



WILDLIFE FIRST

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May 03, 2010

Dr Mahesh Rangarajan
Chairman
Task Force on Project Elephant

Dear Dr Rangarajan

Thank you for providing an opportunity to present our suggestions on policies and measures to secure a future for elephants.

Our specific suggestions based on the TOR are attached. We do hope that these are carefully analyzed and considered in your recommendations to the Ministry of Environment and Forests.

We will be happy to render any further assistance that the task force may require.

Sincerely

K.M. Chinnappa / Praveen Bhargav
Trustees



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SUGGESTIONS TO THE TASK FORCE ON PROJECT ELEPHANT

1. Summary statement:

Wildlife First, a member of the National Board for Wildlife has been actively involved in conservation of elephants in Karnataka. Wildlife First is headed by K.M. Chinnappa who has tracked elephants for decades and his lifetime effort has played a pivotal role in recovering elephant populations in the Nagarahole landscape.

Fragmentation of habitat and illegal hunting have been identified as two of the most serious threats to long-term survival of elephants. While measures to curb illegal hunting have been initiated, the focus on addressing the threat of habitat fragmentation through scientific landscape planning is unfortunately lacking. The necessary budgetary support to squarely address this challenge can be mobilized by the application of the 13,000 crore CAMPA corpus for de-fragmenting high priority elephant landscapes and creation of corridors through strategic land acquisitions.

Our suggestions on the specific issues listed in the terms of reference (TOR) include - new measures that need to be initiated, revitalizing existing systems and discarding policies that are inimical to the long term conservation of elephants.

2. Suggestions on specific issues outlined in the TOR:

Wild Elephants

2.1. The Committee shall recommend measures to strengthen elephant conservation in the country and keeping in view the Wildlife (Protection) Act, 1972 suggest amendments needed, if found necessary.

Notifications constituting Elephant Reserves are only administrative in nature to facilitate funding from Project Elephant. This is very similar to the status of Tiger Reserves prior to the 2006 amendment of the Wildlife (Protection) Act, 1972 [WLPA]. Other than the protection an area gets based on its status as a National Park, Sanctuary, Reserved Forest etc under WLPA, Forest (Conservation) Act, 1980 [FCA] or State Forest Acts, designated Elephant Reserves, particularly areas that do not form part of a National Park or Sanctuary do not enjoy a high degree of protection. Ecologically viable Corridors that have been scientifically identified too suffer from the same problem of lack of legal protection. As a consequence, developmental projects are sneaking into areas within sensitive elephant reserves.

Suggestions to notify such areas (corridors and non-PA areas) as Conservation Reserves under Section 36 A of the WLPA in our considered view, will not work. This is due to the fact that restrictive clauses like Section 29 or Section 35 (6) – *Destruction in a Sanctuary/National Park prohibited*, does not apply in case of a Conservation Reserve. Unless the status of a corridor and/or any other area (outside a notified Sanctuary/National Park or even a Tiger Reserve) intended to be designated as an Elephant Reserve is, at-the-least, accorded the status of a Sanctuary where Section 29 applies, protection against impact of development projects that have the potential of fragmenting corridors / landscapes permanently cannot be ensured. More importantly, such a notification will not affect the existing legal rights of local people. The Collector can, in consultation with the Chief Wildlife Warden (CWLW), allow the continuation of such rights under Section 24 (2) (c). This can be one option of providing legal status to parts of Elephant Reserves that are outside a notified Sanctuary/National Park or even a Tiger Reserve.

The second option of according legal status to an Elephant Reserve could be by way of amendments to the WLPA. In sub-section 24 A of Section 2 the words “*an elephant reserve*” can be inserted after the words “*a sanctuary*,” A new Section 34C may be inserted after sub-section (3) of Section 33B – “*Elephant Reserves – The provisions of 18 to 33B, 34 and 34A shall as far as may be apply in relation to an Elephant Reserve as they apply in relation to a Sanctuary*”.

The third option is to appropriately amend chapter IV B which is outlined in 2.2 of this note.

We therefore make the following specific suggestions:

1. Identify ecologically important (strategic) areas for elephants that are presently designated as Elephant reserves abutting/linking Sanctuaries, National Parks or Tiger Reserves and notify them as a Sanctuary.

2. All RFs in such strategic areas of designated Elephant reserves can be directly notified as a Sanctuary under Section 26 A by States without having to go through the process of 18 to 25.

2.2. The Committee shall devise an institutional framework for Project Elephant exploring and explaining the functioning of the same at the Centre and State level with the objective of ensuring that it receives the same impetus and is brought at par with Project Tiger

The recommendations of the Tiger Task Force led to the creation of the National Tiger Conservation Authority (NTCA), a statutory body under the Ministry of Environment & Forests. Appropriate amendments were made to the WLPA by introducing a new Chapter IV B titled “National Tiger Conservation Authority”. The provisions contained in the said chapter, *inter alia* provides for constitution of the NTCA, definition of powers and functions, constitution of a State level Steering Committee, power to State Governments for notifying a Tiger Reserve, creation of a Tiger Conservation Plan and Foundation, prohibition on diversion of Tiger Reserves/Corridors for ecologically unsustainable uses and restriction on alteration and de-notification of Tiger Reserves.

In order to achieve the stated objective outlined in the TOR, it is our considered view that Project Elephant should also, ideally, be made a Statutory Authority. Several elephant conservation issues, particularly those related to human-elephant conflict involve interface with other government agencies like the Railways, Electricity Boards, Agriculture, Revenue and Veterinary departments etc to evolve site specific solutions at a landscape level. A statutory authority, with powers to issue directions under sub-section (2) of Section 38-O of the WLPA, would be able to address these issues more effectively. Other softer options like creation of an autonomous body, society etc may not be the ideal response.

