

GOVERNMENT OF KERALA

Abstract

Forest and Wild Life Department-Kerala Forestry Project- Conditions for negotiations- Issuance of operational guidelines for implementation of the Eco-development programme in Kerala- Orders Issued

FOREST & WILDLIFE (E) DEPARTMENT

G.O.(Ms) 9/98/F &WLD

Dated, Thiruvananthapuram, 20 1.98

Read: (1) Letter No. PC 658/97 dated 27.12.97 from the Chief Conservator of Forests (World Bank Project), Thiruvananthapuram.

ORDER

One of the conditions for negotiations for the Kerala Forestry Project proposed to be implemented with the World Bank aid include issuance of the operational guidelines for the implementations of eco – development programme. The Chief Conservator of Forests (World Bank Project) has forwarded the draft guidelines for approval of Government. Government have examined the proposal and are pleased to approve the operational guidelines, for the implementation of the eco-development programmed in Kerala.

The operational guidelines are appended to this Government Order.

(By Order of the Governor)

G. LEELA

Deputy Secretary to Government

To,

The Principal Chief Conservator of Forests, Thiruvananthapuram
The Chief Conservator of Forests. (World Bank Project) Thiruvananthapuram
The Accountant General (Audit) (A &E), Thiruvananthapuram
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Sd/-
Section Officer

OPERATIONAL GUIDELINES FOR IMPLEMENTATION OF ECO DEVELOPMENT PROGRAMME

1. BACKGROUND

The Protected Areas (PAs) in Kerala, as elsewhere in India, exist as islands amidst the sea of humanity. The PAs are recognised as repositories of biological diversity of an area and they are therefore created for the basic purpose of conservation on biodiversity, However the people living in an around PAs depend upon the PA resources for their substance often having negative impact upon the park resources. On the other hand, the creation of PAs also affect local communities by restricting their access to the PA for collection of various forest produces and by causing damage to the life and property of local people by wild animals living in the PAs. Therefore, Ecodevelopment is envisaged as a strategy of PA management to address PA- people issues for reducing the negative impact of people on the PAs. The strategy seeks to incorporate local people in planning, management and protection of PAs to achieve the objective of biodiversity conservation. An arrangement of participatory planning and implementation through Ecodevelopment programme would provide incentives for biodiversity conservation and support sustainable alternative to unsustainable use of PAs resources

2. GOAL

The overriding goal of implementation of Ecodevelopment programme in the State of Kerala is to improve the conservation of biodiversity in PAs (Wildlife Sanctuaries and National Parks) and to enhance people's participation in PA management

3 OBJECTIVES

The specific objectives of Ecodevelopment programme are as under.

1. To reduce negative impacts of the local people on the PAs and PAs on the local people.
2. To enhance the acceptability of PAs by the local communities
3. To improve the standard of living of village communities by developing alternative subsistence and income generation opportunities
4. To involve local people in planning, implementation, monitoring and evaluation of the Ecodevelopment
5. To improve participation of local people in the management of PAs and biodiversity conservation.

4. STRATEGIES TO MEET THE OBJECTIVE

The strategies are based on the principle that involvement of local people in planning and management of PAs will encourage collaboration between the KFD and local communities, address the welfare and behavioural issued of local people and integrate their concerns into management of PAs. Investments in the Ecodevelopment programmes would be site specific based on local level participatory planning process. The investments would be facilitated by reciprocal agreements between the local people and the KFD to conserve PA resources. The broad strategies for meeting the objective will be.

- 1 Identification development and implementation of feasible and sustainable alternatives to unsustainable use of PA resources.
- 2 Emphasizing on indigenous knowledge for economic development by promoting local skills and developing local enterprises for income generation.

