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Ministry of Environment and Forests & Climate Change
(Forest Policy Division)

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Dated: 13.09.2021

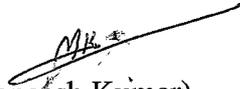
OFFICE MEMORANDUM

Sub: Draft document on Safeguards Information System for REDD+ for public comments- reg.

REDD+ is one of the climate change mitigation options in developing countries for reducing emissions from deforestation and forest degradation, conservation of forest carbon stocks, sustainable management of forests, and enhancement of forest carbon stocks. REDD+ is now widely accepted as climate change mitigation option under United Nations Framework Convention on Climate Change (UNFCCC).

2. In order to access the financial support for REDD+, India needs to develop the National REDD+ Strategy, Forest Reference Level, National Forest Monitoring System and Safeguards Information System. Indian Council of Forestry Research and Education (ICFRE) was assigned the task of developing National REDD+ Strategy by MoEFCC, Govt. of India. India has already developed National REDD+ Strategy and Forest Reference Level. Now, Safeguards Information System for REDD+ has been developed through extensive stakeholder consultation process. Draft of the Safeguards Information System for REDD+ is webhosted for public comments/ consultation till 15.10.2021.

3. All the stakeholders including States Government Departments, Research Institutions, Non-Government Organizations, industries and general public etc. are requested to submit their valuable comments and suggestions on Draft on Safeguards Information System for REDD+ on or before **15 October 2021** to Dr. R.S. Rawat, Member Secretary, Expert Committee & Scientist-E, Biodiversity and Climate Change Division, Indian Council of Forestry Research and Education, Dehradun, Email- rawatrs@icfre.org, phone no. 0135-2224803 with a copy at forestpolicy-moefcc@gov.in.


(Maneesh Kumar)
Assistant Inspector General of Forests (Forest Policy)

To

All concerned Stakeholders

DRAFT for Web hosting for Public Comments



Safeguards Information System for REDD+ in India



**Ministry of Environment, Forest and Climate Change
Government of India**

2021

Ministry of Environment, Forest and Climate Change
Government of India
Indira Paryavaran Bhawan
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New Delhi – 110 003

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Prepared and published by: Indian Council of Forestry Research and Education (ICFRE), Dehradun on behalf of Ministry of Environment, Forest and Climate Change, Government of India

Expert Committee Constituted by ICFRE for drafting of the Safeguards Information System for REDD+ in India:

- | | |
|---|------------------|
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| 2. Dr. Jagdish Kishwan, Former ADGF (WL), MoEFCC: | Member |
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| 10. Dr. T.P. Singh, Chief Conservator of Forests & Secretary Forests, Haryana: | Member |
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| 12. Mr. V.R.S. Rawat, Former ADG (BCC), ICFRE: | Member |
| 13. Dr. R.S. Rawat, Scientist 'E', Biodiversity and Climate Change Division, ICFRE: | Member Secretary |

Citation: MoEFCC (2021). Safeguards Information System for REDD+ in India. Ministry of Environment, Forest and Climate Change, Government of India

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Abbreviation Used

BMC	Biodiversity Management Committee
BUR	Biennial Update Report
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CO ₂	Carbon dioxide
COP	Conference of Parties
cum	Cubic Metre
EDC	Eco-Development Committee
FSI	Forest Survey of India
GoI	Government of India
ha	Hectare
ICFRE	Indian Council of Forestry Research and Education
IUCN	International Union for Conservation of Nature
JFM	Joint Forest Management
JFMC	Joint Forest Management Committee
mha	Million hectare
MFP	Minor Forest Produce
MoEFCC	Ministry of Environment, Forest and Climate Change
NAP	National Action Programme
NAPCC	National Action Plan on Climate Change
NBA	National Biodiversity Authority
NBAP	National Biodiversity Action Plan
NDCs	Nationally Determined Contributions
NDE	National Designated Entity
NGC	National Governing Council
NGO	Non-Governmental Organization
NGT	National Green Tribunal
NTFPs	Non-Timber Forest Products
PLR	Policies, Laws and Regulations
REDD+	Reducing emissions from deforestation and forest degradation, and role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries
SAPCC	State Action Plan on Climate Change
SBB	State Biodiversity Board
SFD	State Forest Department
SIS	Safeguards Information System
sq km	Square Kilometre
SMF	Sustainable Management of Forest
TRAFFIC	Trade Records Analysis of Flora and Fauna in Commerce
UNCCD	United Nations Convention to Combat Desertification
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change

Executive Summary

Reducing emissions from deforestation and forest degradation along with role of conservation, sustainable management of forests and enhancement of forest carbon stocks collectively known as REDD+, has the potential to deliver significant carbon and non-carbon benefits to the local communities including alternative livelihoods generation and conservation of natural forests and biological diversity. However, implementation of REDD+ activities can pose risks on the forests, biological diversity and local communities. Further, to mitigate the risks of REDD+ activities, UNFCCC has adopted a set of seven Cancun safeguards. These safeguards need to be addressed and respected during the implementation of REDD+ activities. The Cancun safeguards ensure that the REDD+ actions should have positive impact on the natural forests, biological diversity and local communities. As per the Cancun Agreements of UNFCCC, developing country Parties are required to develop a Safeguards Information System (SIS) to report on compliance of the safeguards while implementing REDD+ activities.

