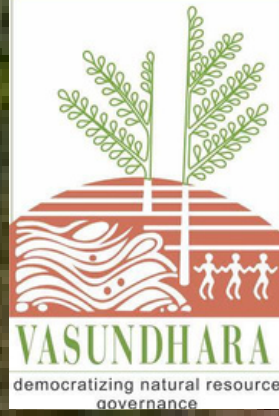


STUDY IN PROTECTED AREAS

**ISSUES RELATED TO PROTECTED
AREAS GOVERNANCE, LOCAL
LIVELIHOOD RIGHTS &
CONSERVATION**



DRAFT REPORT BY VASUNDHARA



BALUKHAND-KONARK WILDLIFE SANCTUARY

2006

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Studies in Protected Areas:

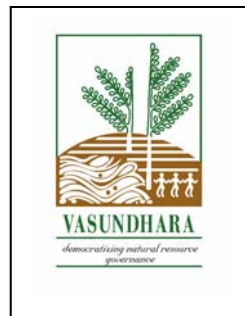
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Draft Report

Of

BALUKHAND-KONARK WILDLIFE SANCTUARY

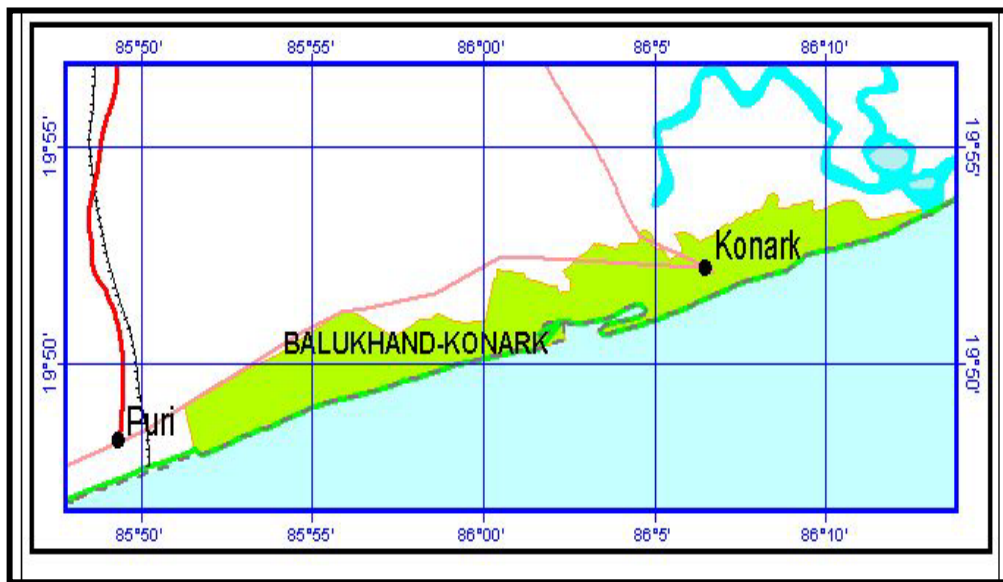
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Introduction

The Balukhand Konark Sanctuary stretching for an area of 71.72 sq km is located in Puri District between 85° 52' to 86° 14' longitude and latitudes 19° 48' to 19° 54' 85. Balukhand- Konark was declared as a sanctuary on 23rd April 1984 vide notification no. 9013 which was further revised on 1st September 1987 vide notification no. 15216. Though final notification has not been issued till date, it is being considered as Deemed Wildlife Sanctuary as per the provision laid down in 1991 amended Wildlife Protection Act. The Sanctuary comes under the administrative control of Puri Wildlife Division, Puri district.



Floral and Faunal Diversity

Balukhand-Konark Sanctuary is established on the sandy tract covered by plantation of casurina and cashew trees, along the coast between Puri and Konark. Apart from cashew and casurina plantation, Australian acacia, and eucalyptus plantation has also been done. Jamun, Ficus, Neem, Karanj, Polang trees are also found mostly along the course of the Khushabhadra and Nuanai river.

The region is famous for the occurrence of large no. of Black bucks and Spotted Deer. Stripped hyena, Jungle Cat, Jackals etc can also be spotted in the area. According to the villagers as the plantation cover became dense and luxuriant, the Black Bucks and Deer population were sighted in the area which increased in the due course of time. There is no authentic evidence as to where from these animals have migrated from, but it is

believed as the cover of the forest increased, it provided hide for the animals and the animals must have migrated from the adjoining Mal Reserve Forest.

