

**TRIPARTITE MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF ENVIRONMENT AND FORESTS
(NATIONAL TIGER CONSERVATION AUTHORITY)
BIKANER HOUSE, SHAHJAHAN ROAD, NEW DELHI
GOVERNMENT OF, AND FIELD DIRECTOR TIGER RESERVE**

The Government of India has revamped its Tiger Conservation Programme through the setting of the National Tiger Conservation Authority. The urgency in saving the tiger, India's national animal enjoins on the Centre, State and Tiger Reserve Management onerous responsibilities, effective discharge of which is essential. This tripartite memorandum seeks to lay our respective responsibilities and reciprocal commitments linked to fund flows to ensure effective tiger conservation in the country.

This tripartite Memorandum of Understanding made thisday ofbetween the Ministry of Environment and Forests, acting through the National Tiger Conservation Authority, Annexe No. 5, Bikaner House, Shahjahan Road, New Delhi-110011 (hereinafter referred to as the 'NTCA') of the First Part, the State Government of _____, acting through (designation and office address) (hereinafter referred to as the State Government), of the Second Part, and the Field Director of Tiger Reserve (hereinafter referred to as the Field Director), of the Third Part.

Whereas the State Government has submitted a proposal to the Ministry of Environment and Forests, through the Field Director, seeking financial assistance for protection and development oftiger reserve, hereinafter referred to as the "_____".

And whereas the Ministry of Environment and Forests is ready and willing to extend financial support for the approved items of the said work, on the terms and conditions given below for the year 2009-2010 and thereafter.

NOW, THEREFORE, IT IS HEREBY AGREED between the Parties as follows:

ARTICLE I

Obligations of the Ministry of Environment and Forests (through the NTCA)

The Ministry of Environment and Forests has agreed and affirmed that:-

- (1) Funding support under Project Tiger shall be made available to the Tiger Reserve in two phases, on receipt of the Annual Plan of Operation with cost estimates of proposed field initiatives, based on tiger reserve specific "Tiger Conservation Plan".
- (2) The first installment of the funding support under Project Tiger would be done by four weeks after receipt of the Annual Plan of Operation from respective State Governments, subject to the availability of funds and directives of the Ministry of Finance.
- (3) The second installment of the funding support under Project Tiger would be released by two weeks after receipt of Utilisation Certificate pertaining to previous year from the States alongwith 60% Utilisation Report of funding support released as first installment during the current financial year, and the Progress Report in the desired

format from the Field Director, duly recommended by the Chief Wildlife Warden of the State.

- (4) Technical guidance in the form of advisory would be provided to the Field Director under intimation to the State Government in the Tiger Reserve, within the ambit of the provisions contained in the Wildlife (Protection) Act, 1972, with regard to conservation of tigers and their habitat.
- (5) An ecological auditing on the impact of investment made in the reserve shall be carried out as per prescribed criteria.

ARTICLE II

Obligations of the Government of

The State Government has agreed and affirmed that:-

- (1) The Tiger Conservation Plan, as required under section 38V of the Wildlife (Protection) Act, 1972, as amended in 2006, shall be prepared for the Tiger Reserve for which the funding support is being sought from, as per the prescribed guidelines within 6 months from
- (2) The core or critical tiger habitat and the buffer or peripheral area shall be delineated and notified as required under the Wildlife (Protection) Act, 1972, as amended in 2006 within 6 months from
- (3) The staff vacancies shall be filled up byfor ensuring effective implementation and field protection, after fixing area norms vis-à-vis the topography within 6 months from
- (4) The money released under Project Tiger shall be made available to the tiger reserve within 2 weeks of its receipt in the State for implementing tiger conservation initiatives, as proposed in the Annual Plan of Operations, with due compliance of the normative guidelines and advisories of the said Authority.
- (5) The State Government shall post a motivated officer with proven track record, preferably trained in wildlife management, as the Field Director of the Tiger Reserve, with a minimum tenure of three years (extendable if the situation warrants).
- (6) The State Government shall constitute a Steering Committee as required under section 38U of the Wildlife (Protection) Act, 1972, as amended in 2006, under the Chairmanship of the Chief Minister, for ensuring coordination, monitoring, protection and conservation of tiger, co-predators and prey animals, within one year from
- (7) The State Government shall establish a reserve-specific Tiger Conservation Foundation, as autonomous “profit centres” for the Tiger Reserve to facilitate and support its management for tiger conservation and ecodevelopment, by involving local people, as per the guidelines issued, empowered to receive tourism gate collections, assistance from Government and other funds from Government and planning authority, to create a “development fund”, and deploy it for the benefit of the reserve, local people and the staff within 6 months from
- (8) The State Government shall promote action for local intelligence gathering and protection of the tiger reserve, and this “Security Plan” should form part of the Tiger Conservation Plan, with provisions for periodic “Security Audit”.
- (9) The State Government shall ensure capacity building of the frontline staff for effective enforcement, apart from staff development and staff welfare measures, based on a capacity building plan made part of the Tiger Conservation Plan.