If the decision is to create a statutory authority, the following issues require careful consideration since creation of two separate authorities for tigers and elephants may lead to other problems -

- i. Almost 50 % of important Tiger Reserves are also strongholds of the Elephant;
- ii. More than 75 % of all Elephant Reserves also have tigers
- iii. Management objectives for both these conflict prone species viz. protection, habitat integrity, elimination/reduction of human pressures, impact of tourism, scientific management and monitoring etc will be common and interventions or investments made by a single authority after due analysis in such habitats will avoid duplication and overlap thus benefiting both species.
- iv. The implementing authority on-the-ground (at the level of Ranger and Deputy Director/DCF) will be the same irrespective of whether there are two separate or one common authority.

We therefore make the following suggestions:

- 1. A single statutory authority must manage both elephant and tiger reserves**
- 2. The present National Tiger Conservation Authority must be upgraded with the mandate of securing both tigers and elephants including their habitat through appropriate amendments to Chapter IV B of the WLPA**
- 3. This upgraded authority can be re-designated as the “National Elephant and Tiger Authority” (NETA).**
- 4. Alternatively, the scope of said authority can be made broader with a mandate to manage other critically endangered species as well and can be designated as the “National Endangered Species Authority” NESA.**

2.3. The committee shall identify, catalogue and define the elephant reserves and ranges at landscape level. The committee shall simultaneously develop a framework for preparing a long-term perspective plans for elephant ranges

Scientific opinion emerging from peer-reviewed research is very clear that habitat fragmentation is one of the most important threats to long-term conservation of large animals with vast home ranges like the elephant. Fragmentation also

aggravates human-elephant conflicts that are increasing all across the country in which the elephant is gradually losing out. While this issue has been recognized as an important threat, robust, proactive solutions to de-fragment elephant reserves and corridors through a slew of consolidation strategies including acquisition of critical corridors connecting large source populations have languished. Most of the multi-lateral aid institutions such as the World Bank, Japanese Bank for International Co-operation (JBIC) and DFID do not fund land acquisition/consolidation of PAs but are pumping in hundreds of crores for afforestation projects. Yet, CAMPA funds are being increasingly focused on afforestation / tree planting projects with little emphasis on land acquisition and habitat consolidation. This is all the more reason why the 13,000 crore rupees sovereign CAMPA corpus which has accrued from sacrificing and fragmenting some of our best habitats must be utilized for the vital purpose of securing habitats and corridors through consolidation and land acquisitions. The Supreme Court guidelines also allow for utilizing the funds for consolidation.

We therefore make the following specific suggestions:

- 1. Invest a large portion of the CAMPA corpus on consolidation of scientifically identified habitats and acquisition of land in critical corridors which will ensure long-term conservation of elephants.**
- 2. Initiate innovative policy changes and incentivize State Governments to secure and protect other forests and even government land which form important elephant corridors**
- 3. Identify all large developmental projects (Chamrajnagar- Mettupalyam railway, Gundia hydel, Bandipur highway, INO etc that are presently pushing for clearances through high priority elephant habitats and initiate measures to deflect them right now.**

2.4. The committee shall examine issues related to human-elephant conflict and recommend appropriate short-term and long-term solutions.

It is an established fact that elephants migrate in search of water and food. Therefore careful planning and field assessments are necessary to determine the location of old, existing water holes. Other than these, which in most cases may be the optimum, it is our view that new water bodies particularly on the edge of Reserves abutting agricultural fields must not be constructed since they act as magnets to draw elephants out which then raid crops in neighboring areas. This sets up a huge conflict situation and attempts to resolve it invariably involve creation of expensive physical barriers like trenches, rubble walls, power fences etc. Creation of too many water holes is also known to reduce calf mortality. Another issue that affects quality of elephant habitat is annual fires that are often set by cattle herders. This is a lose-lose situation for elephants since large numbers of cattle intrude and graze even in designated core zones greatly depressing the quality of habitat and availability of forage.

We therefore make the following specific suggestions:

- 1. Formulate guidelines to ensure that year-on-year funding is not granted by Project Elephant for creation of water holes.**
- 2. Carry out proper ecological assessments in high priority elephant reserves and initiate measures to determine the appropriate number and location of water holes. All large water holes at ecologically inappropriate locations on Reserve edges that abut agricultural land must be dismantled.**
- 3. Ensure that prevention of forest fires is accorded high priority for funding both recurring and non-recurring investments to substantially enhance capacities to counter annual forest fires.**

Captive Elephants

2.5. Creation of rescue centers

Creation of Elephant camps inside Wildlife Reserves have been shown to cause various negative impacts, including degrading of surrounding forests due to extensive lopping of vegetation by mahouts. Such camps also act as magnets for mahouts, support staff and their families and relatives to settle down, thus creating permanent human settlements and infrastructure even within core/critical habitat. Unlike in the past, there is a complete ban on timber operations in wildlife reserves and there is no need for working elephants. Furthermore, domesticated elephants invariably suffer from various diseases which, despite screening, may get passed onto wild elephants and other endangered species. While welfare aspects of a hundred odd domesticated elephants indeed need to be addressed, the long-term conservation interests of thousands of wild elephants, and other endangered species precariously surviving in Wildlife Reserves, and facing numerous threats, should not be jeopardized.

We therefore make the following specific suggestions:

- 1. Elephant rescue centers must not be set up inside National Parks, Sanctuaries and Elephant /Tiger Reserves.**
- 2. Large, well planned and equipped rescue centers with proper veterinary facilities must be created to ensure comfortable conditions for domestic elephants outside National Parks, Sanctuaries and Elephant /Tiger Reserves.**
- 3. Even existing elephant camps inside Reserves must be relocated outside with proper facilities**