Water Sources

The rivers Khushabhadra and Nuanai cut through the sanctuary and are major fresh water source for the adjoining villages.

Villages Adjoining the Sanctuary and their Interaction with the Sanctuary

There are 45 villages along the stretch of Balukhand- Konark Sanctuary. The villagers have been actively protecting the forests and wildlife of the Sanctuary. The good protection work of the villagers in preventing the poaching of animals has also led to the steady improvement of the habitat and wildlife of the said sanctuary, in which the main species are Spotted Deer and Black bucks. The DFO, Puri Wildlife Division, Mr. Sarat Mishra acknowledges that due to the active protection activities of the villagers, the number of Black bucks and Deer have increased significantly. According to him in the last census held during 2005, the number of Black Bucks recorded were around 110 and the number of Deer recorded were more than 2000. The good protection work done by the Committees has even been acknowledged for which the villagers have also received several awards, testimonials and certificates from the Forest Department and other Government Departments.

The cashew and casurina plantation was done by the Forest Department around 40 years back, much before the area was declared as Sanctuary. Initially the protection activities were not carried out in an organized way by the villagers. The drive of the people to protect the forest started, after the 1980-81 cyclone. According to the villagers, the 1980-81 cyclone was an eye opener for them. Due to the casurina plantation, the villagers felt that the impact of cyclone was highly reduced and then onwards they started protecting the forest. The attachment of the villagers with the forest, (specifically cashew), developed as the forest grew and the cashew trees were ready for the harvest. The protection activity started with a group of enthusiastic people like Benudhar Pradhan, Bhagirathi Babu, Okilya Swain etc who motivated the villagers to protect the forest patch adjoining their villages. The people even felt the importance of forest in their daily life as they could get fuelwood, wood for construction purposes (like doors, roofing) and even for occasions like marriage, festivals etc from the forest.

As mentioned earlier, the handful of people from neighbouring villages who took the initiative of forest protection activity formed the Sri Sri Belaswar Belabhoomi Bana Suraksha Samiti and elected Benudhar Pradhan as the President. The 90 years old but energetic man still stands high and holds the post of President till today. The history of

forest protection started as such in Balukhand area. Nearly 25 villages of the Balukhand area are a part of the Belaswar Belabhoomi Bana Suraksha Samiti. The respective village leaders are generally the representatives of their villages and the committee generally meets once in a month to discuss the developments and issues. Today the Committee is part of the Jungle Manch Federation, a larger forest protection group at the State level. Ironically though the traditional system has emerged out to be sustainable and strong enough in protection and management of the forest but the representation of the women in no where to be seen in this system. The Harijan community accepts that they are also benefited with the current developments (CEC order of cashew collection) which was possible due to the initiative taken by the Samiti members, but we observed that Harijans too do not have a say in the decision making process.

Further at the village level, Gramya Committees were formed which took up the protection activities. During the 80s, Gramya Committees in every village took up the protection activities in an organized way. 'Thengapalli', system was adopted by the Committee where group of people from every household have to go to the forest for protection on a rotational basis. Later the VSS were formed during 1992-93, but the *thengapalli* system continued

The Gramya Committee holds the strongest position amongst all the institutional set ups existing in the village and consists of group of elderly and respected people, persons having leadership qualities and attempt is to include members representing from different sections of the village and all the major decisions of the village are taken by the Gramya Committee in the village meetings, in presence of the entire village.

In lieu of the protection activities, the villagers have been collecting the cashew nuts from the Sanctuary. The cashew nuts were directly auctioned by the Forest Department and the VSS received some funds from the sale/auction of the cashew nuts, which was used for community welfare and other village developmental works.

Examples of activities undertaken in one of the (Bhuan) village

- Construction of village road
- Construction of tube well
- Construction of temple
- Construction of road in Harijan Sahi
- Repair of school building

While discussing the villagers said that the decision of activities to be undertaken was taken in the village meeting with common consensus of all the villagers.

The sale from cashew nut annually has been around **30 lakhs**. The auction of the cashew nuts has been stopped since the year 2002-2003, after the Supreme Court's order dated 14.2.2000

The VSS were dissolved in 1996 and the formation of Eco- Development Committees (EDCs) has been initiated in the area due to its sanctuary status. Till date 25 EDCs have been formed in different villages, in Balukhand- Konark area. In Balukhand area, 9 EDCs have been formed which comes under Puri Sadar and Gop Block of Puri District. The rest 16 EDCs are formed in Konark area.