- (10) The State Government shall regulate tourism as per carrying capacity computed for the reserve and develop forest and wildlife tourism policy for the State within one year from
- (11) The State Government shall avail the enhanced relocation package for relocating the villages in the core / critical tiger habitats as per the revised guidelines of the Project Tiger and statutory provisions, in a time bound manner.
- (12) The State Government shall take steps for restoring the identified corridor linkages with the Tiger Reserve by mainstreaming tiger conservation in the landscape amongst the various production sectors, with the active involvement of territorial forest divisions, and revenue authorities, having scope for handholding by credible agencies outside the Government system.
- (13) The State Government shall ensure ecologically compatible land uses in areas linking one tiger reserve with the other, while ensuring that forestry operations of regular forest divisions and those adjoining tiger reserves are not incompatible with the needs of tiger conservation.
- (14) The State Government shall certify that no ecologically unsustainable land use such as mining, industry and similar projects operate within the Tiger Reserve.
- (15) The State Government would ensure that the day-to-day tiger monitoring protocol is ensured in the Tiger Reserve as per advisories issued by the National Tiger Conservation Authority (Project Tiger), for facilitating forecasting of untoward happenings.
- (16) The State Government shall ensure active management of the buffer zone of the Tiger Reserve with central assistance for eliciting public support through mainstreaming of wildlife concerns, to benefit local people and wild animals, apart from addressing man-wildlife animal interface.
- (17) The State shall place in the public domain the Tiger Conservation Plan of the reserve and details of execution within 6 months from, in their official website, apart from making available the same in local language to promote public vigil.
- (18) The money released by the National Tiger Conservation Authority shall be made available to tiger reserves for taking up the works proposed in the Annual Plan of Operations (APO) immediately, with due compliance of the normative guidelines and advisories of the said Authority.
- (19) The Director/Officer Incharge of the Tiger Reserve shall be empowered to spend the money provided by the National Tiger Conservation Authority for immediate execution of the schemes, as per the norms and procedures prescribed by NTCA and the State Government.
- (20) The State Government will ensure that the Accounts of the grants released by NTCA are audited by Statutory Audit of the State Government on annual basis and a certificate to this effect will be sent to NTCA annually latest by 31st May each year.

ARTICLE III

Obligations of the Field DirectorTiger Reserve

The Field Director Tiger Reserve has agreed and affirmed that:-

- (1) A Security Plan would be drawn up for the Reserve, considering its strength weakness opportunity and threat which would form part of the Tiger Conservation Plan, to ensure intelligence based enforcement for protection of tiger, other wild animals and the habitat.

- (2) The day-to-day monitoring protocols for tiger and other wild animals would be duly followed, as prescribed by the National Tiger Conservation Authority, to ensure forecasting of untoward happenings in the habitat.
- (3) The Tiger Conservation Plan would be prepared within a time frame of six months, as per the guidelines issued by the NTCA with prescriptions for the core, buffer and adjoining areas.
- (4) A staff development plan should be prepared and submitted to the State Government for ensuring frontline field staff in the right age group with the capacity to perform field work in the Reserve.
- (5) Initiatives for mainstreaming tiger conservation in the buffer and outer landscapes should be taken up through sectoral integration of different district level schemes, to provide livelihood options to the fringe dwellers for reducing their dependency on the Tiger Reserve, with reciprocal commitments from beneficiaries to protect the tiger.
- (6) Timely redressal of man-wild animal conflicts would be ensured to prevent revenge killings of tiger and other wild animals.
- (7) A Tiger Conservation Foundation will be set up for the Reserve as a receptacle for gate receipts and other receipts from the State / Central Governments to undertake local actions.
- (8) The Annual Plan of Operation for funding support from NTCA shall have reference to the Tiger Conservation Plan.
- (9) The cost estimates worked out by the Field Director should be based on approved schedule of rates of the State Government.
- (10) The APO must indicate the location / area of proposed initiative / initiatives on a map, along with physical target, financial target and unit rate, with the basis of estimation.
- (11) The progress report should invariably indicate the physical achievement (viz., quantity, number, area indicating location) and the objectives fulfilled on implementation of proposed activities.
- (12) A year-wise photo catalogue of physical targets shall be maintained to facilitate verification during supervisory visits.
- (13) During execution, details of estimate, man-days involved etc. shall be displayed near the work site.
- (14) Utilisation Certificate showing unspent balance, if any, shall be furnished to National Tiger Conservation Authority annually after the close of the financial year so that the same is reached in this office by 31st May of each year. Complete Utilisation Certificate shall be submitted immediately on completion of the work.
- (15) The accounts of the grants released by National Tiger Conservation Authority shall be maintained properly as per audit requirement and shall be open to inspection by the NTCA/Audit. A copy of these accounts shall also be released to NTCA. In case of construction / habitat improvement works, photocopies of the measurement books (for the work which was executed from NTCA's grant) shall also be sent to NTCA. Details of unspent amount, if any, shall be intimated to the Authority for adjustment as unspent balance or revalidation.
- (16) The funds will be used only for the purpose of which it was sanctioned. Diversion of funds will not be allowed without the prior approval of NTCA.
- (17) The records of all assets acquired out of the grant released herewith by the NTCA, shall be made available for scrutiny of audit. Such assets shall not be, without the prior approval of Govt. of India / National Tiger Conservation Authority be disposed off, encumbered or utilized for the purpose other than those for which the grant is sanctioned.
- (18) A statement showing the extracts of the assets created out of the grants released by NTCA shall be furnished to NTCA annually by 31st May of each year.

