



Sushil Saigal

Community-conserved areas in India: opportunities and challenges

BACKGROUND

Community-conserved areas (CCAs)¹ are sites that are voluntarily conserved by local communities for a diversity of reasons including their biodiversity values, cultural significance, and ecosystem services. They may include natural or anthropogenic ecosystems and their management may be determined by customary laws or cultural traditions. Although CCAs are generally small compared to gazetted protected areas, they are disproportionately important because they derive from voluntary efforts initiated and managed by local custodians. They are also a manifestation of a deeper conservation ethic, which can be used as the foundation to catalyse wider conservation benefits.

CCAs in India have functioned largely in an informal manner, but changes in the legal ecosystem since 2000 have provided opportunities for greater recognition. These include the 2002 Amendment to the Wildlife (Protection) Act (1972) or WLPA, to include Conservation Reserves and Community Reserves; the Biological Diversity Act (2002) or BDA, which introduced the new legal category of Biodiversity Heritage Sites (BHS); and The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (2006) or FRA, which created the category of Community Forest Resource (CFR) rights.

Pre-existing state-level laws such as those creating *Van Panchayats* in Uttarakhand, the Nagaland Village

1 The term 'CCA' is informal in India, and is used here as a generic term to denote the concept of voluntary community-led conservation.

and Tribal Councils Act (1978) or NVTCA, confer forest management rights to village communities. Yet, both policy and implementation challenges have often prevented the opportunities created by these legal frameworks from being fully utilised for community-led biodiversity conservation.

The Nature Conservancy (TNC) supported a Working Group² to review the current status and assess the way forward for CCAs in India, including:

- ◆ Legal and informal frameworks for the establishment and support of CCAs;
- ◆ Enablers and constraints in effective community-led conservation;
- ◆ Policy changes that could enhance CCA establishment and management; and,
- ◆ Innovations (including financial) that could enhance the ability of communities to support biodiversity conservation.

The Working Group conducted this review for the states of Maharashtra, Tamil Nadu, and Nagaland, and used inferences from these analyses to develop national-level insights.