List of Executive members of Bhuan village (Balukhand Area)

Kshetramohan Jena
Madhusudhan Routray (President)
Sudarshan Gochayat
Kuni Bhoi
Bhasilata Swain
Bhimasan Sethi
Sudarshan Muduli
Local Forester (Secretary)

The VSS was converted into EDC as per the norms of the WLPA and the Executive members of the VSS *suo moto* became the Executive members of the EDC. The villagers too agreed upon this decision and had no objection. Before the formation of the EDC, the forester and the range officer had conducted meetings in every village explaining about the dissolution of the VSS and the formation of EDCs. In most of the villages there was no change in the members of VSS and EDC.

The list of 9 EDCs in Balukhand area are as under:

Sl No.	Villages where EDCs are formed	Location
1	Gopalpur	Puri Sadar Block
2	Samagare	Puri Sadar Block
3	Baliguali (Panchayat)	Puri Sadar Block
4	Nagapatna (3 Mouza)	Puri Sadar Block
5	Beladala	Puri Sadar Block
6	Beleswarpatna	Puri Sadar Block
7	Bhuan	Gop Block

8	Badagaon (Panchayat)	Gop Block
9	Haingira	Gop Block

Eco Development Committees comprise of 7 members from the village (2 female and 5 male) and 1 Forester as the Secretary.

According to the villagers during the time when cashew nuts were auctioned, the villagers were engaged in the collection of the cashew nuts as wage labourers. Women and children of the marginalized and Scheduled Caste families and the landless families were primarily engaged in the collection activity and they used to get Rs 5 per tin of cashew. In a particular day they were able to earn around Rs 15/-.

Their monthly income rounded up around Rs 4500 to Rs 5000/- per family from the two months of cashew collection.

The order of the Supreme Court in IA No. 548, dated 14.2.2000, prohibited the removal of dead, diseased, dying or winds fallen trees, drift wood and grasses etc from any National Parks and Sanctuaries. The direct implication of this blanket ban order was the stoppage of collection of cashew nuts by the villagers, from the Sanctuary area, leading to the suffering of the people and the overall village developmental activities.

The collection of cashew nuts has been stopped from the sanctuary since the year 2002-03. However according to the DFO, Puri Wildlife Division, during the years 2002-03 and 2003-04, the quantity of cashew nuts collected were 953.37 quintals and 515.75 quintals respectively and these were seized and disposed off through TDCC. The revenue released and remitted to the Govt. are as under:

Sl. No		Year	Auction remitted to the Government (Rs)
1	Auction Sale of lots	2000-2001	30,74,200
2		2001-2002	34,00,900
3	Disposal of seized cashew nuts	2002-2003	18,79,242
4		2003-2004	19,32,344

Interim Application Filed in the Supreme Court

In response to the Supreme Court order, the local people of the Balukhand-Konark Sanctuary area have filed an Application No. 604 in the Supreme Court regarding the collection of the cashew nuts by the villagers from the Balukhand-Konark Sanctuary in Orissa in relaxation of the Hon'ble court order dated 14.2.2000 passed in IA No. 548.

Application was filed by Shri Benudhar Pradhan, President of Sri Sri Beleswar Belabhumi Banasuraksha Samiti, Balukhanda, Puri, Orissa State and the other villagers had also signed the application.

The main submissions made by the applicant are as under:

- i. that several villages which are located close to the Balukhand- Konark Sanctuary have been helping in protecting and maintaining the forest and wildlife of the sanctuary from 1996 to 2002 when the Van Suraksha Samities (VSS) were dissolved and Eco development Committees (EDCs) were set up
- ii. that because of good protection work done by these Committees in preventing poaching of animals there has been steady improvement of the habitat and the wildlife in the said sanctuary in which the main species found are Black Buck and the Spotted Deer.
- iii. That the villagers have been collecting the cashew nuts from the sanctuary and which are not consumed by the animals, in fact they are harmful to the animals. Besides being harmful, if the nuts are not removed there will be more regeneration of cashew plants which is not good for the sanctuary and the animals inhabiting it and
- iv. That as a result of the stoppage of the collection of the cashew nut from the sanctuary no funds from the sale/auction of cashew nuts have been received by the EDCs due to which their community development and other works has suffered.

