

# **PROTOCOL/GUIDELINES FOR VOLUNTARY VILLAGE RELOCATION IN NOTIFIED CORE/CRITICAL TIGER HABITATS OF TIGER RESERVES**

## **PREAMBLE:**

*The Wildlife (Protection) Act, 1972 has been amended in 2006, and a separate chapter (Chapter IVB) has been provided, which interalia, provides for constituting the National Tiger Conservation Authority (NTCA), its powers and functions, reporting requirements, constitution of State level Steering Committees, preparation of Tiger Conservation Plan, explanation regarding the core or critical tiger habitat and the buffer or peripheral areas of a tiger reserve and establishment of the Tiger Conservation Foundation. The said amendment came into force with effect from 4<sup>th</sup> of September, 2006. The above statutory provisions have been incorporated to strengthen tiger conservation in the country vis-à-vis the urgent recommendations of the Tiger Task Force constituted by the National Board for Wildlife. The purpose of this Protocol is to facilitate the State Forest Departments to carry out village relocation from notified core/critical tiger habitats, in compliance of the relevant provisions of the Wildlife (Protection) Act, 1972, read with the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, while complying with the earlier advisories issued in this regard.*

## **1. BACKGROUND**

- 1.1. The tiger continues to remain one of the most endangered large predators in the world. Based on scientific empirical data and simulation results for a viable tiger population, it has been established that a minimum inviolate area of 800-1200 sq.km. is required for a viable population of tiger (20 breeding tigresses). An ecologically sensitive zone (buffer, coexistence area, multiple use area) of 1000-3000 sq.km. is required around this inviolate space for sustenance of dispersal age tigers, surplus breeding age tigers and old displaced tigers. Together with the core area, this would sustain the dynamics of source-sink while sustaining a population of 75-100 tigers. The scientific simulation results have been provided in the 'Guidelines for Preparation of Tiger Conservation Plan' issued by the NTCA (Technical Document: NTCA/01/07), which constitute the scientific criteria for identifying the core/critical tiger habitats.

- 1.2. A tiger reserve consists of two parts, viz., 'a core or critical tiger habitat', and 'a buffer or peripheral area'. Section 38V 4(i) of the Wildlife (Protection) Act, 1972 (hereinafter referred to as WPA, 1972) explains the core or critical tiger habitats, identified on the basis of scientific and objective criteria, areas of National Parks and Sanctuaries to be kept as inviolate for tiger conservation, without affecting the rights of the Scheduled Tribes and Other Traditional Forest Dwellers, and notified as such by the State Government in consultation with an expert Committee constituted for the purpose.
- 1.3. Section 38V 4(ii) of the Wildlife (Protection) Act, 1972 (hereinafter referred to as WPA, 1972) explains the buffer or peripheral area consisting of the area peripheral to the critical tiger habitat or core area, where a lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat, providing habitat supplement for dispersing tigers, besides offering scope for coexistence of human activity. The limits of the buffer / peripheral areas are to be determined on the basis of scientific and objective criteria in consultation with the concerned Gram Sabha and an expert Committee constituted for the purpose.
- 1.4. Thus, the voluntary relocation of people needs to be done only in the identified core / critical tiger habitats of a tiger reserve.
- 1.5. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter referred to as FRA, 2006) came into force on 31.12.2007 (midnight). The said Act provides for recognition of, and vesting of forest rights in forest dwelling Scheduled Tribes and Other Traditional Forest Dwellers. Section 4(2) (a) to (f) provide for satisfying several conditions while modifying the Recognised Forest Rights in critical wildlife habitats of National Parks and Sanctuaries. These, interalia, include completion of the process of recognition and vesting of rights as specified in section 6 of the said Act, establishing by the concerned agencies of the State Government vis-à-vis their powers under the Wildlife (Protection) Act, 1972, that the activities / impact of right holders are sufficient to cause irreversible damage to wild animals, concluding the non-availability of other coexistence options by the State Government, preparation of resettlement package while providing a secure livelihood and free informed consent of the Gram Sabha.