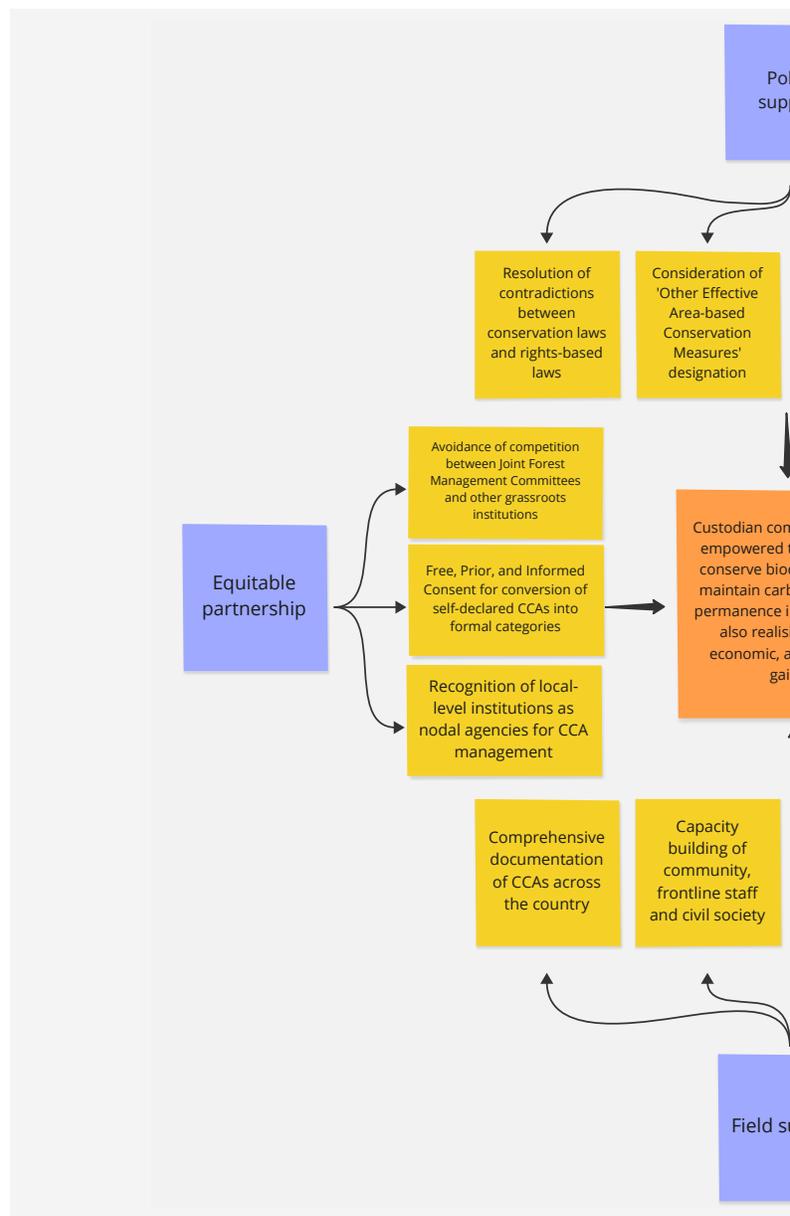
KEY INSIGHTS

1. CCAs in Maharashtra, Tamil Nadu, and Nagaland vary in their formal recognition; formally recognised CCAs vary in the law under which they are established

The level of formal recognition in the three states varies based on the prevailing sociopolitical conditions. In Maharashtra and Tamil Nadu, CCAs that have received legal recognition have obtained this mainly via CFR rights under the FRA. In both these states, numerous informal CCAs still exist outside of formal legal recognition (see table; the numbers provided here are indicative as comprehensive surveys are lacking). In Nagaland, the framework provided by Article 371A of the Constitution of India

CCA category	Relevant law	Maharashtra	Tamil Nadu	Nagaland
Conservation Reserve	WLPA (1972)	9	2	None
Community Reserve	WLPA (1972)	None	None	128
Biodiversity Heritage Site	BDA (2002)	5	1	0
CFR site	FRA (2006)	7,862	531	NA
Customary Laws or Informal	None	2,800	1,262	407

and NVTCA (1978) has provided opportunities for the declaration of CCAs (perhaps 38% of which may have now been declared as Community Reserves under the WLPA).



2 Comprised of Dr Ghazala Shahabuddin (Ashoka Trust for Research in Ecology and the Environment), Dr Pia Sethi (Centre for Ecology Development and Research), Ms Neema Pathak Broome (Kalpavriksh), and Dr Anita Varghese (Keystone Foundation).