The Orissa Forest Department supported the Applicant's Application and has observed that cashew plant being an exotic species, its nuts are not eaten by the wild animals. In fact they are harmful to the animals if they eat them. There are about 1,12, 245 cashew plants growing in the sanctuary and if the collection is stopped there would be profuse regeneration of these plants which will be detrimental to the habitat as well as to the wildlife of the sanctuary. On the other hand large quantities of cashew if not removed will lead to the entry of the unscrupulous elements which could not be prevented by the Department due to shortage of staff.

Further the removal of cashew nuts is also permissible under Section 29 of the Wildlife (Protection) Act, 1972, as it would help benefit the wildlife and habitat of the sanctuary. The said provision prohibits removal and commercial exploitation of any forest produce from any National Park and sanctuary but since cashew is a peculiar forest produce and cannot be used for the personal bonafide needs of the local people hence the Orissa Forest Department urged the CEC to relax the order of Hon'ble Supreme Court passed on 14.2.200 and authorize the Chief Wildlife Warden to issue necessary permit for the removal of cashew nut from the said sanctuary.

The Orissa Forest Department has definitely taken a positive move by supporting the community in front of the Supreme Court. The Application filed by the villagers under the leadership of Benudhar Pradhan was done under the guidance of Mr. Chhadda, the then DFO, Puri Wildlife Division. The legal collection of cashew from the sanctuary stopped from 2002-03, however according to the present DFO, during the years 2002-03 and 2003-04, the quantity of cashew nuts collected were 953.37 quintals and 515.75 quintals respectively which were seized and disposed off through TDCC. According to the villagers, the concerned authority of the FD can really bring a lot of difference if he/she exercises the power in the right direction and implementation of the laws and policies are done correctly. Villagers had the support of Mr. Chhadda and he directed them to take the move against the Supreme Court Order and has also helped them in all the stages of the proceedings of the case.

As per the adverse impact on the wild life, there has been no case of mortality of black bucks or deer population due to the consumption of cashew. Villagers also claim that there has not been total stoppage of collection of cashew and had the CEC not given its recommendation in the favour of the villagers, it would have led to serious implications both for the wildlife and the villagers.

After its observations, the CEC recommended that the Chief Wildlife warden, Orissa may be permitted to allow collection of cashew nuts by the villagers adjoining the Balukhand-Konark sanctuary through their respective Eco Development Committees under the supervision of the Orissa Forest Development Corporation Ltd. (OFDC) or the Tribal Development Corporation Ltd (TDCC). The sale proceeds should be utilized in improving the protection and management of the sanctuary and also for creating community assets through the EDCs in the respective villages on a pro rata basis.

The CEC recommendation came on 30th August 2005 and the orders of the CEC will come into force from the forthcoming season of cashew collection i.e April- May 2006.

Arrangement between the Forest and the Villagers after cashew collection was stopped

According to the villagers, after the auction was stopped in 2002-03, the villagers have been collecting cashew from the forest and selling them through their respective EDCs. The arrangement has been made in a manner that members from every household in a village are bound to watch and guard the forest on a rotational basis. During collection season also member from every household has to be involved in the collection process. Households reluctant to go to the forest for collection activity engage wage labourers

for the collection, however they have to be involved in the protection activity in order to have a share in the sale proceeds.

After the collection process is over, according to the arrangement 50 bags is given to the Forest Department, which the Department takes as revenue from the cashew nuts and the money is used for the overall development of the Sanctuary and the Wildlife. For the rest of the collection the sale of the cashew nuts is done through the EDC and the proceeds are equally distributed among the villagers, irrespective of caste, creed, rich and poor. The surplus money is deposited in the community fund (Kotha) and used for the development of common village asset or for some festivals or cultural programmes as decided in the village meeting.

The benefit sharing mechanism and institutional arrangement has been covered in the case study of Konark range which is more or less a reflection of the entire Balukhand-Konark range.

Since the collection and sale of the cashew nuts has been stopped in the sanctuary area, this has been the arrangement made by the villagers with the support of the Forest Department, (of the official records) keeping in view of the fact that if the cashew fruits are not collected from the sanctuary then it is going to have a negative impact on the wildlife and also on the health of the sanctuary.

While discussing the case with the DFO, he agreed about the ongoing cashew collection inside the sanctuary and said that on the records the department shows certain amount of cashew collected by the villagers as being seized by the Department as is disposed off through TDCC. The revenue remitted to the Government in the last two years has been shown in the table above.

