserves.
- Resolutions of the State Government.

# Process of Rehabilitation

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## 1. Prerequisites

- Forest right holders not to be resettled till following conditions are met:-
  - Process of recognition and vesting of rights is complete.
  - Concerned agencies come to conclusion that activities or impact of the presence of right holders of rights upon wild animals is sufficient to cause irreversible damage and threaten the existence of said species and their habitat.
  - State Government has concluded that other reasonable options, such as co-existence are not available.
  - Resettlement or alternative package as per relevant laws and policy of the State Government are prepared and communicated.
  - Free informed consent of Gramsabha is obtained in writing.
  - Resettlement to take place only after promised package is provided.

# Meeting with villagers – Communicating rehabilitation package



# Process of Rehabilitation- DLC Members & Function

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## DISTRICT LEVEL COMMITTEE

- Collector – Chairman
- Deputy Conservator of Forests (T) – Member Secretary
- Deputy Conservator of Forests (WL) – Member
- CEO Zilla Parishad – Member
- Executive Engineer (PWD) – Member
- Executive Engineer (Irrigation)- Member
- Executive Engineer (Electricity) – Member
- Project Officer, Integrated Tribal Plan – Member
- Invitees – Town Planner; Department of land records

## ROLES & RESPONSIBILITY

- Selection of land
- Processing of FCA Proposal
- Provision of civic amenities
- Development & Distribution of agricultural land
- Decide regarding eligible families & Option I & II
- Complaints redressal
- Decide regarding residence of a person

# Process of Rehabilitation

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## 2. Publication of Notification under Section 11 of Rehabilitation & Resettlement Act, 2013

- Notification is generally issued by Divisional Commissioner.
- All land and property transactions are frozen.
- Date of Notification is the deemed date for:-
  - Determination of eligible families.
  - Valuation of property.
  - Applicability of particular resettlement package.



# Process of Rehabilitation – Determination of Eligible Families

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Affected Family (Section 3(C) of Rehabilitation and Resettlement Act.

- A Families whose land or immovable property has been acquired.
- A Family whose primary source of livelihood is affected due to acquisition of land.
- Members of Scheduled Tribes & Other Traditional Forest Dwellers whose rights are affected by acquisition of land.
- Maharashtra Government has simplified it -
  - Family having a ration card / voter ID card.
  - Family having immovable property (Exhibit – 8A)
- Exercise to determine eligible families is carried out by the Sub Divisional Officer of Revenue Department and the list has to be ratified by the District Rehabilitation Committee.

# Process of Rehabilitation – Determination of Eligible Families

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## Definition of Family (NTCA Guidelines - No. 3-1/2003-PT)

- A “family” would mean a person, his or her spouse, minor sons and daughters, minor brothers or unmarried sisters, father, mother and other members residing with him/her and dependent on him/her for their livelihood.
- The following will be treated as separate families even if they currently live together:
  - 1. A major (over 18 years) son irrespective of his marital status.
  - 2. Unmarried daughter/sister more than 18 years of age.
  - 3. Physically and mentally challenged person irrespective of age and sex.
  - 4. Minor orphan, who has lost both his/her parents.
  - 5. A widow or a woman divorcee.
- A family would be eligible for the package from only one location where it normally resides even if it owns land in other settlements requiring relocation.

# Process of Rehabilitation – Determination of Option I & II beneficiaries

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- Selection of Option I & Option II by beneficiary is a voluntary exercise.
- Option I vis-à-vis Option II

Option I	Option II
Rs. 15 Lakhs*	Rs. 3 Lakh for Home Construction (20%)
Land & property valuation	Land and property valuation (30%)
	2 Ha of land developed for agriculture (35%)
	Rs. 75 k as incentive (5%)
	18 Village Amenities (10%)

- MoU is done with the beneficiaries as a proof of their consent for the option as well as rehabilitation.