- 3 Adopting site specific micro level planning through participatory means and adopting conflict resolution measures
- 4 Ensuring community ownership of the design implementation, cost sharing, benefit distribution and monitoring and evaluation of the eco-development programme through participation of stake holders and NGOs.
- 5 Extending conservation education programmes among the local communities
- 6 Coordinating activities of other Rural development Agencies in Ecodevelopment programme.
- 7 Reducing the pressure of fuelwood small timber etc, by harnessing non-conventional energy sources through development of community fuelwood plantation and encouraging use of non- wood alternatives
- 8 Enhancing fodder availability in the area and reducing the grazing pressure by promoting silvipastoral plantations and pasture development mostly outside the PA, promoting stall feeding reducing livestock populations, improving livestock breeds etc
- 9 Creating job opportunities preferential to the locals particularly people dependent on the PAs.
- 10 Improving Non wood Forest Produce (NEFP) and encouraging scientific collection and processing.

5. CRITERIA FOR SELECTION OF THE HAMLET/PLANNING UNIT

Ecodevelopment programme will be introduced in a phased manner. It would operate at the level of a single village or hamlet or settlement comprising of approximately 50 families, members of which will constitute an Ecodevelopment Committee (EDC). However, maximum number of families for each Ecodevelopment planning unit shall not exceed 80. The EDC shall be selected based on the following criteria:

- Bio diversity importance of the PA/ portion of the PA
- Level of dependency of the Village/hamlet/ settlement on the PA resources.
- Degree on impact of the restrictions imposed by the PA
- Proximity of the village to PA boundary
- Threats to the PA resulting from rural subsistence dependencies
- Resources availability for practising eco development programme.

6 CRITERIA FOR VILLAGE ECO DEVELOPMENT INVESTMENT

The criteria for Ecodevelopment investments would be based on the following.

- The investments should be able to reduce negative impacts and increase positive interactions between the people and the PA managers
- The investment ensure that sharing of benefits would help in mitigating the negative impacts of the PAs on tribals, women and the disadvantaged groups.
- The investments would create additional assets and resources for the village community needs.
- The investments should be technically and financially feasible, socially acceptable and environmentally sound.
- The programmes are acceptable to the village communities

7 ACTIVITIES UNDER ECO-DEVELOPMENT PROGRAMMES

The main activities to be included under the Ecodevelopment programme are:

- Activities directly enhancing the protection regeneration and productivity of resources in PAs

- Activities outside PAs for improving the productivity of agriculture lands, horticulture, sericulture, apiculture, cottage industry, low impact tourism and development of alternative income generation programmes.
- Activities which support sustainable alternative to unsustainable use of PA resources.

8. CONSTITUTION OF THE ECODEVELOPMENT COMMITTEE

- A general body meeting (GBM) will be convened in the target hamlet.(or approximate 50 households) by an officer not below the rank of Forest Range Officer (RO). The quorum for the meeting shall be representation of adult members from at least 50% of the households in the hamlet/settlement.
- The concept “ Ecodevelopment will be explained by the convenor of the meeting. The convenor of the meetings along with a core microplan support team comprising of PA personel, collaborating NGO and villagers, shall hold series of participatory meetings with the community groups as well as separate meetings with women groups and deprived sections.
- After taking the views of the community groups and with their concurrence, an Ecodevelopment Committee (EDC) shall be formed. Every members shall register his/her name with RO/Assistant Wildlife Warden(AWLW). Any two adult members shall represent a participating household and one of them shall be a woman. Every participating household in the area shall be member of the EDC.

Formal recognition in writing will be communicated to the EDC by the Wildlife Warden (WLW) concerned on getting the report from the RO/AWLW. Only recognised Committees are entitled to Participate under the Rules.

9. DUTIES AND RESPOSIBLITIES OF VILLAGE ECODVELOPMENT COMMITTEE (EDC)

1. The GBM of the EDC shall be held one in every three months to review the activities and responsibilities of the Executive Committee (EC).
2. The Member Secretary of the Executive Committee (EC) will convene the GBM which will be presided over by the President of the EC.

The members of the EDC individually and collectively shall;

Participate in microplan preparation and implementation

Ensure the protection of the sanctuary/park against trespass, encroachment, grazing, fire, theft of forest produce, poaching, gunja cultivation etc and participate in the activities concerning park management

Carry out Ecodevelopment activities in accordance with the approved microplan, Further, collaborative or cooperative Ecodevelopment activities would be managed by the committee

Agree to contribute a minimum of 25% of the investment costs of the activities of the village Ecodevelopment programme as an expression of the people to commit themselves for participating in the programme. Investment cost sharing has to be in the form of direct contribution of cash, labour or physical resources.