The Government of India has always made positive efforts through framing suitable policies, laws and regulations, and by amending them from time to time to conserve and protect environment and natural resources including forests. National REDD+ Strategy of India endorsed that Cancun safeguards principles shall be adhered to during the implementation of REDD+ activities, and SIS shall be developed based on the existing policies, laws and regulations of forest governance. Accordingly, the SIS built on the existing forest governance structures, legal and institutional frameworks, to meet the objectives of SIS as per the UNFCCC requirement for implementation of REDD+ activities in India. Stakeholder's consultation processes have been followed and nine regional stakeholder consultation workshops have been organised in different parts of the country for developing SIS. The goal of SIS is to meet the reporting requirements of the UNFCCC pertaining to Cancun safeguards for implementation of REDD+ activities. The scope for application of SIS for India focuses on REDD+ actions in the forestry as well as other land-use sectors. The scale for application of SIS for implementation of REDD+ activities will be national, sub-national and local. Necessary institutional arrangement has also been devised for implementation of safeguards information system. In order to address grievances related to application of safeguards in implementation of REDD+ activities, three grievance redressal committees are proposed to be established at national, state and local levels. Twenty indicators have been identified for collection of information/ data on how Cancun safeguards will be addressed and respected during implementation of REDD+ activities. The State REDD+ Cells will provide necessary information/ data on REDD+ safeguards to the Ministry of Environment, Forest and Climate

Change (MoEFCC), Government of India. Further, access of states wise information/ data shall be given to the Indian Council of Forestry Research and Education (ICFRE) for further compilation, analysis and interpretation of information/ data at the national level and preparation of the summary of information on safeguards for submission to the NDE-REDD+ at MoEFCC, Government of India. MoEFCC will submit periodically the summary of information on safeguards to the UNFCCC with biennial update reports, national communications or other appropriate means as decided by the UNFCCC.

Draft for Public Comments

1. Introduction

India is the seventh largest country in the world with total geographic area of 32,87,469 sq km, occupying 2.4 percent of the world's geographical area while supporting over 17 percent of the world human population and 18 percent of the cattle population. India has a federal structure of governance with 28 States and 8 Union Territories with each state having its own plans and programmes towards implementation of national policies and programmes. Forests play a vital role in social and cultural well-being, economic and industrial development of the country as well as in maintaining its ecological security, besides providing significant opportunities for mitigation of climate change and adapting to it.

India is among the top ten forested countries of the world with 2 percent of the total global forest area. Total forest and tree cover of the country is estimated to be 8,07,276 sq km which accounts for 24.56 percent of the geographical area of the country. The forest cover of the country has been classified on the basis of the tree canopy density into pre-defined classes: very dense forest (canopy density of >70%), moderately dense forest (canopy density of 40-70%) and open forest (canopy density of 10-40%). The total growing stock of forest and trees outside forest is estimated to be about 5,915.76 million cum of which 4273.47 million cum lies inside the recorded forest area. Total carbon stocks in India's forests are estimated to be 7,124.60 million tonnes (FSI, 2019). India is one of the few countries where forest and tree cover has increased in recent years transforming country's forests into a net sink of carbon dioxide (MoEFCC, 2018 a) owing to national policies aimed towards conservation and sustainable management of forests. Government of India's long-term goal is to bring 33 percent of its geographical area under forest and tree cover.

The Protected Area network for conservation of biological diversity in the country include 18 Biosphere Reserves, 101 National Parks, 553 Wildlife Sanctuaries, 86 Conservation Reserves, and 163 Community Reserves. India is Party to all the major global conventions and agreements related to forest, biological diversity and environment such as Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention on Migratory Species of Wild Animals, Ramsar Convention on Wetlands of International Importance, United Nations Framework Convention on Climate Change, United Nations Convention to Combat Desertification, World Heritage Convention, etc.

India's Nationally Determined Contribution (NDC) target for forestry sector under the Paris Agreement is to create an additional carbon sink of 2.5 to 3 billion tonnes of CO₂ equivalent through additional forest and tree cover by 2030. Forestry sector constitutes an important part in India's NDC and can be achieved by upscaling ongoing programmes such as National Mission for a Green India, National Afforestation Programme, and other programmes.

Government of India proposes to revamp the Green India Mission to further augment the additional carbon sink in view of India's NDC targets. India is committed to achieve land degradation neutrality and to restore 26 million hectares of degraded lands by 2030.