# Process of Rehabilitation - Identification of land for resettlement

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- Options for selection of land
  - Land left in the command area of the irrigation project after provision of land to the project affected.
  - Land with revenue department.
  - Procurement of private land.
  - Forest land. (Last Option).
- Issues
  - Most of the time villagers select land which are crucial from wildlife point of view. (Corridors; rich forests; etc)
  - Orders of Supreme Court to restrict disforestation of forest land equivalent or lesser than the area of village being relocated.

Village	Original Village Area (Ha)	Area Disforested for Relocation (Ha)
Navegaon	183.69	250
Jamni	120.05	250
Palasgaon Singru	53.37	300
	<b>357.11</b>	<b>800</b>

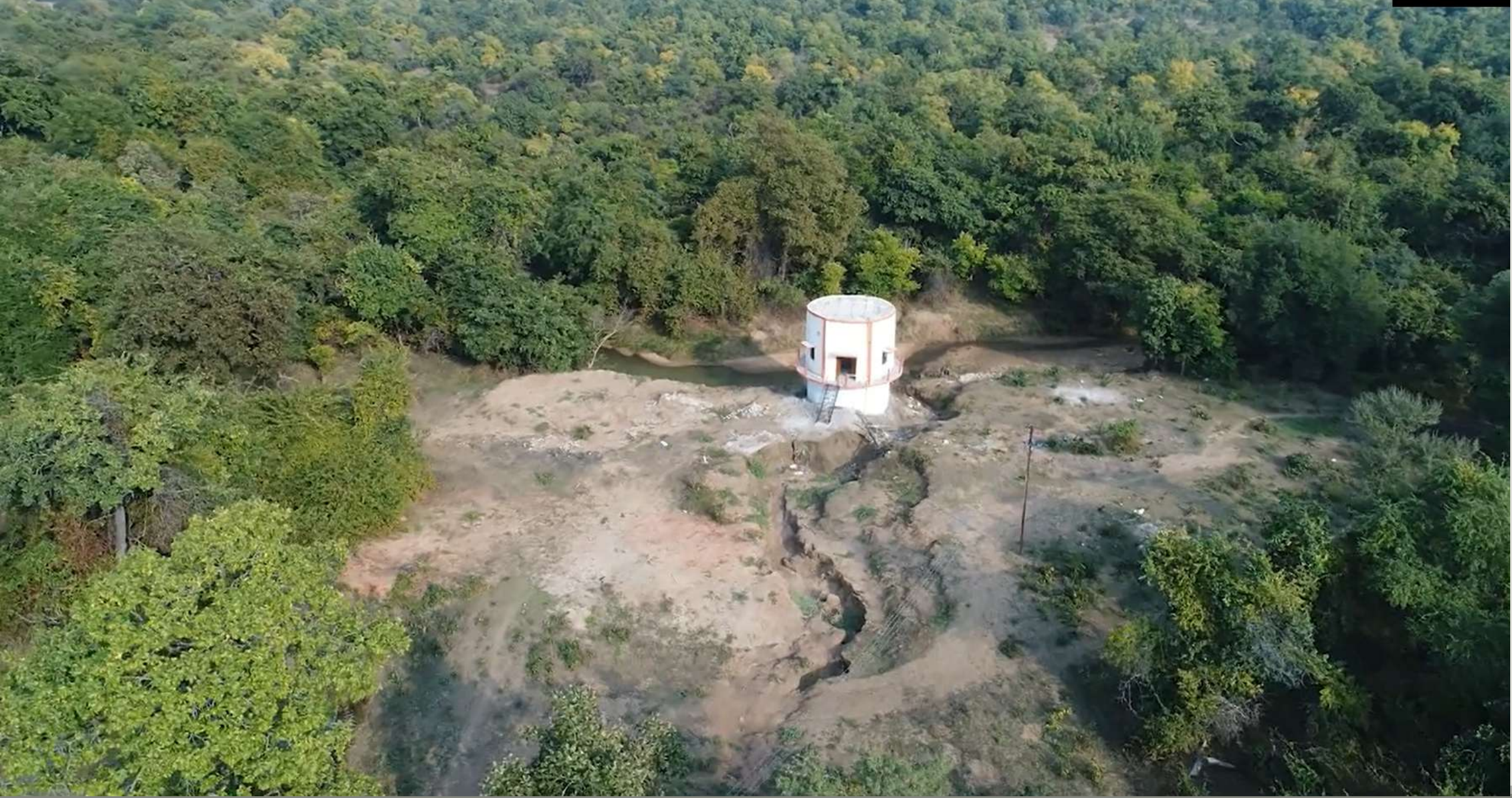
# Rehabilitation Process – Development of Civic Amenities & Agricultural Land