- (19) The Tiger Reserve Management should consult the Gram Sabha while deploying the local work force, as Members of the Sabha would be conversant with the geographical and other related information about the area.
- (20)
 1. The Compensation for cattle lifting, crop depredation, injury and death of humans should be decided in consultation with the Zilla Parishad (ZP).
 2. The Tiger Reserve Management should coordinate with the concerned Gram Panchayat (GP) while implementing crop protection safeguards and other initiatives relating to man-wild animal conflicts
- (21) The Tiger Reserve Management should consult with Panchayati Raj Institutions for providing ecologically viable livelihood options to reduce villagers' dependence on forests. The Gram Sabha should be involved in restoring forest cover in the buffer areas in order to provide a supplementary habitat to animals moving out of core areas.
- (22) Zilla Parishad should be involved in monitoring the payment and utilization of the compensation package whether under option-I or option-II.
- (23) In case of option II, relocation/rehabilitation from the protected area/tiger reserve by the Forest Department should be done in consultation with the Gram Sabha.
- (24) Zilla Parishad Chairperson should be a member of the District level Implementing Committee for ensuring convergence with other sectors.
- (25) Implementation and monitoring of district level schemes in the relocated village should be done through Gram Panchayat/Gram Sabha.
- (26) Gram Panchayat/Gram Sabha should be involved in identifying labour oriented works relating to the relocation process, ensuring that the relocated villagers get adequate remuneration for their labour.
- (27) In case of re-settlement on forest land, the new settlement should be eligible to access forest resources based on their traditional forest rights as certified by the Gram Sabha.
- (28) Recommendations of Gram Panchayat/Gram Sabha should be taken while deciding the site for fair price shops, schools, health centre etc. close to the relocated village.
- (29) Gram Panchayat/Gram Sabha should be consulted in the identification of services, activities and personnel involved in ecotourism.
- (30) The Local Traditional Village Councils or the Gram Sabha under the PESA Ac, 1996, as the case may be, should be consulted on the rehabilitation/welfare package to ensure that such tribal people are provided with livelihood options as well as health care, education and housing facilities, vis-à-vis the statutory provisions contained in the Wild Life (Protection) Act, 1972 as amended in 2006.

ARTICLE IV

(Site-specific action)

Some tiger reserves may warrant special interventions owing to their unique geographical and other attributes.

Examples:

1. Proactive steps for intelligence based enforcement/antipoaching operations in border reserves and sensitive areas.
2. Proactive steps for preventing mortality of wild animals in Kaziranga.
3. Proactive steps for fire prone habitats.
4. Proactive steps for drought prone habitats.
5. Innovative steps for areas affected by insurgency and related problems.

6. Innovative steps for addressing issues like tigers straying out frequently in human settlements in habitats like Sundarbans.

ARTICLE V

Consequences of non-observance of the terms of the MOU

(In case of non-observance of the terms of MOU by the State Government and the Field Director)

1. Stoppage of funding support under Project Tiger.
2. Release of second installment would not be made in case the Utilisation Certificate relating to the first release is not received in the NTCA.
3. Non adherence / observance to MOU may lead to stoppage of incentives which may be provided to the officials and staff of the Tiger Reserve.
4. Non observance of the MOU leading to loss of tiger and its habitat and violation of statutory provisions of the NTCA may lead to penal action on the Field Director through the State Government.

IN WITNESS WHEREOF, the representatives of the Parties to this Memorandum of Understanding being duly authorized have signed this Memorandum of Understanding as of the day, month and year first above written.

Signed for and on behalf of National Tiger Conservation Authority	Signed for and on behalf of Government of	Field Director..... Tiger Reserve
Name & Designation (With Stamp) Dated:	Name & Designation (With Stamp) Dated:	Name & Designation (With Stamp) Dated: