



## CHAPTER – VII

### OTHER ISSUES IMPACTING CONSERVATION OF WILDLIFE

#### Eco-development

**13.1** The formation of Eco-Development Committees (EDC) is aimed at providing sustainable development to the fringe villagers to improve their basic economic condition and level of sustenance thereby decreasing their dependence on the forest resources. It also aims at bringing awareness among the villagers about the necessities of the forest and forest resources which will motivate them to stand for the protection of Kaziranga.

**13.2** The KNP has 110 villages with more than 2.60 lakh population surrounding it. Audit scrutiny revealed that the park authorities had formed 33 EDCs which had been registered in 2002 onwards, though none of these committees are functional even after 12 years had elapsed. Though micro-planning is pre-requisite for launching the EDCs, it was observed that all the plans are at nascent stage. In a meeting held in December 2013 between the Departmental Officers, park authorities and the members of the EDCs it was decided that micro plans of at least 10 out of 33 EDCs would be finalised by January 2014 with the help of Yes Bank who have come forward for the financial rescue. However, it was noticed that in June 2014 the status of micro-plans had not changed much.

**13.3** In order to ascertain the level of awareness regarding sustainable development, the Audit team had, along with the representative of the KNP, visited the presidents of six such committees. The findings are mentioned in the following paragraphs.

- The reason for the committees remaining non-functional for over 12 years was the inability of the representatives of the KNP to devote time for the EDCs.
- The committees expressed their anguish over the growing gap between the EDCs and the park authorities over non-involvement of local stakeholders. Though a series of recruitments

*In Kudremukh National Park, Karnataka, local youth are deployed in the forest camps to encourage participation of the fringe villagers in conservation and protection of wildlife.*

were conducted for the park, none of the educated youth from the fringe villages are given priority. This was happening despite the fact that the local population was interested in helping the wildlife authorities in protection and other duties as stated by the committees.

- In the absence of conviction, the villagers are scared of providing inputs to the authorities which is fraught with the risk of their lives as the poachers return to the villages after getting bail.
- The Committees wanted the wildlife as well as the police authorities to probe the source of funds of a class of people in the fringe villages who are suddenly becoming rich – buying plots of land, commercial vehicles, tractors etc. involving huge money.
- There has been a rapid increase in the settlement of immigrants. While pointing towards the increase in new faces in the villages, the committees accepted their helplessness in containing the trend.
- The methodology of village survey conducted under EDC is faulty as it includes the migrants who do not have voting rights in the local constituency. The survey mechanism should be restructured and aligned with the genuine citizenry.
- In respect of the fish *mahals* in *beels*<sup>1</sup> adjacent to the KNP under Kuthuri Gram Panchayat, the fishermen go deep inside the KNP to catch fish at night which are then transported under the cover of fish *challans* issued by the *mahaldars*<sup>2</sup>, against commission. These fishermen also provide inputs to the poachers about movement of Rhinos and forest officials.

It was observed that the Kuthuri Gram Panchayat<sup>3</sup> has no system of calling back the used *challans* of fish transport from the fish *mahals*, neither the park authorities has installed such a system of obtaining the used *challans*. This could provide invaluable inputs and help in ascertaining the source of the fish.

- However, in one EDC, known to be a safe haven of poachers, a group of youth of the village had taken over the committee and impressed upon the households not to provide shelter to the poachers. They had also formed groups which assist the wildlife guards during night patrols.

*EDCs reported instances where sympathisers of poachers were forced to surrender before the wildlife authorities.*

**13.4** *The Department stated that taking a cue from the Audit observation the survey of villages is being done with reference to the records of the Revenue Department to ensure that the illegal population is not included in the list prepared for eco-development measures. As regards the relations between the park authorities and the EDCs, they stated that several confidence building measures have been taken recently*

<sup>1</sup> Large water bodies.

<sup>2</sup> Contractors with whom fishery *mahals* are settled.

<sup>3</sup> Visited by the Audit Team to ascertain the control mechanism.

to reduce the gap. Regarding tracking the properties of the poachers the Department stated that two key amendments had been proposed in the Act which had been agreed in principle by the Judicial and Legislative Departments. The Department mentioned a number of steps taken for addressing local employment issues and also informed that they were contemplating raising a special battalion for KNP drawing local youth from the fringe villages and a proposal in that regard had been sent to the GoI.

### Recommendations (Eco-development activities)

- The formation of the EDCs in remaining villages and micro-plans of all EDCs may be finalised by deputing dedicated Officer and a team in a timebound manner by fixing targets/timelines and its achievement monitored closely.
- The survey of population in each of the villages covered under eco-development programmes need to be carried out to help identify genuine beneficiaries.
- In view of the threat to wildlife animals and overall conservation of the park, efforts need to be taken to establish a secured channel of recording allegations of the EDCs and their members which may be investigated by the park as well as the police authorities to garner confidence of the fringe villagers.