In the case of activities benefiting individuals, the EDC shall have the liberty to decide a higher contribution (over & above 25%) from the beneficiary. The nature of assistance to the individual beneficiary including the loans and the schedule of repayment shall be decided by the EDC.

Agree to share benefits directly accruing out of community oriented village ecodevelopment activities and to share the usufructs from the assigned areas in lieu of their participation to conserve biodiversity of the PA.

- a) Agree to involve themselves in making villages/settlements aware of the importance of nature conservation, sustainable development and utilisation of natural resources.

10 POWER OF THE EDC MEMBERS

Apprehend forest/ wildlife offenders and hand them over to the authorities concerned for taking appropriate action as per the existing Acts and Rules.

In such cases the forest official concerned shall inform back the action taken to the EC.

11. COMPOSITION OF THE EXECUTIVE COMMITTEE (EC)

Every EDC shall have an EC whose tenure shall be for two years. The composition of the EC shall be as follows.

There shall be 7 elected representatives of which 3 shall be women members. There shall be proportional representation from SC/ST families in the Committee subject to atleast one member from SC/ST families if the hamlet includes such families

The members of the EC will elect the President of the EC. The term of the President shall be co-terminus with that of the EC. 50% of the members of the EC shall constitute the quorum. The term of the EC will be for 2 years.

The RO/AWLW shall be the Returning Officer for the election of members of the EC in the GBM of the EDC.

The EC shall also have:

- One Forester as Ex- Officio Member Secretary.
- One representative of the local NGO as Ex- Officio Member
- The total Panchayat member as Ex- Officio Member.

The Panchayat member, the forester and the representative of the NGO shall not have voting rights.

The Ex- Officio Member secretary shall call the meeting of the EC in consultation with the President and shall record and maintain the minutes of the meeting.

The EC would open two accounts in the nationalised banks namely village Ecodevelopment Fund and Core Fund which will be jointly operated by the nominee of the EC, and the Member secretary of EC

The approval of the Divisional Forest Officer (DFO/ Wildlife Warden (WLW) is mandatory for the EC

12 FUNCTIONAL OF EXECUTIVE COMMITTEE (EC)

- I. The EC will be constituted through election at the commencement of and at the end of every term (two years) by the RO/AWLW who will be the returning officer for such elections.
- II. The EC will meet at least once in a month
- III. The EC shall be responsible for the satisfactory implementation of various activities assigned under the Village Ecodevelopment Micro plan.
- IV. The Member Secretary shall be responsible for convening the meeting and maintaining the record of proceedings. He shall send one copy of proceedings to the RO/AWLW to keep him informed and obtain necessary

- guidance. The record of proceedings need to be maintained in duplicate, ie one copy with the member
- V. The EC shall be responsible for preparation of annual work plans in accordance with the schedule of expenditure provided in the microplan.
 - VI. The Member Secretary of the EC shall perform the duties of the treasurer of the EC in maintaining accounts of the Village Eco-development Fund and Core Fund. The accounts need to be maintained in duplicate, ie one copy with the member Secretary and the other with he President
 - VII. The Member Secretary shall open separate accounts for the Village Eco development Fund and Core Fund. Withdrawal of the funds would be made by cheques jointly signed signed by the Member Secretary and a nominee of the EC.
 - VIII. The EC shall oversee the collaborative Ecodevelopment activities.
 - IX. Initially, an advance payment not exceeding Rs. 50,000 would be made to the EC for the authorized expenditure's indicated in the micro plan for a period three months by WLW. Necessary indents will be submitted by the RO/AWLW to the WLW and the payment will be given by cheque to the EDC Bank Account. Subsequent payment shall be made on the basis of reimbursement against actual expenditure.
 - X. Monthly expenditure statements with the physical progress and the names of the beneficiaries shall be submitted to the WLW by the Member secretary of EC
 - XI. All community accounts should be subject to regular inspection by the RO/AWLW with the assistance of collaborating NGOs. Six monthly inspection by the WLW and annual auditing of the Village Eco development Accounts are mandatory