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- Drinking water facility
- School with play ground
- Gram Panchayat Office
- Internal Roads
- Electricity
- Crematorium
- Drainage
- Land for Bus-stand
- Grazing land
- Area for market
- Land for future extension of village
- Land for PHC; Bank; Post Office etc
- Play ground
- Other facilities









# Drinking Water Facility Old Village vs Resettled Village





School with playground

# Old vs New School

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# House Construction – 370 sq.m of land for land holders & 180 sq.m for landless



# Agricultural Land Development

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# Valuation of Property

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Section 26 of the Rehabilitation and Resettlement Act, 2013

Determination of land value and immovable property

- i) Rates mentioned in the ready reckoner – Rs. 500000/-
- ii) To be multiplied by a factor 2 (2) - Rs. 10,00000/-
- iii) Addl. Market value @ 12% per annum – Rs. 1,20,000/-
- iv) Cost of Structures - Rs 2,00,000/-
- v) Cost of trees - Rs. 50,000/-
- vi) Total of all - Rs. 13,70,000/-
- vii) Add 100% solatium - Rs. 27,40,000/-

For 56 Ha of Agricultural Land the villagers of Palasgaon Singru got 11.06 Crores.

# Shifting of the Village

- Villagers are allowed to take the remains of their houses.
- Transportation facility is provided.
- After this all the remaining structures are demolished and levelled.
- The bunds on agricultural lands are levelled.



# Shifting of the village

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# Post rehabilitation works

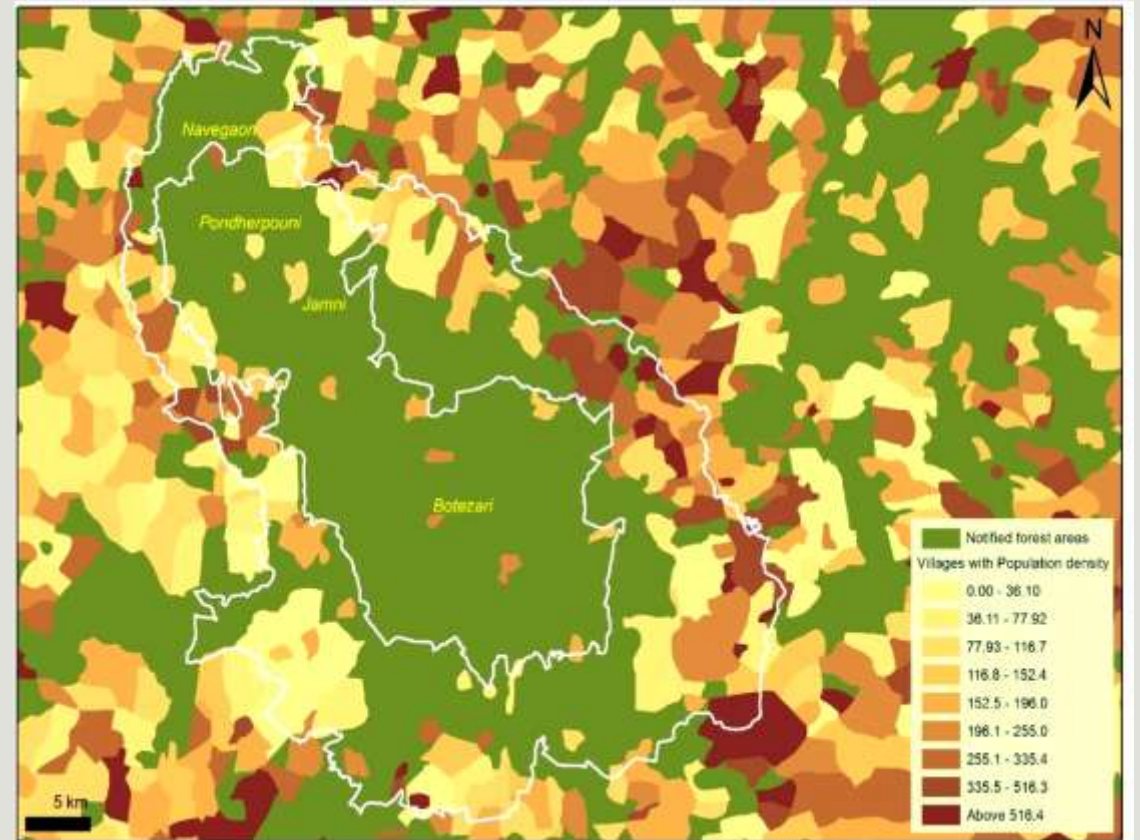
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- Declaration of the newly settled village as revenue village.
- Provision of Project Affected Person Certificate to the resettled villagers.
- Ensuring that Government staff is provided to the school, PHC, Grampanchayat, etc.
- Ensuring support of agricultural department.
- Providing livelihood on a priority basis in tourism; forest works, etc.
- Handholding through Tiger Foundation.
- Development of meadows in the rehabilitated.