### Biotic pressure vis-à-vis eco-sensitive zone

**14.1.1 Background:** The XXI meeting of the 'Indian Board for Wildlife' held on 21 January 2002 adopted a 'Wildlife Strategy 2002' wherein point 9 envisaged that 'land falling within 10 km of the boundaries of the National Parks and Sanctuaries should be notified as eco-fragile zones under section 3 (v) of the Environment (Protection ) Act, 1986 and Rules made thereunder'. **The GoI in February 2002 requested all the Chief Wildlife Wardens for listing out such areas within 10 km of the boundaries of National Parks and Sanctuaries and furnish detailed proposals for their notification as eco-sensitive areas.**

**14.1.2** National Wildlife Action Plan – 2002-16 – indicates that “Areas outside the protected area network are often vital ecological corridor links and must be protected to prevent isolation of fragments of bio-diversity which will not survive in the long run. Land and water use policies will need to accept the imperative of strictly protecting ecologically fragile habitats and regulating use elsewhere”. The Action Plan also indicates that ‘All identified areas around Protected Areas and wildlife corridors to be declared as ecologically fragile under the Environment (Protection) Act’.

**14.1.3 Purpose of declaring ESZ:** The purpose of declaring ESZ around national parks and sanctuaries is to create some kind of 'shock absorber' for the Protected Areas. They would also act as a transition zone from areas of high protection to areas involving lesser protection.

**14.1.4 Supreme Court's intervention :** In view of failure of the State Governments to come up with the proposals, the Apex court in its verdict of December 2006 directed the GoI to give final opportunity to the States of four weeks to send their proposals to the GoI. It was also held by the Top Court that all cases where environmental clearances were granted where activities are within 10 km zone, be referred to Standing Committee of National Board for Wildlife.

**14.1.5 Present position reported by the park authorities:** The Gauhati High Court sought (March 2011) information as to the status of ESZ against which the park authorities had in July 2012 informed that preparation of proposal for declaration of ESZ was in the final stage and would be submitted soon to the authority. The draft ESZ of the KNP was submitted to the PCCF in March 2013.

**14.1.6 Other similar initiatives :** Though the park authorities had failed to firm up the ESZ proposal since 2002 as discussed above, it was observed that the State Government had launched (2009) another effort towards the same goal, named - 'Kaziranga Bio-diversity Conservation and Development Committee' to be implemented through financial aid from the French Development Agency amounting to ₹ 450 crore. The project envisaged to restore and manage natural forest ecosystems and resources to enhance the forest dependent communities, livelihoods and ensure sustainable conservation of bio-diversity. A number of meetings were held by the Committee from November 2009 till date.

## **14.2 Audit findings :**

**14.2.1** Despite the decision of the National Board for Wildlife in 2002 about creation of the ESZ it took more than 11 years for the park authorities to draft the ESZ and forward it to the PCCF (Wildlife), Assam. **It was also observed that in view of non-submission of ESZ by the NPs/WSs, the GoI had been issuing reminders and in July 2013, the GoI informed the State Governments including Assam about its decision that "a default area of 10 km from the boundary will be the ESZ".** However, no concrete action was found to have been taken to comply with the GoI's directives till the date of Audit.

**14.2.2** Meanwhile the 'Kaziranga Bio-diversity Conservation and Development Committee' recommended (October 2010) that (i) notices to encroachers on Government land should be issued with a bonafide interest, (ii) before permitting for



any construction related to hospitality sector NOC<sup>4</sup> from the KNP authorities should be called for – which should be communicated within 15 days of receipt; otherwise, it will be presumed that he has no reservations/objection over the said construction; (iii) any unauthorised establishment coming up in the natural animal corridors should be stopped and action taken for its removal. Old constructions should be mapped and reviewed and best measure to overcome the problem of animal corridor obstruction should be worked out and action taken accordingly.

**14.2.3** Scrutiny of records, interactions (June and July 2014) with the Circle Officers in-charge of the land falling under Bokakhat & Kaliabor Circles and physical verification of NH 37 revealed the following.