## **2. OBJECTIVE**

- 2.1. The NTCA has issued a set of guidelines for implementing the Centrally Sponsored Scheme of Project Tiger, after its revision by the competent authority in February, 2008, alongwith a format for preparation of village relocation plan from core/critical tiger habitats. Further, guidelines for ensuring the centrality of the Panchayati Raj Institutions, defining the 'family' for relocation and the need for ensuring the implementation of the Wildlife (Protection) Act, 1972, read with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (after the coming into force of the latter) have also been issued. The instant protocol/guidelines consolidate the same to facilitate the implementing agencies in States. The guidelines have necessarily been kept broad and generic in nature, for States to refine procedures as per their requirements to facilitate implementation.
- 2.2. The instant protocol/guidelines aim to ensure that all necessary statutory procedures required for the effective implementation of relocation are undertaken, and that in the process of conservation and protection of tigers and their habitats, the rights of forest dwellers are respected, and the process of recognition and determination of rights is complete.

## **3. RELEVANT PROVISIONS**

The relevant provisions of the FRA, 2006, and the WPA, 1972 relating to relocation from core/critical habitats of tiger reserves are detailed below:

- 3.1. Section 4(1) of the FRA, 2006 recognizes and vests forest rights in Scheduled Tribes and other traditional forest dwellers. The Forest Rights are listed in Section 3 of the FRA, 2006, which, *inter-alia*, secure individual or community tenure or both.
- 3.2. The said forest rights (under Section 3 of the FRA, 2006), can subsequently be modified or resettled outside of Critical Wildlife Habitats, conditional upon all the relevant provisions being met under Section 4 (2) (a) to (f) of the said Act. As per the said Act, payment of compensation for the immovable property of people

forming part of modifying/ settling their rights is a statutory requirement.

- 3.3. Chapter IV of the WPA, 1972 (Section 24) provides for acquisition of rights in or over the land declared by the State Government under Section 18 (constituting a Sanctuary) or Section 35 (constituting a National Park).
- 3.4. Under the WPA, 1972, as amended in 2006, section 38V (4)(i) the core or critical tiger habitat and the process of its notification have been explained as '*core or critical tiger habitat areas of National Park 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 Expert Committee constituted for the purpose*'.
- 3.5. Under the WPA, 1972, as amended in 2006, requirements have been laid down for voluntary relocation of people on 'mutually agreed terms and conditions', for the purpose of creating inviolate areas for tiger conservation:
  - 3.5.1. "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;
  - 3.5.2. the concerned agencies of the State Government, in exercise of their powers under this Act establishes with the consent of the Scheduled Tribes and such other forest dwellers in the area, and in consultation besides with an ecological and social scientist familiar with the area, that the activities of the Scheduled Tribes and other forest dwellers or the impact of their presence upon wild animals is sufficient to cause irreversible damage and shall threaten the existence of tigers and their habitat;
  - 3.5.3. the State Government, after obtaining the consent of the Scheduled Tribes and other forest dwellers inhabiting the area, and in consultation with an independent ecological and social scientist familiar with the area, has come to a conclusion that other reasonable options of co-existence, are not available;
  - 3.5.4. resettlement or alternative package has been prepared providing for livelihood of affected individuals and communities and fulfills

- the requirements given in the National Relief and Rehabilitation Policy;
- 3.5.5. the informed consent of Gram Sabhas concerned, and of the persons affected, to the resettlement programme has been obtained;
- 3.5.6. the facilities and land allocation at the resettlement location are provided under the said programme, otherwise their existing rights shall not be interfered with.”

**4. COMPATIBILITY OF SECTION 38V OF THE WILDLIFE (PROTECTION) ACT, 1972 (RELATING TO RELOCATION FROM CORE/CRITICAL TIGER HABITATS) WITH THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006**

- 4.1. The phrase '*core or critical tiger habitat*' is mentioned only in the Wildlife (Protection) Act, 1972, as a sequel to amendment made to the said Act in 2006. It is **NOT** defined in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- 4.2. The phrase '*critical wildlife habitat*' is defined only in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and **NOT** in the Wildlife (Protection) Act, 1972.
- 4.3. 'Core or critical tiger habitat' is different from the 'critical wildlife habitat'. Since tigers are territorial big cats, hence considering their social land tenure dynamics, the 'core / critical tiger habitat' has been viewed separately from the 'critical wildlife habitat', which is applicable to other wild animal species.
- 4.4. Based on deliberations with experts and simulation results from scientific data, it has been found that a minimum inviolate area of 800-1200 sq.km. is required to sustain a viable population of tigers (20 breeding females).
- 4.5. Establishing the core / critical tiger habitat as 'inviolate' involves two steps as per the Wildlife (Protection) Act, 1972:
- (a) Identifying the core / critical tiger habitats as per section 38V 4(i) of the Wildlife (Protection) Act, 1972 by establishing on the basis

of scientific and objective area that such areas are required to be kept as inviolate for the purpose 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 expert committee constituted for the purpose.

