

Proposed structure of the ecotourism guidelines

I. Preamble

- a. Definition of ecotourism
- b. Values and principles of ecotourism

II. Need for ecotourism guidelines

III. Legal and policy framework for the guidelines as applicable to ecotourism

Where legality of laws are in contradiction to The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA), FRA would override these laws since eco-tourism is encouraged outside the PAs where adivasis and other forest dwelling communities are rights holders.

1. Wildlife Protection Act, 1972
2. Forest Conservation Act, 1980
3. Environmental Protection Act, 1986
4. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006
5. Panchayati Raj Act - 73rd amendment
6. Panchayats (Extension to the Scheduled Areas) Act, 1996
7. Guidelines for declaration of Eco Sensitive Zones around National Parks and Wildlife Sanctuaries, 2011
8. National Tourism Policy, 2002
9. National Ecotourism Policy, 1998
10. Directives of the Supreme Court

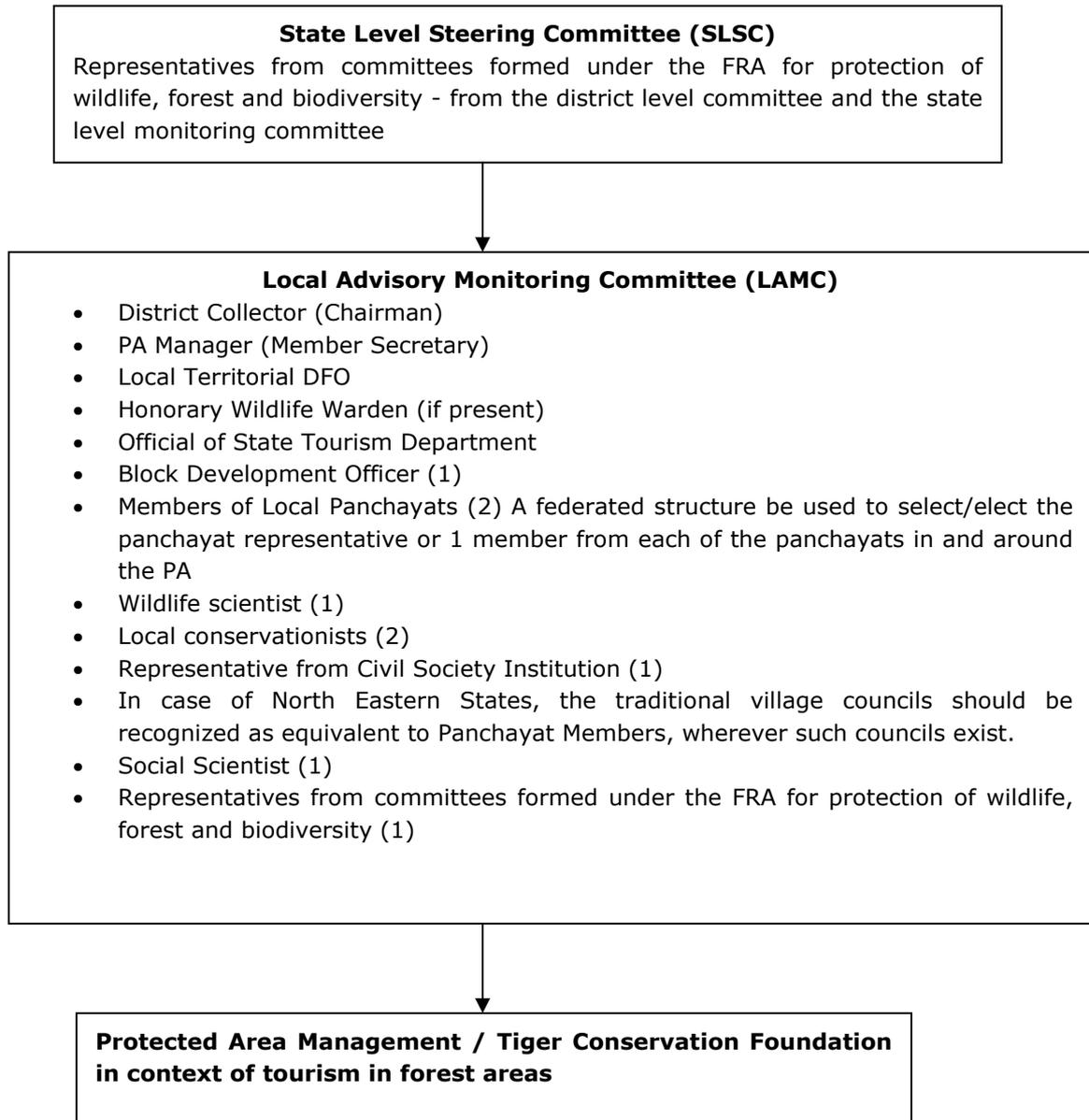
IV. Governance: Flow of decision-making

Keeping in mind the 73rd and 74th Amendments to the Constitution, the guidelines need to ensure that the primacy of the gram sabha is ensured over all other structures vis-à-vis decisions to tourism development in their villages. It is in this context that the following governance structure is being proposed.

- State level steering committee (SLSC): Its composition, roles, responsibilities and authorities invested in it
- Local Advisory Monitoring Committee (LAMC): Its composition, roles, responsibilities and authorities invested in it
- PA Management
- Linkages between the SLSC, LAMC & Park Management (in the case of tiger reserves also the Tiger Conservation Foundation)
- All committees would need to necessarily have panchayat representatives and where appropriate Department of Tourism & Department of Tribal Affairs
- The final approval of specific projects to be set up will still need to receive the approval of the gram sabha
- Oversight by the central: Ministry of Tourism, Ministry of Environment and Forests, Ministry of Tribal Affairs
- Dispute redress mechanism: National Green Tribunal and Judicial system

Role of the different state bodies:

The role of the Forest Department in the context of ecotourism as well should be realigned according to the changes in forest governance suggested in the context of the FRA by the FRA committee.



V. Process: State and Park level strategies and plans

- a. The guidelines should spell out the steps for arriving at state level ecotourism strategies: tourism impact assessment studies, EIAs, limits to acceptable change studies, consultation with communities and civil society organisations, sharing of draft strategies and finalisation after getting feedback.
- b. Based on the strategy, LAMC is responsible for the final ecotourism plan (and not the PA management)
- c. Implementation should be done by the PA Management
- d. All plans and reports should be in the public domain and the local language
- e. LAMC is the oversight and monitoring body for the correct implementation

VI. Implementation of the guidelines:

1. Criteria for demarcating tourism zones
2. Minimum linkages for livelihoods
3. Minimum linkages for conservation
4. Status of current tourism activities/infrastructure
5. Roles and Responsibilities of different stake holders
 - i. Forest Department
 - ii. Protected Area Management
 - iii. Communities
 - iv. All ecotourism operators
 - v. Temple Board/Trusts
 - a. Benefit sharing among stakeholders
 - i. Communities'
 - ii. Forest Department for conservation
 - b. List of activities allowed and areas demarcated for these

VII. Monitoring and Regulation of implementation and adherence to guidelines

- a. Clear mechanisms, timelines and responsibilities for monitoring to be designated
- b. Redressal mechanisms and responsibility
- c. **Checks and balances to ensure that community rights are protected and community participation is genuine**

Annexures:

1. Glossary of terms used
2. Framework and methodology for Limits of Acceptable Change
3. Broad framework for Tourism Impact Assessment

Pre-requisites to the guidelines

Ecotourism Policy - While realizing that it is not within the mandate of this Committee, it would have been important for Ministry of Environment and Forests and Ministry of Tourism to revise the ecotourism policy prior to the setting up of this Committee. The policy would have then been the basis and guided the formulation of these guidelines. Therefore, the need to develop the Ecotourism Policy at national and state level cannot be over emphasised.