13. FUNCTIONS AND RESPONSIBILITIES OF FOREST DEPARTMENT

- 1 The PA management shall provide necessary funds for Ecodevelopment activities on the basis of approved microplan and shall provided umbrella assistance to the EC
- 2 It will jointly prepare and implement the microplan
- 3 The PA management shall transfer the skills of sound habitat/wildlife management practices to the members of the EDCs and guide EDC members in implementation of the microplan.
- 4 The WLW shall coordinate the implementation of the programmes with the required checks and controls for the smooth and satisfactory functioning .The AWLW shall prepare necessary estimates in consultation with the president and members of the EC for the works provided under the annual workplan and submit the same to the WLW for sanction.

14 INVESTMENTS UNDER THE ECODEVELOPMENT

The total cost of investment under the programme would not exceed Rs .10,000 (Rupees ten thousand) per household with a maximum of Rs. 5,00,000/(Five lakhs) per village or planning unit. In addition an amount of Rs 500/-(five hundred) per household will be set aside, with maximum of Rs 30,000/(thirty thousand only) per village or planning unit as a preinvestment (during micro planning) to establish credibility.

15 CONTRIBUTION OF MEMBERS OF EDC

All the participating members in the programme have to contribute at least 25% of the Ecodevelopment investment in cash, kind or labour. For individual beneficiary

activities, the EDC shall endeavour to get contribution over and above 25% by evolving suitable modalities such as loan facilities etc.

16 CREATION OF VILLAGE ECODEVELOPMENT FUND

The Village Eco development Fund would be jointly operated by the nominee of the EC, and Ex- officio Member Secretary of the EDC through a nationalized bank. Inflows to this account will include the cost of investment under the eco development microplan to be provided by the KFD. The Ecodevelopment activities as per the microplan will be carried out from this fund.

17 CORE FUND

For sustaining the Ecodevelopment programme even after the end of plan period. A Core Fund will be created in each Ecodevelopment village/settlement. Inflows to the Core fund will be from the following sources.

1. Beneficiaries should contribute to the Core Fund a least 25% of the cost made by individual beneficiaries depending upon nature of the activity. In such cases, EDC shall decide the modalities/ repayment schedule.
2. The value of the voluntary labour/material put in by the members of the EDC by way of their contribution in the eco development activities
3. The beneficiaries, generating income out of the assets provided to them under this programme shall contribute to the Core Fund @ 1.5% of their daily income. (not less than Rs. 10 per month).
4. 25 % of the benefits accrued to the EDC through sale of NTFP from the earmarked area.
5. Social and Rural banking interest accrued, if any

18. SAFE GUARDING INTERSTS OF THE PA AND THE COMMUNITY

If any member of the EDC is found indulging in acts against the forest and wildlife laws, microplan or village interests, such member shall be debarred from the EDC by the RO/AWLW after taking into consideration the recommendation of the EC. In such cases, the appeal shall lie with the WLW.

If any conflict arises in the EDC, the DFO/WLW shall take step for resolution of the conflict. The DFO/WLW for sufficient reasons to be recorded in writing may supersede the EC or EDC. An appeal against such orders shall be made to the Conservator of Forests (WL)/ the Field Director.

19. REGISTRATION OF ECODEVELOPMENT COMMITTEE UNDER CHARITABLE SOCIETIES ACT

The RO/AWLW shall register the EDCs under Travancore Cochin Literacy, Scientific and Charitable Societies Act of 1955 within the frame work of guidelines issued herein during the third year of the programme with a view to ensure continuity of the EDC functions after the project period. The Ex- Officio Member secretary and the RO/AWLW shall continue to perform their duties and responsibilities under these guidelines for a further period until the termination of the EDC or the EC by the Conservator of Forests (WL)/ the Field Director.