- The irregularities/encroachment of land falling under 2<sup>nd</sup>, 3<sup>rd</sup> and 5<sup>th</sup> Additional areas (falling under the Circle Officer, Bokakhat) had been discussed earlier. Besides, the information of status of land under these additional areas emanated from physical surveys conducted by the civil administration in 2009; after which no further survey was carried out though five years had elapsed.
- In Bokakhat Circle, 29 Resorts/dhabas have been running for periods ranging upto 40 years on land falling within 2-3 km of the KNP boundary majority of which belonged to Agricultural class. **Of these, in two cases (Ekora Resorts and Resort Borgos) the land pattern had already been changed as “Commercial Land” from “Agriculture Land”.** In five other cases of Resorts/dhabas namely Bonhobi Resorts, Wildgrass Resorts, Kaziranga Wilderness, Emerald Hotel and Resort and Maa Kamala Tourist Lodge – the applications for change in land use pattern are under process in the civil administration. **It was further noticed that the Dhansiri Eco Camp had been constructed over 19 Bighas 2 Katha and 10 Lechas of Government Land.** The Copy of the statement obtained from Circle Office, Bokakhat is enclosed as **Annexure – ‘F’.**



Resorts/hotels against which the land pattern had been/is being changed to commercial usage

<sup>4</sup> The Committee also decided (October 2010) that in case of any purchase, the purchaser of land should submit an ‘Affidavit’ that land use would not be changed in future.

**14.2.4 Thus, the conversion of land use pattern and further processing of applications for conversions are in stark contrast of the Affidavits obtained from the purchasers and also decisions/actions proposed as discussed above.**

- In Kaliabor Circle, 71 resorts/dhabas/commercial establishments had been running (as of 2014). In none of the cases NOC from park authorities had been obtained while in a number of cases **licences were found to have been issued by the Kuthuri and Amguri Gram**



G L Resorts - partially encroached Govt. land

**Panchayats.** It was noticed that **62 of the above units were functioning within 1 km** of the boundary of the park while the remaining 9 were within 3 km. Despite existence of clear guidelines that no permission for change in land use would be issued, the action of the aforesaid *Gram Panchayats* was highly irregular and questionable. However, the park authorities remained unaware about such irregular issuance of licences by the *Gram Panchayats* as the survey report accessed by Audit is yet to be collected by them. Further verification of the report revealed that in **four cases Government land had been encroached by the dhabas/hotels, one resort namely Wildlife Reach Eco Resort had been established purely on Government land while in three cases (Grassland, Diphlu River Lodge and GL Resorts) Government land had been encroached<sup>5</sup> to set up the resorts.** Statements obtained from the Circle Officer, Kaliabor is enclosed as **Annexure - 'G'**.

- As regards the position of the land adjacent to NH 37 falling under both the Circle Offices, it was observed that the Offices did not have a ready database to show the position of patta land, Government land and the extent of encroachment. On being requested by Audit, the Circle Officer, Kaliabor assured (11 July 2014) that the survey would be carried out within a month. The officials of Circle Office, Bokakhat stated that it may take considerable time.

**14.2.5** It was further observed that the park authorities had in 2013 carried out a survey of the resorts, dhabas etc which contained information like name of the hotel, owner, location, GPS co-ordinate, rooms available, rent structure etc. However, important information available in the statement prepared by the Circle Officers like the source of licence/permission/NOC and most importantly whether the units had obtained permission of the park authorities were not incorporated in the Report. Thus, neither the park authorities collected the statements prepared by the Circle

<sup>5</sup> United 21 Grassland Resort (encroacher Lio Resort & Hotel Pvt Ltd), Diphlu River Lodge (encroacher Shri Ashish Phukan) and GL Resorts (encroacher Shri GIRRISLAL AGARWALA).

Officers nor did their statements contain the required information and the reports were therefore highly deficient.

**14.2.6** There are four designated animal corridors over NH 37 which are used by the animals. These are Panbari Corridor (377-380 km post<sup>6</sup>), Haldhibari Corridor (359 - 361 km posts), Kanchanjuri corridor (344 - 348 km posts) and Burapahar corridor (330 - 337 km posts).

**14.2.7** Joint physical verification<sup>7</sup> alongwith KNP Officials carried out by Audit revealed that-

- there has been largescale construction of dwelling houses, resorts/ dhabas with substantial spare land retained with guard wall, parking lots etc on the entire stretch of the NH.
- The portions of animal corridors on the NH being highland are also used by the animals for shelter during floods. Majority of the highland had been used for construction of houses, resorts/ dhabas.
- Hundreds of trucks were found parked in the parking lots/dhabas day and night.
- During the course of field verification, continuous construction efforts were also noticed on both the sides of NH 37.
- There are a number of crushers and brick kilns within 10 km of the boundary while some are within 1-2 kms. Some of the crushers and brick kilns were found located right on the animal corridors (Panbari animal corridor has a number of stone crushers and brick kilns). Interaction with the villagers near Panbari corridor revealed that due to running of the crushers, herds of



Map showing the points 1 and 2 between which physical verification was conducted while the red marks denote the animal corridors respectively from right Panbari, Haldhibari, Kanchanjuri and Burapahar corridors.

