



## Biodiversity Conservation and Indigenous People

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This article is based upon "**The Tragedy of Conservation**" which was published in The Hindu on 30 December 2020. It focuses upon the plight of the indigenous people of the Western Ghats and the poor implementation of the Forest Rights Act, 2006.

India has managed to conserve such a diversity of wildlife despite its large population and development challenges. The reverence that local communities have for Nature has been vital for the government's sustained success and other agencies' conservation efforts.

However, the government's conservation activities have created fear amongst the indigenous people for losing their existence in lands that they had inhabited for decades.

In this context, proper implementation of the Forests Rights Act, 2006 is required, as the Act envisages protecting the indigenous people's interests and balancing the right to the environment with their right to life and livelihood.

### Role of the Indigenous People In Conservation

- **Conserving Natural Flora:** The magico-religious belief of plants' tribal communities as a god and goddess habitat leads to their conservation in their natural habitat. Further, a wide variety of plants such as crop plants, wild fruits, seeds, bulb, roots and tubers are conserved by the ethnic and indigenous people as they have to depend on these sources for edible purposes.
- **Application of Traditional Knowledge:** Indigenous people and biodiversity complement each other.
  - Over time, the rural communities have gathered a pool of indigenous knowledge for the cultivation of the medicinal plants and their propagation.
  - These plants conserved are antidotes to snake bites and scorpion bites or even for broken bones or orthopaedic treatments.
- **Conserving the Sacred Groves:** India's ethnic people have played a vital role in preserving the biodiversity of several virgin forests and have conserved flora and fauna in sacred groves of tribals. Otherwise, these flora and fauna might have disappeared from the natural ecosystem.

## Plight of the Indigenous People

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- **Disruption After Designation of the Status of World Heritage Site:** The approach adopted to isolate the indigenous people from their natural habitats to protect biodiversity is the root cause of conflict between them and conservationists.  
This leads to an infusion of many outside people and technological equipment, which in turn disrupt the lives of the Indigenous people.
- **Lax implementation of the Forest Rights Act:** Many states in India have a dismal record in implementing the Forest Rights Act (FRA).
  - This can be reflected with the fact that states like Karnataka had recognised only 5.7% of the total claims made.
  - Further, the FRA's constitutionality has been challenged in the Supreme Court several times by various conservation organisations.  
One of the petitioners' key arguments has been that it is beyond the legislative competence of Parliament to enact the FRA as 'land' is a state subject.
- **Development vs Conservation:** Often, the combined stretch of land claimed by Indigenous people has been taken away for building dams, mining, laying railway lines and roads, power plants, etc.  
Moreover, forcibly removing tribal peoples from their land will only result in environmental damage and violate human rights.
- **Illegal Encroachment of Land:** The government records also reveal that 43 lakh hectares of forest land encroached legally and illegally until 1980 when the Forest Conservation Act came into force.

### The Forest Rights Act (FRA)

- A dramatic shift in the Indian conservation paradigm came in 2006 through the Forest Rights Act that went beyond sanctioning local usage, to conferring local communities' rights over forest land and produce.  
The Ministry of Tribal Affairs was mandated to operationalise the Act, while conservation remained under the Ministry of Environment, Forest and Climate Change.
- The Forest Rights Act (FRA) is legislation which aims to address the historical injustice that our forest-dwelling communities have had to face for nearly 150 years by providing them with the security of tenure over land for cultivation and habitation through individual rights.  
It also provides access to various resources through more than a dozen types of community forest rights.
- The FRA also empowers forest-dwelling communities to protect, regenerate, conserve and manage any community forest resource which they have been traditionally protecting and preserving for sustainable use.

- It has the provision for creating critical wildlife habitats within protected areas which currently is the most robust conservation provision among existing laws of the country.
- The FRA does not sanction any fresh clearance of forest, as individual rights over land will only be granted if the forest dweller owned that parcel of land on December 13, 2005.

## Way Forward

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- **Recognition of the Rights of the Indigenous People:** For preserving the rich biodiversity of the region, the recognition of the rights of the forest dwellers who depend on the forests is as important as the declaration of natural habitat as a World Heritage Site.
- **Effective Implementation of the FRA:** The government must make an effort to build trust between its agencies in the area and the people who depend on these forests by treating them as equal citizens like everyone else in the country.  
The FRA's loopholes have already been identified; all it needs is to work on amending it.
- **Traditional Knowledge of the Tribal People for Conservation:** The Biodiversity Act, 2002 mentions about the equitable sharing of the benefits arising out of the use and knowledge of biological resources with the local communities.  
Therefore, all the stakeholders should realise that indigenous people's traditional knowledge is a way forward for more effective conservation of biodiversity.
- **Tribals, The Forest Scientists:** Tribal peoples are generally regarded as the best conservationists, as they connect with nature more spiritually.  
The cheapest and quickest way to conserve areas of high biodiversity is to respect tribal peoples' rights.

## Conclusion

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As the indigenous people are integral to conservation as they relate with it in a more integrated and spiritual way, a sense of respect needs to be developed for the indigenous people; their presence helps in the conservation of biodiversity.

### ***Drishti Mains Question***

Discuss the role and challenges of the Indigenous People in the conservation of environment and biodiversity.