- (b) Establishing the identified core / critical tiger habitat as inviolate through voluntary relocation on mutually agreed terms and conditions as per section 38V (5)(i) to (vi) of the Wildlife (Protection) Act, 1972, read with section 4(2) (a) to (f) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, provided that such terms and conditions satisfy the requirements laid down in the Wildlife (Protection) Act, 1972.
- 4.6. The above provisions laid down in the Wildlife (Protection) Act, 1972 (section 38V), subsequent to the 2006 amendment are specific to tiger conservation, and are not only compatible but more stringent than the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- 4.7. Under the revised Centrally Sponsored Scheme of Project Tiger (2008), two options have been given to people:

Option-I: Payment of Rs. 10 lakhs per family in case the family opts so, without any rehabilitation / relocation process by the Forest Department.

Option-II: Carrying out relocation / rehabilitation by the Forest Department with the following per family norms out of Rs. 10 lakhs:

|     |   |                          |
|-----|---|--------------------------|
| (a) | Agricultural land procurement (2 ha.) and development   | 35% of the total package |
| (b) | Settlement of rights                                    | 30% of the total package |
| (c) | Homestead land and house construction                   | 20% of the total package |
| (d) | Incentive   | 5% of the total package  |
| (e) | Community facilities (access road, irrigation, drinking | 10% of the total package |

|  |   |  |
|--|---|--|
|  | water, sanitation, electricity, telecommunication, community centre, places of worship, cremation ground) |  |
|--|---|--|

- 4.8. The cash option has been provided for catering to people who are not interested in a resettlement and are prepared to establish themselves elsewhere under 'mutually agreed terms and conditions', as indicated in the Wildlife (Protection) Act, 1972. This has checks and balances as the money is provided through the District Collector after the villager produces evidence of his procuring land etc.
- 4.9. The relocation is voluntary, and is done only if people are willing to move.
- 4.10. Monitoring committees at the District as well as State levels are required to be constituted by the States.

## **5. 'CRITICAL TIGER HABITAT' VIS-À-VIS 'CRITICAL WILDLIFE HABITAT'**

- 5.1. The salient points relating to 'critical tiger habitat' (CTH) and 'critical wildlife habitat' (CWH) are comparatively indicated below:

| CTH   | CWH  |
|---|--|
| Legal mention in WLPA (2006) amendment  | Legal mention in FRA (2006 Sec. 2(b))  |
| Process outlined in WLPA  | Process outlined in MoEF guidelines  |
| Recognition, vesting of rights as per FRA, read with WLPA                                   | Recognition, vesting and resettlement as per FRA   |
| Clear criteria based on existing scientific knowledge / simulation data pertaining to tiger | Necessity for generic criteria that encompass diversity of species and landscapes            |
| Informed consent of concerned Gram Sabha and affected persons required for resettlement     | Free informed consent of Gram Sabha pertaining to the area vis-à-vis proposed resettlement / |

|           |                                 |
|-----------|---------------------------------|
| programme | relocation package is essential |
|-----------|---------------------------------|

- 5.2. Section 4(2)(a) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 necessitates that the process of recognition and vesting of rights as specified in section 6 of the said Act is complete in all the areas under consideration before modification or resettlement.
- 5.3. Section 4(2)(b) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 necessitates that the concerned agencies of the State Governments should establish in exercise of their powers under the Wildlife (Protection) Act, 1972 that the activities or impact of the presence of holders of rights upon wild animals is sufficient to cause irreversible damage and threaten the existence of the said species and their habitat, before modification or resettlement.
- 5.4. Section 4(2)(c) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 necessitates that the State Government has to conclude that other reasonable options such as coexistence are not available, before modification or resettlement.
- 5.5. Section 13 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 provides that the said Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.
- 5.6. It has been established on the basis of existing scientific knowledge that an area of 800-1200 sq.km. of inviolate core/critical habitat is required for a viable population of tiger. Section 38V 4(i) of the Wildlife (Protection) Act, 1972, as amended in 2006, specifically provides for establishing the core/critical tiger habitats on the basis of scientific and objective criteria, in consultation with an expert Committee, without affecting the rights of the Scheduled Tribes or such other forest dwellers. Therefore, under section 4(b) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the field authorities / Field Director of a Tiger Reserve may identify the core/critical tiger habitat as per section 38V 4(i) of the Wildlife (Protection) Act, 1972, using the

criteria of 800-1200 sq.km., which has to be notified by the State Government in consultation with an expert Committee constituted for the purpose. The latter takes into account the impact of biotic disturbance on tiger resulting in man-tiger conflicts, besides underlining the need for such minimal area of inviolate space for tiger where no coexistence is possible.