<sup>6</sup> In absence of GPS co-ordination, the park authorities had used the km posts located along the northern side of the highway which denotes the distance to Pancharatna (the starting point of NH 37).

<sup>7</sup> Of the entire stretch of 60 km from Burapahar to Bokakhat of NH 37 from point 1 to point 2 bearing GPS locations N 26° 34' 06.7" E 093° 02' 27.6" to N 26° 38' 27.6" E 093° 35' 39.7"



elephants which otherwise use the corridor, had stopped coming that way, of late.

**14.2.8** The following are the on-field photographs taken during the field verification.



Serially from left to right - (1) Parking of trucks on the animal corridor. (2) Human Settlement in additional areas. (3) New construction of dhaba just adjacent to Park boundary found during field visit. (4) Resort on Animal Corridor. (5) Parking lot on north side of NH37 adjacent to the Park. (6) & (7) Construction of wall along NH 37 blocking animal corridor and (8) & (9) continuous construction can be seen on both sides of the NH 37 (especially under Kaliabor Circle under Nagaon District).

**14.2.9** It was also observed that the Director, KNP in his letter of May 2014 to the Deputy Commissioner, Nagaon had also highlighted the above issue and stated that “it is seen on the ground that disproportionate land use change has taken place between Jakhalabandha and district boundary of Nagaon near Bagori in the form of commercial establishments, resorts, dhabas, parking slots for heavy vehicles etc. resulting into severe barrier effect between floodplains of Kaziranga and high grounds along NH 37 and hills in Nagaon and Karbi Anglong districts”.

**14.2.10** Further verification by the Audit team and interactions with various stakeholders revealed that there is constant mining activity on the Karbi Anglong Hills adjacent to the NH 37. This disturbs the natural movement of elephants which frequent the Hills from KNP and *vice-versa*. The ever-decreasing forest cover due to mining of stone from the hills coupled with the sound pollution from the



machineries used in mining operations force the elephants to enter human settlements damaging crops and houses of the settlers. This in turn gives rise to the claims for compensation which the KNP authorities had to entertain and settle.



Glimpse of hill cutting in Karbi Anglong on the South of NH 37

**14.2.11** From the results of the physical verification, interactions with wildlife authorities/ villagers and scrutiny of various correspondences, it would appear that uncontrolled and ever increasing construction/human settlements with urbanisation at places, commercial activities/mining had contributed to blocking majority of the stretch of NH 37 including the designated animal corridors (except some patches of Haldhibari and Burapahar). Non-declaration of the ESZ for such a long period of time had a direct bearing on such activities detrimental to the well being of the animals. The dangerous trend, if not checked immediately and permanently could lead to an irreversible impact on conservation and protection of wildlife with the potential threat that in case of a major flood, majority of the internationally acclaimed species – One horned Rhinos would be wiped out, forever.

**14.2.12** *The Department stated that there are some grey areas in this subject which had to be taken care of before the ESZ is notified. For instance, they pointed out the fact of management of the ESZ. It was also clarified that the matter is being sorted out through discussion with the GoI. While highlighting the difficulties regarding management of the 10 sq km area to be declared as the ESZ which is yet to be clarified and checking migration, the Department stated that a body named Kaziranga*

*Landscape Conservation and Development Authority had been proposed to be instituted which would have the mandate to deal with such issues.*

### **Recommendations (Biotic pressure)**

- *In view of the GoI directive of July 2013, a default area of 10 km from the park boundary may be declared as the eco-sensitive zone and action as per the points prescribed in the guidelines of GoI taken immediately.*
- *Construction of resorts/hotels without permission of the park authorities, change in the land use pattern of two Resorts by the Circle Office, Bokakhat and encroachment of Government land by resorts/hotels need to be investigated upon.*
- *The entire stretch of NH 37 from Burapahar to Bokakhat need to be freed from illegal encroachments and the dhabas, parking of trucks need to be cleared immediately. All constructions made on either sides of the NH along with validity of the people residing in these areas need to be examined in co-ordination with the Circle Offices Bokakhat and Kaliabor with reference to the land holdings, permissions etc and all illegal constructions/persons removed from the area within a fixed timeframe.*
- *Government orders banning parking of trucks, establishment of dhabas, construction without prior permission from KNP authorities along NH 37 from Burapahar to Bokakhat and mining activities in the Karbi Anglong Hills adjacent to NH 37 need to be issued immediately to prevent further urbanisation and disturbance to the wildlife habitat.*