Such type of an arrangement though not on legal lines has served not only the benefit of the poor people but also the wildlife and Sanctuary.

Department acknowledges the role and efforts of the local people in the protection of the forests of the area, hence is supportive of their activities. The case of Balukhand – Konark Sanctuary stands out to be an exemplary case towards co-management in the Protected Areas.

In Orissa, Balukhand-Konark sanctuary stands out as an exemplary case, where

- The communities have got their rights of cashew collection and more important is that the FD has supported them in their struggle.

- Department acknowledges the fact that communities have been actively protecting the forest in and around the sanctuary and there has been no incidence of poaching or man animal conflict as of now
- The activities undertaken for the sanctuary development is carried out in consultation with the respective villages.

Further it definitely reflects a case of co-management, but there still is space left where both FD and the communities can coordinate and work together for better management of the sanctuary.

CASE STUDY

Karamanga Shindapur Eco Development Committee: Formed in the year 2005, this EDC falls under Konark Range and is comprised of 5 villages viz Karamanga, Shikandpur, Hathipada, Mallikasahi and Balisahi. The EDC consists of 7 members as the Executive Body. Following the norms of EDC, the Executive Body consists of 2 women members, 1 member from the SC/ST community and 3 from the General category. The Forester is also the member of the Executive Body and holds the post of Secretary. Mr. Bhimsen Nayak is the President of the EDC. The election of the President is done by the General Body of the EDC. The General Body of the EDC consists of 1 male and 1 female (generally husband and wife) from each family/ household in the village. The General body meets once in a month to discuss the issues and development of the sanctuary and village.

The villagers have been protecting the forest since the last 10 years and because of good protection work done by these Committees in the protection of the forest and preventing poaching of animals there has been steady improvement of the habitat and the wildlife as a result of which the population of Black bucks and Spotted Deer has increased. Because of the increase in the population, there are incidences of animals entering the villages and destroying the crop leading to crop loss. To counter such incidences, in the last 8-10 months the Forest Department has done 25 acres of grass plantation in the Konark Range area and has also planted pulses like 'Kolatha', 'Muga' etc for the feed of Black Bucks and Spotted Deer. The Department has also dug 4 ponds in the Konark range of the sanctuary which has water round the year for drinking purpose of the wild animals. Such initiatives have reduced the animals entering the village and destroying the crop in the Konark area. But in Balukhand area, the incidences of crop failure by the animals are increasing every day and steps have to be taken to counter the problem. The villagers consider the Black Bucks as auspicious and hence do not cause any harm to the animal even if they have to bear the crop loss. But the Department must immediately take steps in Balukhand area to compensate for the

crop loss and also adequate measures should be taken to increase the habitat of the wild animals and development of natural meadow for the feed of the animals.

In lieu of the protection activities, the villagers have been collecting cashew nuts from the forest patch protected and maintained by them. Earlier to the Supreme Court order of 14.2.2000, the Forest Department directly auctioned the cashew nuts. It was due to the good understanding between the villagers and the FD, that the private traders were not encouraged in the bidding process and the contract was generally given by the FD to the respective VSS which was involved in the protection and collection activity. The sale proceeds were used for the community welfare and village developmental works. The auction of the cashew nuts has been stopped since the year 2002-2003, after the Supreme Court's order.

In response to the Supreme Court order the local people of the Balukhand Konark area had filed an Interim Application in the Supreme Court under the leadership of Benudhar Pradhan, President of Sri Sri Beleswar Belabhoomi Bana Suraksha Committee regarding the collection of cashew nuts from the sanctuary area. The Central Empowered Committee gave a positive recommendation on 30th August 2005 allowing the collection of Cashew from the sanctuary through the Eco Development Committees.

The order of the CEC was handed over to the villagers by the Forest Department on 30th April, 2006. The villagers started collection of cashew from the 6th of May 2006. Prior to this the EDCs were formed in the respective villages and the collection activity is carried out through the EDCs as per the CEC recommendations.

There has been no incidence of conflict regarding the patch of forest area from which different villages collect their share of cashew. There is a clear demarcation of the forest patch protected and managed by different villages and they collect the cashew from the patch protected and managed by them. If ever there are any stray incidences of conflict between two neighbouring villages, it is resolved by mutual understanding between the two villages and the decision is taken in the General Body meeting of the respective EDCs.

