

Forest Laws in the Context of Ecotourism

Ecotourism

- Responsible travel to **natural areas** -----
- All natural areas are treated as forests, with or without trees.

Forests

- Notified Forests:
- Deemed Forests

Forest Laws

- Indian Forest Act, 1927: Reserve Forests, Protected Forests
- Wild Life (Protection) Act, 1972: National Parks, Wildlife Sanctuaries, Tiger Reserves, Conservation Reserves, Community Reserves (Protected Areas or PAs).
- Forest (Conservation) Act, 1972: Restrictions on dereservation/clearing/assigning.
- The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. (Forest Rights Act 2006).
- State Laws

IFA 1927 and Ecotourism

- No reference to tourism in any form.
- Trespass in reserve forests is an offence.
- Concept of tourism or recreation as a forest product was not born.

Wild Life (Protection) Act 1972 and Tourism

- National parks and Wildlife Sanctuaries: “areas of adequate **ecological, faunal, floral, geomorphological, natural or zoological**” significance. No mention of natural beauty or recreational value.

(Yellowstone National Park is meant to be a “public park or pleasuring-ground for the benefit and enjoyment of the people” and, similarly, Yosemite was created “for public use, resort and recreation”).

- CWLW can permit entry into a national park or wildlife sanctuary for the purpose of:

(a) Investigation/Study

(b) Photography

(c) Scientific research

(d) Tourism

(e) Lawful business

(section 28)

National Tiger Conservation Authority (NTCA) and Ecotourism (WLPA 1972)

- Lay down normative standards for tourism activities and guidelines {section 38-O(c)} in tiger reserves.
- Tiger Conservation Foundations “to promote eco-tourism with the involvement of local stake-holder communities ----” {section 38-X(2) (a)}.
- Core areas of tiger reserves to be “**inviolable**” {section 38-V(4)}..
- NTCA has **power to intervene** in land use changes **any where** in the country {section 38-O(g)}.
- NTCA was trying to “phase out” tourism from tiger reserves and other PAs until 2012.

Forest (Conservation) Act, 1980 and Ecotourism

- No reference to ecotourism.
- **List of exempted activities**, i.e. those “relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire lines, wire less communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes”, **does not include ecotourism**.
- Government of India has sent out directives saying that **ecotourism is a “non-forest” activity** (at par with building dams, highways, industry etc.).

Forest Rights Act 2006 and Ecotourism

- Communities can claim neighbouring forests as “Community Forest Resource”(CFR) and get the “right to protect, regenerate or conserve or manage” such areas.

Sikkim	584,100	385,202	385,202	NA	-	0%	66%	66%
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- Critical wildlife habitats” of PAs to be “**inviolable**”.
- Ecotourism can be a tool to save CFR areas as they can provide incomes to communities without exploiting the forests.

Impact of forest laws on ecotourism

- Conflicting and confusing provisions. Individual whims rule the scene.
- Ecotourism can be allowed but it is not recognised as an objective of conservation of nature.
- Passive approach. No effort at mainstreaming.
- No investments in building in-house ecotourism expertise.
- No monitoring of impact.
- Emphasis on containment, not on promotion/refinement.



THANK YOU