## **6. GUIDELINES FOR IDENTIFICATION/NOTIFICATION OF CORE/CRITICAL TIGER HABITAT IN TIGER RESERVES AND VILLAGE RELOCATION**

A checklist of steps and documents for all stages is contained in **ANNEXE 1.**

### **Step I: Identification/notification of the core/critical tiger habitat**

The identification should be done as provided under section 38V (4)(i) of the Wildlife (Protection) Act 1972.

### **Step II: Establishing the core/critical tiger habitat for creating inviolate area for tiger involving relocation of families / villages from such areas**

The provisions contained in the FRA sections 4 and 6 and the provisions contained in the Wildlife (Protection) Act 1972 section 38V (5) should be followed.

In case of voluntary relocation also, the rights of people should be recognized and settled before relocation.

#### **6.1. Operational guidelines for Step II (Village relocation)**

[Involving provisions of Wildlife (Protection) Act, 1972 read with provisions contained in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006]

##### **6.1.1 Recognition / settlement of Rights**

Recognition and vesting of rights as per section 6(i) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006:

- (a) Constituting a Sub-Divisional Committee by the State Government as provided in the FRA (section 6) for examining the resolution passed by the Gram Sabha, besides preparing the record of forest rights and forwarding it through the Sub-Divisional Officer to the District level Committee for a final decision.
- (b) Initiation of the process for determining the nature / extent of individual / community forest rights or both by the local Gram Sabha, involving consolidation, verification, area delineation on a map, passing a resolution and forwarding a copy to the Sub-Divisional Committee as provided in the FRA.
- (c) Disposal of petitions, if any, from persons aggrieved by the Gram Sabha resolution by the Sub-Divisional Committee as provided in the FRA.
- (d) Constituting a District level Committee by the State Government for considering and finally approving the record of forest rights prepared by the Sub-Divisional level Committee.
- (e) Disposal of petitions, if any, from aggrieved persons by the District level Committee within 60 days from the date of decision by the Sub-Divisional level Committee, as provided in the FRA.
- (f) Constituting the State level Monitoring Committee by the State Government as provided in the FRA.

**6.1.2. Relocation of villages after recognition / settlement of rights as above**

**(Identification/prioritization of villages, cut off date for residing families, choice of options etc.)**

- 6.1.2.1. Following the notification of the core/critical tiger habitat, the Field Director must identify the village/villages situated within such notified core area.
- 6.1.2.2. A prioritization of villages to be relocated should be done based on man-tiger conflicts, presence of tiger den sites, grazing areas of wild ungulates, grazing pressure from livestock, presence of water and other welfare factors, site specific attributes etc.
- 6.1.2.3. A meeting of the concerned Gram Sabha should be convened with the active participation of the villagers to be relocated. The villagers must be informed about the details of the core/critical tiger habitat, its importance, man-tiger conflicts, options available under voluntary resettlement, options for payment, process of relocation/rehabilitation, and grievance redressal system.

- 6.1.2.4. The proposed package has two options:
- Option I:** payment of the entire package amount (Rs. 10 lakhs per family) to the family, in case the family opts for this, without involving any rehabilitation/ relocation process by the Forest Department.
- Option II:** carrying out relocation/ rehabilitation of village from protected area/tiger reserve by Forest Department.
- 6.1.2.5. Free informed consent of the Gram Sabha and affected villagers must be taken in writing regarding the proposed resettlement package/option.
- 6.1.2.6. The recognition / settlement of rights must be done as indicated under Step-II (para 6.1 above).
- 6.1.2.7. Records of the rights vested in the said villages/forest dwellers must be obtained from the Gram Sabha, as have been approved by the District level Committee under section 6(5) of the FRA, 2006. In case where records of forest rights are unavailable, the matter should be taken up with the District Collector.
- 6.1.2.8. After obtaining the details of rights as above, a meeting of the District level Implementing Committee, as indicated at para 4.2.4. of the Guidelines issued from Project Tiger/NTCA [F.No. 3-1/2003-PT (relocation)] should be convened for deciding the 'cut off date' vis-à-vis the definition of the 'family' provided in the Guidelines (Advisory No. 3-1/2003-PT dated 19.3.2008 as per the National Rehabilitation and Resettlement Policy, 2007).
- 6.1.2.9. The valuation of the recognised rights/assets of the villagers to be relocated must be obtained from the District Collector.
- 6.1.2.10. The Field Director should submit a Village Relocation Proposal (VRP) to the National Tiger Conservation Authority/Project Tiger for funding support, through the Chief Wildlife Warden/State Government. The format for a VRP document is detailed in **ANNEXE 2**.