# Impact of relocation on Wildlife & Herbaceous diversity

## Methodology

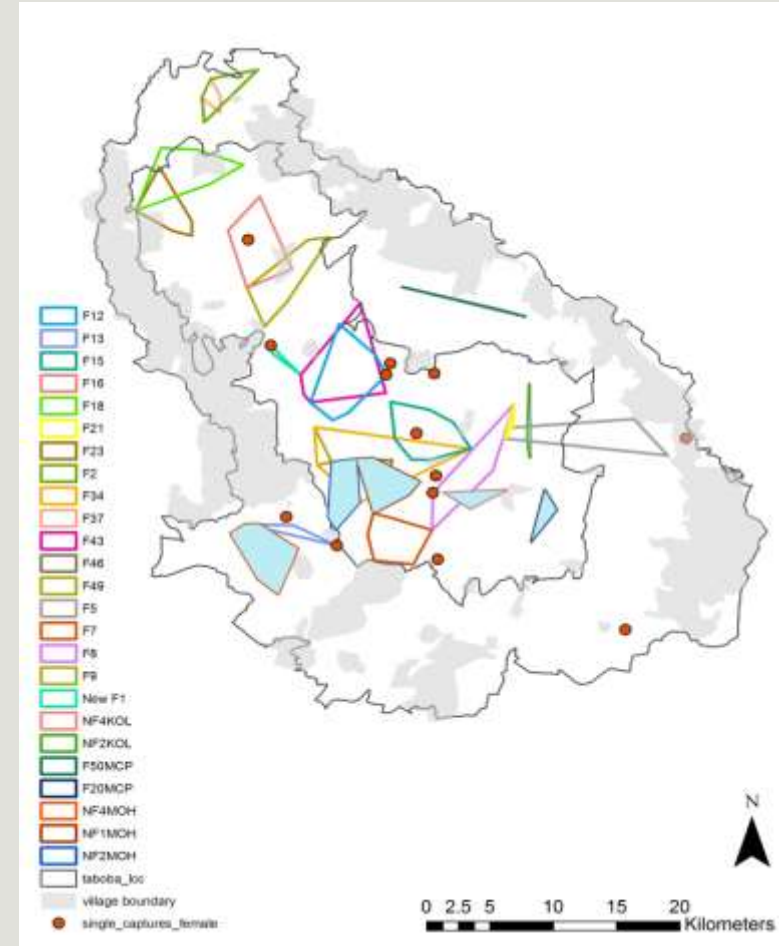
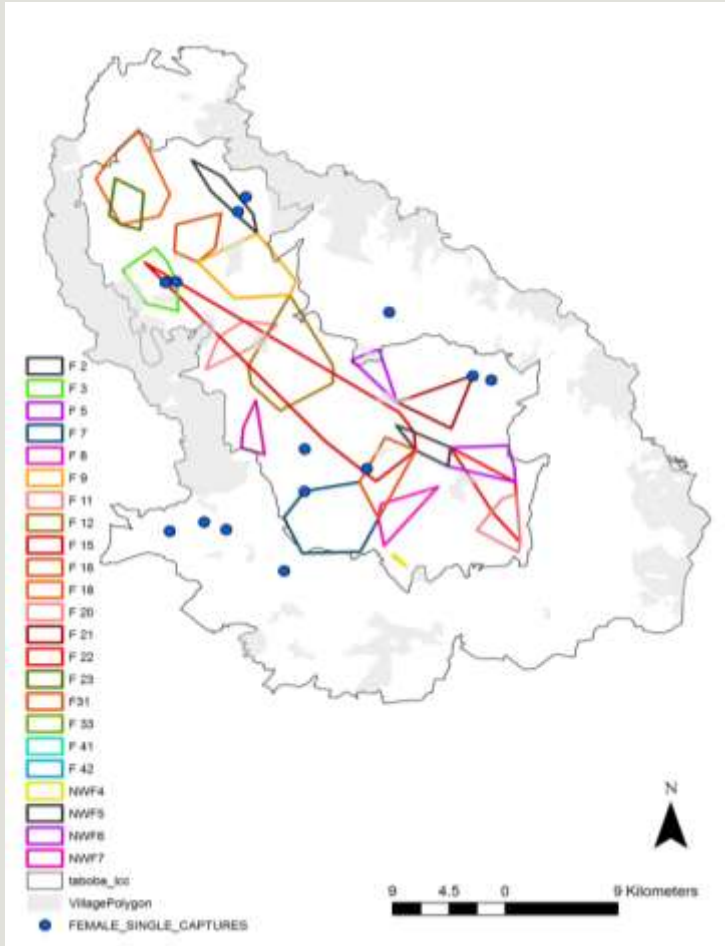
- 1x1 m plot to estimate species richness and density
- Fenced 1 hectare plot to study effect of grazing



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# Village Relocation and Tiger Space use