20. SHARING MECHANISM

The objective of Ecodevelopment planning and implementation is to gradually wean people away from the PA resource use. Therefore, compensatory and substitutory livelihood

programmes will be developed in a participatory mode to support sustainable alternatives to unsustainable use of PA resources. Till such time the eco development activities start yielding the required benefits, the EDC members depending upon the bonafide needs will be allowed to collect certain forest produce from the identified zones in the PA as per the microplan prescriptions and shall be regulated as under.

A Fire wood

The bonafide needs of EDC members for fuelwood shall be met from dried wood. Fallen twigs, lops and tops available from specified area. No standing grown whether live or dead, shall be cut.

B Fodder

To discourage grazing within the PA and to encourage the practice of stall feedings, removal of fodder by EDC members under a cut and carry system will be permitted from assigned areas on a rotational basis as indicated by the park management and discussed in the microplan.

C. Non Wood Forest Produce (NWFP)

Collection of NWFP by the EDC members having identify cards will be allowed outside the core area of the PA. The EDC members shall be educated to practice scientific methods of collection. All such removals of produce will be based on silvicultural principles and will not exceed the specified quantities and items indicated in the microplan.

21 MICROPLANNING

Participatory Rural Appraisal (PRA) or other appropriate participating techniques would be used to develop active participation and commitment of local people in determining mutually agreeable investment priorities and arrangements for implementation if the eco – development programme. These PRAs would be specifically tailored to focus on the mutual interactions between people and the PAs and the resolution of such interactions. The objective of the PRA is to find mutually agreed solutions to mitigate negative mutual impacts and that such actions will result in measurable improvement to biodiversity conservation.

In making a microplan, an assessment would be made of the resources or incomes presently derived from the PA, the location and distribution of the resources, the seasonality of supply and demand and the beneficiaries

The plan would include community suggestions for alternative ways of providing resources and incomes, define indicators of success and agreed means of assessment, identify inputs and activities to be provided by the project and alternative source of financing, define arrangements for co-ordination inputs and agreements for benefit sharing and access to resources, mutual obligations reciprocal agreements between people and PA authorities to reduce pressure on PA, identify investment activities and mechanisms for conflict resolution and monitoring. The reciprocal agreements would include specific and measurable actions to ensure that people are willing to make to conserve biodiversity in return for Ecodevelopment investments.

The microplan shall aim at making the EDC free from unsustainable dependencies on the PA by the end of the plan period. The microplan will also prescribe measure to be taken to make the Ecodevelopment committee self sustainable to carry on the programme after the end of the project. The microplan shall be signed by the forest RO/AWLW on behalf of the park management and by the President of the EC on behalf of the EDC as a mark of mutual consent.

A model microplan format and memorandum of understanding for an EDC is enclosed as Annexure I and II respectively for guidance.

MICROPLAN

The microplan is to be jointly authored by the village group and the KFD and constitute the agreement for implementation of Ecodevelopment programme. The plan will be the basis for implementation and will include reciprocal commitments (mutually improved investments, objectives, inputs, mutual obligations, schedule, monitoring indicators etc) Separate microplan to be prepared for each hamlets/ (approximately for every 50 house holds) settlements or user groups in which all house holds are represented in the decision making body, both by men and women members.

Contents:

The microplans will essentially include all site specific details, analysis of resources and socio-economic conditions, dependencies and other relevant matters relating to PAs and people. The following aspects should invariably be reflected in the microplans.

1	Site particulars	Location, area, boundaries catchment, nature of site, criteria for selection of site etc
2	Site conditions	Physical, vegetation, Socio economic and locality factors.
3	Stake –holder Analysis	Stake- holders biotic factors, sociological factors interactions of people, influence, negative and positive impacts, findings from PRA exercises etc.
4	Design, Scope and strategy	
5	Microplan objectives	
6	Components of the microplan including agreed activities	
7	Microplan costs and estimates	
8	Financing plan including details of cost –sharing by village groups	
9	Accounting and auditing procedures	
10	Criteria and modalities of distributions of benefits	
11	Institutional arrangement	
12	Monitoring and evaluation	
13	Responsibility and obligations of KFD and EDC	
14	Schedule of implementation	
15	Memorandum of understanding between KFD and EDC	
16	Annexure, table, maps etc supporting the texts	

**MEMORANDUM OF UNDERSTANDING FOR IMPLEMENTATION OF MICROPLAN
INVILLAGE/HAMLET ADJOINING.....
SANCTUARY/NATIONAL PARK.**

The memorandum of understanding (MOU) is between the Range Officer/ Asst Wildlife Warden, Kerala Forest Department, (herein referred to as the first party) and the Ecodevelopment Committee of Village Block.....(herein referred to as the second party) to implement the approved microplan for the village/hamlet.