## **6.2. Field implementation**

- 6.2.1. Once the VRP is approved for central assistance under Project Tiger and the options are decided, the following steps may be ensured:

### **Option-I (payment of the entire package amount of Rs. 10 lakhs per family)**

- 6.2.1.1. On receipt of central assistance under Project Tiger vis-à-vis the relocation proposal sent by the Field Director, the funds should

be deposited in the account of the District Collector and a joint savings bank account must be opened for each beneficiary / family with a deposit of Rs. 10 lakh each.

- 6.2.1.2. In case of forest villagers having no tenurial rights, two bank accounts should be opened for each family viz., a savings account with a deposit of Rs. 1 lakh, and a joint savings account with the District Collector for an amount of Rs. 9 lakhs. Out of the latter, a minimum amount of Rs. 3 lakhs should be earmarked as a fixed deposit for a period of three years to ensure interest payment to the relocated villagers. On production of documentary evidence by the villagers (within a prescribed time period) relating to proposal for acquiring immovable property / agriculture land, funds should be made available to the seller from the joint savings account after due verification by the District level Committee through a Demand Draft, which should be mentioned in the sale agreement. The balance amount, if any, in the joint savings account, alongwith the interest accrued, should be transferred to the savings account of the villager / beneficiary.
- 6.2.1.3. In case of revenue villages, the following two options are suggested under option-I:

#### **Option A**

In case, the villagers through the Gram Sabha agree for receiving a payment of Rs. 10 lakhs per family (inclusive of the valuation for their assets), then the said amount would be deposited in the name of the beneficiary (a joint account with spouse in case of a married individual).

#### **Option B**

In case, the villagers through the Gram Sabha do not agree for the above (option A) and demand due compensation for their assets then the following may be adopted:

- Compensating the beneficiaries in proportion to the assets as per valuation done by the Collector.
- Distributing the balance amount equally to all eligible families / beneficiaries.

The shortfall, if any, of compensation amount in proportion to the assets will be met by the State Government.

### **Option-II (Carrying out relocation/ rehabilitation through the Forest Department)**

- 6.2.1.4. 2 hectares of agriculture land should be provided per family. In case revenue land is not available for this purpose, diversion of degraded forest land may be obtained after due clearance under the Forest (Conservation) Act, 1980.
- 6.2.1.5. Payment of compensation for the assets owned by individual family should be done based on the evaluation, amounting to 30% of the total package of Rs. 10 lakhs.
- 6.2.1.6. In case the amount for compensation for such assets covering the entire village exceeds 30% of the package, then the balance amount should be provided through funding support from the State Government.
- 6.2.1.7. Payment amounting to 20% of package should be provided to each beneficiary for homestead land and house construction.
- 6.2.1.8. An incentive amounting to 5% of the total package should be provided per beneficiary/family.
- 6.2.1.9. In case agricultural land is made available free of cost to the beneficiaries then the amount earmarked for the same (35% of the total package alongwith the balance amount, if any, remaining after settlement of rights) should be used for community facilities as indicated in the Guidelines of Project Tiger alongwith the 10% of the total package (to be used after depositing in a PDA account).
- 6.2.1.10. A community development plan should be prepared for each relocated village in consultation with the District Collector while ensuring integration of other ongoing District level schemes.
- 6.2.1.11. The balance amount, if any, after the community development works should be deposited in the respective Gram Sabha to benefit the relocated villagers.
- 6.2.1.12. A special monitoring Committee involving members of the Gram Sabha, relocated villagers, civil society institution, should be created for periodic reporting to the District Collector and the Field Director.