Initially when the villagers started the forest protection activities, they adopted the *thengapalli* system, but nowadays after the formation of EDC, the villagers have appointed 6 persons as 'forest guards' or watchers selected by the General Body from the different villages constituting the EDC. The selected people are completely engaged in forest protection activities round the year and are paid a monthly salary of Rs 1500/- (i.e. Rs 50 on a daily basis). The payment to the watchers is done from the community fund.

The collection of cashew has started from 6th of May this year after the villagers received the copy of the CEC order. The collection season is generally for 2 months from May to June and this year the collection season is expected to last till the 2nd week of June.

During the two months of collection season, the villagers involved in the collection activity get Rs 50/- per day. It is generally the Scheduled Castes and the marginalized families in the village who are involved in the collection activity. The collection activity starts from 7.30/8 am in the morning to 4/5 pm in the evening. In the initial period of collection, the collectors are able to gather 20-25 kgs of cashew per day. But gradually towards the end of the collection season, the amount decreases to 5-7 kgs per day. The collection amount on a particular day also depends on the weather condition. During rains and windy condition, the cashew seeds (both ripe and unripe ones) usually fall down leading to reduced collection on the following day. The untimely rains also spoil the harvest as it leads to the sprouting of the seeds which has no value in the market and the villagers have to suffer the loss.

The cashew collected by the people is deposited in the depot where the collected amount is weighed and payment is done. Every EDC has a depot nearby their forest patch, where a group of people as selected by the villagers are involved day and night in the drying, packing and guarding of the collected seeds during the two months of collection season.

In the Karamanga Shikandpur EDC, 40 persons are working in the depot and they are paid Rs 50/- on a daily basis. At least 10 persons, including the watchers, reside in the depot during the two months of collection season. Food is cooked for 10-20 people everyday in the depot and all these expenses are borne from the community fund. The amount spent from the community fund is duly maintained in the register and the entire budget is presented in the village meeting and scrutinized by the villagers. The amount spent from the community fund is refunded back from the sale proceeds of cashew. After this only the rest amount is kept aside for sanctuary and village development.

Institutional Arrangement & Benefit Sharing

Each EDC estimates the amount of cashew nuts that would be collected during the forthcoming year and accordingly quotes the amount to be deposited in the Range Office. The price of the estimated amount is calculated based on the market price of the cashew and the calculated amount is deposited in the Range Office in the form of bank draft as security deposit. Once this is done the EDC starts the collection activity.

This year the Karamanga Shikandpur EDC has quoted to deposit 130 quintals of cashew nuts. The EDC has deposited an amount of Rs 351000/- approx in the form of bank draft based on the market price of Rs 2700/- per quintal of cashew. Last year the market price was Rs 4100/quintal of cashew. After the estimated amount is deposited, the bank draft is handed over to the EDC. If due to any reason, the EDC could not deposit the estimated amount, the loss has to be borne by the villagers and the amount has to be paid from the community fund.¹

Once the cashew nuts are deposited in the Range Office, according to the CEC order, it should be disposed off through TDCC or OFDC. The sale proceeds received would be deposited in the joint account of President and Secretary of the respective EDC. The sale proceeds should be utilized in improving the protection and management of the sanctuary and also for creating assets through the EDCs in respective villages on a pro rata basis.

According to the villagers, the profit earned per quintal of cashew is around Rs 3000/-. The labour cost (collection, drying, packing etc) for 1 quintal of cashew comes to around Rs 800/- which is spent from the community fund initially. From the profit of Rs 3000/quintal, Rs 800 is first deposited in the community fund which was utilized for the collection of cashew and this forms as cushion money for the coming year. From the rest of Rs 2200/-, half of the money i.e. Rs 1100/- is kept aside for the development of the sanctuary which is done in consultation with the Forest Department. The rest Rs 1100/ is spent for the village development. The decision for any sort of village developmental activity is taken in the village meeting. Generally each village has various committees like Harijan Sahi committee, Youth committee, Puja committee etc, which put forth their requirements and demands in the village meeting and it is with the common consensus of all the villagers, the activity to be taken up is decided. If the villagers feel that there is no need of development of common asset in the particular year then the amount is equally divided among all the villagers or kept in the community fund as per the decision taken in the village meeting.

¹Such a condition has not arise till date but this year the villagers feel that the collection is going to be less due to the untimely rains which has led to the sprouting of the seeds. The villagers have decided to ask the Forest Department to look into the matter and compensate for the loss of the harvest. An emergency meeting of the EDC would be called to decide about the further action to be taken.