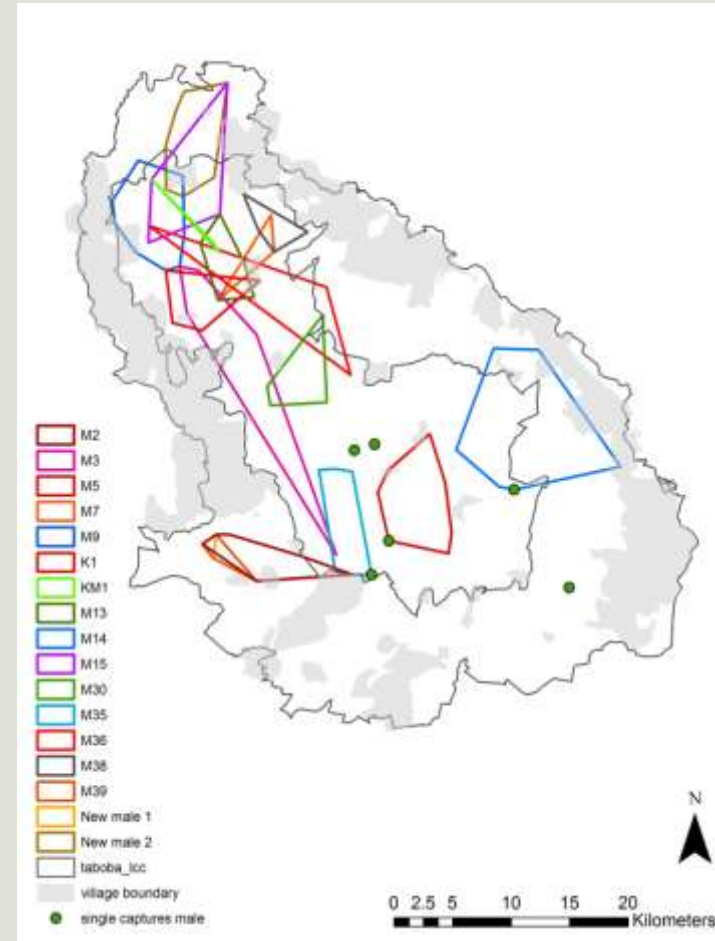
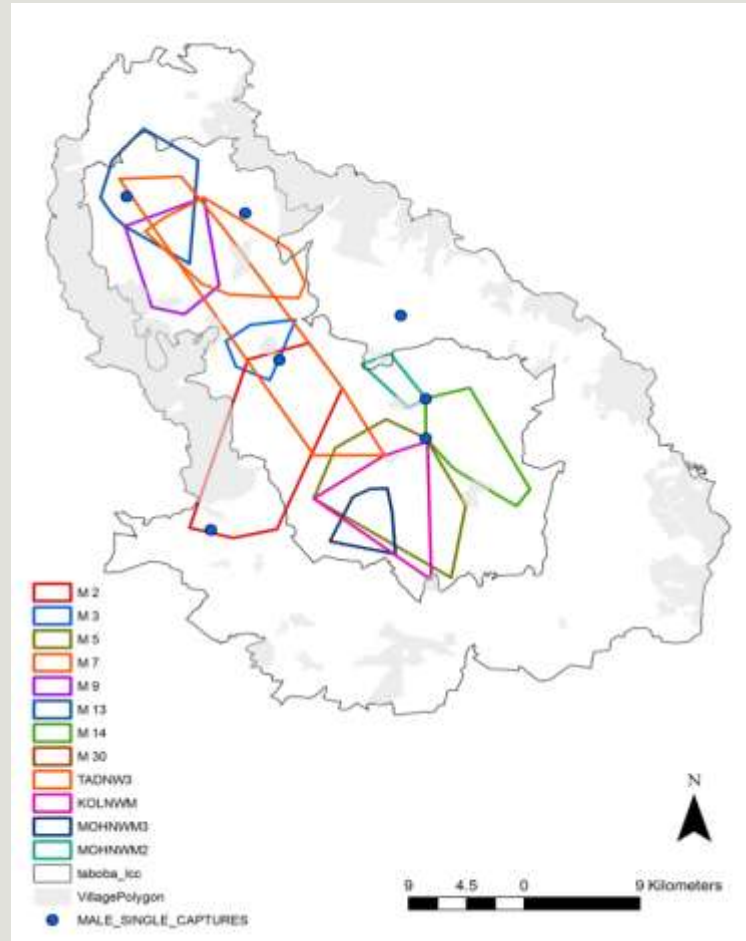
## Female Tigers





# Village Relocation and Tiger Space use

## Male Tigers



# Rehabilitated area occupied by breeding tigress

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# Rehabilitated area occupied by breeding tigress

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# Important Issues

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Changing Policy.

Difficult to find land for rehabilitation.

Inadequate budget.

Only Option I package may not be beneficial in the longer run.

# Conclusion

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- Relocation is a win – win situation for Humans and wildlife.
- Resettled villagers have better access to employment; modern facilities; land resource and their standard of living is vastly improved.
- Village relocation creates inviolate areas for wild animals.
- Villages mostly habitats – first occupied by breeding females after relocation.
- Enhances the breeding potential in the landscape.
- Higher breeding success and population turnover has been observed in large mammals by village relocation

A landscape photograph showing a dirt path winding through a field of tall, golden-brown grass. The path leads towards a line of green trees in the distance under a clear blue sky with a few wispy white clouds. The text "Thank You" is overlaid in the center of the image.

Thank You