### **6.3. Related complementary guidelines**

- 6.3.1. The requisite amount for each beneficiary must be deposited into a joint savings account as indicated earlier in a Nationalized Bank, and passbooks should be handed over to the beneficiaries. The Zilla Parishad should be involved in monitoring the payment and utilization of the compensation package, whether under Option I or Option II.
- 6.3.2. Annuity mechanisms must be developed for beneficiaries to obtain a monthly income through interest (eg. 1 lakh in savings, Rs. 3 lakhs in fixed deposit in case of option I).
- 6.3.3. In case of option I, the beneficiary should be given a timeline for purchase of agricultural land, construction of house etc. The amount should be allowed for withdrawal from the fixed deposit only for the creation of fixed assets.
- 6.3.4. The agreed amount should be given to the seller through a bank draft, and the beneficiary must indicate this in the sale deed.
- 6.3.5. The Forest Department (through the Field Director) must execute a MoU on stamp paper with the beneficiary as a proof of voluntary settlement.
- 6.3.6. Individual records of beneficiaries must be maintained at the office of the Field Director of the Tiger Reserve as well as the District Collectorate.
- 6.3.7. The Collector must provide each beneficiary a certificate indicating their eligibility for all schemes applicable to relocated people.
- 6.3.8. Handholding after relocation must be ensured through the Field Director and a District level Monitoring Committee under the Chairperson of the Zilla Parishad. In this effort, assistance of competent civil society organizations having the domain expertise may be obtained.
- 6.3.9. Implementation and monitoring of district level schemes in relocated villages should be done through Gram Panchayat/ Gram Sabha.
- 6.3.10. Village Relocation Committees (F.No.15-63/2008-NTCA, 23<sup>rd</sup> April 2010) will monitor the progress of village relocation, and a State level Monitoring Committee must oversee the process.
- 6.3.11. The relocation of villages from the core areas of tiger reserves should be dovetailed preferably in a State level 'Rehabilitation Act for Project Affected Persons' (as done for national park/sanctuary)

by the Government of Maharashtra vide its Act No. XI of 2001. This would enable the project authority under the said Act for ensuring the ongoing development of the relocated families.

## **7. CLARIFICATION**

- 7.1. A 'Family' includes a person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; includes "nuclear family" consisting of a person, his or her spouse and minor children (as per order No. 3-1/2003-PT).

## **ANNEXE 1: CHECKLIST**

| <b>Stage</b> | <b>Y/N</b>   |
|--------------|--|
| <b>I</b>     | Notification of core/critical habitat? If yes, copy of notification.   |
|              | Certificate that village is within core area of Tiger Reserve  |
|              | Consent of villagers, Gram Sabha obtained  |
|              | Survey and Master list   |
|              | Record of Rights   |
|              | Village Relocation Proposal drawn up with involvement of District Administration   |
|              | Certificate that the detailed relocation plan has been formulated on the basis of voluntary consent of beneficiaries;  |
| <b>II</b>    | Indicative time frame within which relocation will be completed  |
|              | Collector Committee constituted  |
|              | Cut-off date   |
|              | Rights and property evaluation by Committee  |
|              | In case of option II: where relocated land is forest land, copy of forest clearance received from FC Division of this Ministry, and certificate stating that terms and conditions of FC have been complied with. |
| <b>III</b>   | District Level and State Level Monitoring Committees established?  |
|              | Joint Account created for beneficiary and spouse   |
|              | Money deposited into JA, with fixed deposit plan, passbooks to beneficiaries   |
|              | MoU between FD and beneficiary   |
|              | Individual files of beneficiaries maintained at Range Office, Tiger Reserve Office and Collector Office  |
|              | Collector certificate to beneficiaries   |
|              | Handholding procedures and Monitoring Committee  |

## **ANNEXE 2: VILLAGE RELOCATION PROPOSAL FORMAT**

1. Introduction
  - Name of Tiger Reserve
  - Name of village
  - Total area of village
  - Legal Status: Revenue/ Forest/ Other
  - Summary: Number of families, total human population, total livestock population, proposed site for relocation (in case of Option II), Area of proposed site and its legal status, total allocation required
2. Master List of families identified
3. Details of settlement rights
4. Details of incentives provided
5. In case of Option II:
  - (a) Description of relocation site, with a map showing layout of homestead land, houses and community facility
  - (b) Details of proposed work at relocation site: agricultural land (procurement/development), transportation, construction, pasture/woodlot, road access, irrigation, drinking water facility, sanitation, electricity, community centre, places of worship, burial/cremation ground
  - (c) Other details: access to forest resources, irrigation, Anganwadi/school, hospital, fare price shop, telecommunication
6. Details of livelihood support and handholding
7. Grievance redressal system
8. State level monitoring and evaluation
9. Cost table and phasing

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