1. The first party and the second party agree to undertake and implement the activities under the attached microplan as per the norms, procedure and modalities specified therein.
2. The total estimated cost of the microplan is Rs. as reflected in the attached microplan, and out of this a sum of Rs. could be contributed by the beneficiaries.
3. The second party shall have a bank account opened in the name of the Ecodevelopment Committed for operation of eco-development fund with a branch of the Nationalised/Scheduled bank as soon as this MOU has been signed and shall provide bank account number to the first party.
4. The bank account shall be operated jointly by the Member Secretary of the EDC and a chosen member of the Executive Committee. The second party shall notify the first party in writing the names and address of the person who will jointly operate the bank account.
5. After approval of the microplan, by the Field Director/Conservator of Forests (WL) and upon the second party complying with the provision of Para 3 and 4 above, the Wildlife Warden shall credit an amount equal to the initial 3 months estimated cost of the microplan or Rs.50000/- (whichever is lower) to the said account.
6. The second party shall make expenditure out of the advance and the beneficiary contribution made as per para 2 above and submit to the expenditure account along with vouchers when about 75% of the advance money has been spent. The account would be reviewed by the first party and the admissible amount spent by the second party would be reimbursed by first party and credited to the eco-development committee account. This will be repeated till the implementation is completed.
7. The second party shall maintain or cause to maintain separate accounts for all the expenditures incurred for the implementation of the microplan including details of contribution made by the beneficiaries. Such accounts shall be available for inspection by the first party or World Bank mission or auditors or any other team deputed for the purpose.
8. The first party shall (a) provide regular and frequent supervision and guidance to the second party; (b) promptly supply the materials as per attachment; (c) have the right to instruct to stop or suspend implementation of the microplan, if there are any material deviation from the agreed plan or any serious violations of this MOU and demand reimbursement of the payments made;
9. In the event of any misuse of funds by the second party as may be assessed by the first party the first party shall have the right to freeze the bank account of the Ecodevelopment committee after such enquiry as may be deemed necessary.
10. The second party shall follow the procurement procedures of the World Bank for purchases and or execution of works.
11. The second party shall ensure (a) completions of the various activities of the microplan in..... moths from the date of this MOU or such other period as may be agreed by both the parties (b) employ suitable labour to carry out the works; make payments to the workers as per agreed schedule; (c) abide by the suggestion of the first party (d) bring

any discrepancy to the notice of the first party and seek necessary clarification; and (e) ensure that there is no misutilisation of money/materials during implementations.

12. The second party shall open one more bank account for the operation of the core fund complying with provisions of Paras 3 and 4 above. The sum mentioned as beneficiaries contribution as per Para 2 above shall be deposited to the core fund by the second party as and when it is realised.
13. The core fund is to be utilised by the second party, in the manner approved by the EC of the EDC.
14. In the event any dispute between the parties during the implementation of the microplan, the parties shall first attempt to settle the dispute through mutual and amicable consultation. If the dispute is not settled through such consultation. The matter shall be referred for Arbitration to the concerned WLW and field director/ Conservator of Forests (WL)

Signed and delivered by Shri.....
President..... Ecodevelopment Committee on
behalf of the committee, in the presence of:

- 1 * (witness).....
- 2 * (Witness).....

Signed and delivered by Shri..... Assistant Wildlife Warden/
Range Officer..... Sanctuary/National Park..... In the
presence of

- 1*(witness).....
- 2*(Witness).....

Note * one of the witnesses should be representative of the local NGO wherever available.

Attachments;

- 1 Copy of approved microplan
- 2 List of materials to be supplied by first party