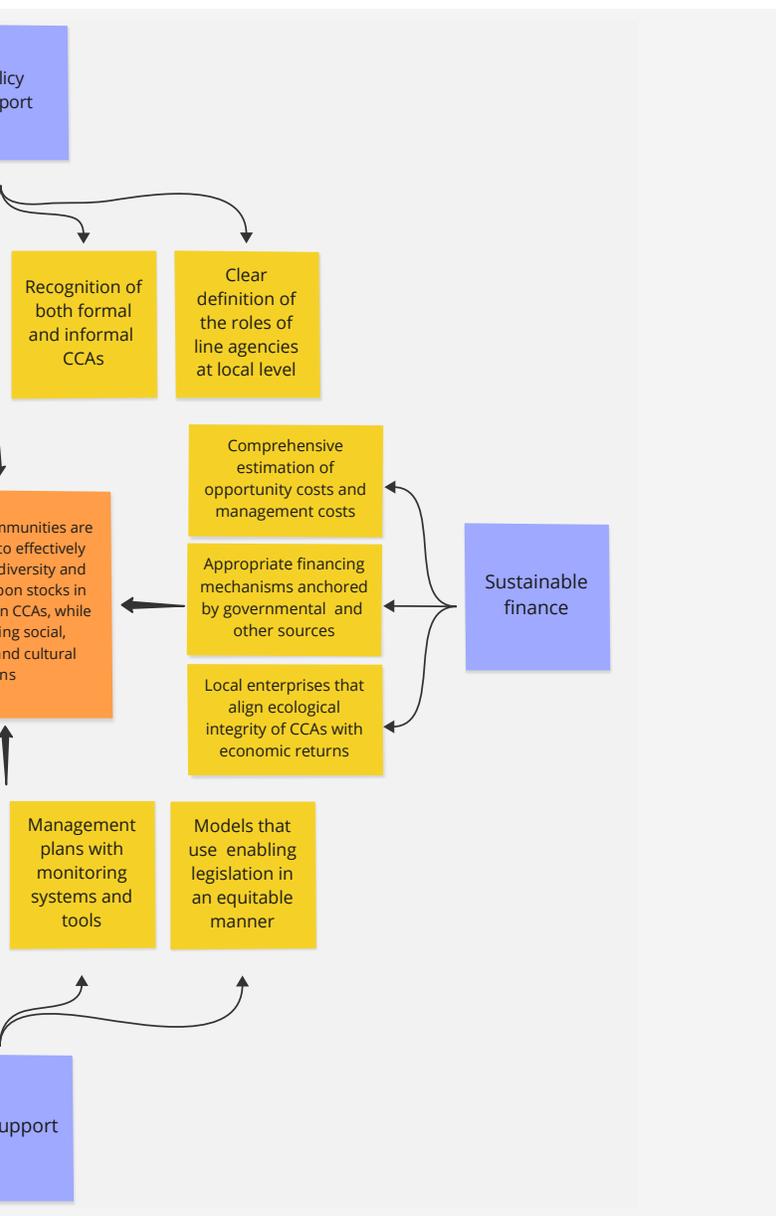
2. Conservation impact of established CCAs is variable, depending on factors related to local ownership and external technical support.

When legal recognition is conferred on sites where local custodianship is strong and where it strengthens this custodianship, improved management typically results. Local ownership requires a significant level of consensus among the community but is often driven by individual champions within the community. External technical support that helps communities to develop management goals consistent with their vision, define and prioritise activities towards these goals, and provide training and tools for

monitoring progress can enhance the efficacy of CCAs. Examples of such synergies, however, are relatively low. Technical support is often lacking, and management planning approaches are often top-down, resulting in inadequate management of CCAs.

3. Financial support to CCAs is typically irregular and small, thereby reducing the scope of management activities that can be undertaken.

CCAs typically do not receive the amount of funding that is needed for the implementation of management needs; these funds also do not compensate for the opportunity costs of land. As a result, several management plans developed by communities for CCAs are limited in their scope. Major funding sources for CCAs include various government schemes, corporate donations via Corporate Social Responsibility, social enterprises that add value to locally developed products, and multilateral projects. Guaranteed and secure sources of finances derived from established national sources are required for both formal and informal CCAs.



KEY FUTURE NEEDS

CCAs offer an opportunity to strengthen voluntary conservation measures put in place by local communities, and hence enhance pro-conservation actions more widely within society. They can enhance the integrity of the protected area network and also contribute to meeting India’s international commitments.

A series of changes from the policy level to the field can help bring out the full potential of CCAs. These measures should be founded on the principles of equitable partnership that involves the co-development of the vision, plans, and implementation systems among all stakeholders. Policy-level support may involve the greater alignment of laws or practices that may sometimes be contradictory. Field-level implementation will benefit from more robust work plans along with improved capacity. These activities must be underpinned by stable financial support from a variety of sources and supported by accurate cost estimates.

Ghazala Shahabuddin



The Gond people of Gadchiroli district, Maharashtra, have been able to create effective and sustainable CCAs due to the facilitative environment provided by the Forest Rights Act.

Pia Sethi



Patrolling a CCA: Abandoned shifting cultivation lands are often set aside as CCAs in Nagaland. Protection of customary practices and ownership of lands provided by Article 371A of the Constitution of India help buttress the creation of CCAs in the state.



Anita Varghese

A community conserved sacred site in Banagudi Shola, The Nilgiris, Tamil Nadu.

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