Reducing emission from deforestation and forest degradation along with conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries are collectively referred to as REDD+. Cancun Agreements of UNFCCC on REDD+ "*encourages developing country Parties to contribute to mitigation actions in the forest sector by undertaking the activities, i.e., (a) Reducing emissions from deforestation; (b) Reducing emissions from forest degradation; (c) Conservation of forest carbon stocks; (d) Sustainable management of forest; and (e) Enhancement of forest carbon stock*". REDD+ as climate change mitigation option under UNFCCC has potential to deliver significant co-benefits to the forest dependent communities through biodiversity conservation, improvement in ecosystem services, provision of alternate income generation and equitable benefit sharing of revenues generated from emission reductions (FCPF, 2012). REDD+ is now widely recognized as a means of financial incentive to the communities for their contribution in reducing emissions from, and increasing removals in forests. An effective REDD+ programme will provide a variety of income generation opportunities, livelihoods security, resilience and social wellbeing. As per Cancun Agreements of UNFCCC, developing countries are required to develop their National REDD+ Strategy or Action Plan, National REDD+ Reference Level/ Reference Emission Level, National Forest Monitoring System and Safeguards Information System as a prerequisite for implementing REDD+ activities.

Complying with the UNFCCC decisions on REDD+, India has submitted its National REDD+ Strategy to UNFCCC. The Strategy built upon existing national initiatives, which have been updated in line with India's National Action Plan on Climate Change, and India's Nationally Determined Contribution to UNFCCC. India's National REDD+ Strategy has also been aligned with the precepts of the National Forest Policy. The overarching objective of National REDD+ Strategy is to facilitate implementation of REDD+ programme in the country in conformity with relevant decisions of UNFCCC, in particular the Cancun Agreements, Warsaw Framework for REDD+, Paris Agreement, and the national legislative and policy framework for conservation and improvement of forest and the environment (MoEFCC, 2018 b).

As part of India's REDD+ Strategy a National Governing Council for REDD+ has been established to coordinate and guide REDD+ related actions at the national level. A National Designated Entity for REDD+ has also been established at the Ministry of Environment, Forest and Climate Change to liaise with UNFCCC and state governments. The strategy devolves major responsibility for execution of REDD+ activities on the state forest departments. Each state is required to create a REDD+ Cell in the state forest department. The National REDD+

Strategy impresses upon the states to develop a road map in consultation with stakeholders including local communities for addressing drivers of deforestation and forest degradation and issues like safeguards for implementation of REDD+ activities.

The strategy further focuses on creation of trained human resource capable of carrying out forest related measurements at all levels of REDD+ implementation. It supports empowerment of local youth cadres as community foresters, who can be engaged effectively in performing various forestry related activities like: (i) assisted natural regeneration, (ii) soil and moisture conservation, (iii) harvesting, thinning, and hygienic removals, (iv) forest nurseries and raising of quality planting stocks, and (v) prevention and control of forest fires, pests and diseases and spread of invasive alien plant species. National REDD+ Strategy requires that Cancun safeguards be adhered to at all stages of REDD+ implementation, and a safeguards information system (SIS) be developed in accordance with national circumstances (MoEFCC, 2018 b).

Roadmap and action plan for implementation of National REDD+ Strategy are as under:

- Establishment of a National Governing Council for REDD+ at the national level.
- Creation of a REDD+ Cell in each State Forest Department.
- Capacity building of all cadres of the State Forest Departments (SFDs) on assessment of forest carbon stocks and other REDD+ related activities.
- Green Skill development of community youths for various forestry activities.
- Creation of additional infrastructure for SFDs comprising technical expertise, trained manpower and latest equipment and facilities for forest carbon measurement.
- Expansion of the technical and technological capability of ICFRE, FSI and the SFDs by upgrading its existing technical capacity.
- Creation of modern measuring capability with latest equipment in each State. The existing space application centres and GIS facilities in the States will be strengthened and upgraded for the purpose.
- Focus of forestry research on productivity in an integrated and multidisciplinary manner on forests and forest products aiming at increasing livelihood support and economic growth.
- Development of a Forest Reproductive Material Certification Policy-cum-Strategy.

India is regularly using satellite based remote sensing technology for assessment of the forest resources. The application of remote sensing technology to assess the forest cover of the entire country began in early 1980s. The first nationwide remote sensing-based assessment of forest resources was done in 1987 with LANDSAT-MSS sensor. Since 1995, India started using indigenous remote sensing satellite data and mode of interpretation has partly shifted

from visual to digital. In the latest seventeenth assessment of country's forest resources, ortho-rectified LISS III data of IRS Resourcesat-2 with a spatial resolution of 23.5 meters have been used for interpretation at a scale of interpretation 1:50,000 with the minimum mappable unit of 1 ha. Forest Survey of India (FSI) is responsible for undertaking the assessment of country forest resources on every two year basis and published the assessment results as 'India State of Forest Report'. Since 1987, sixteen such assessments have been completed and all India State of Forest Reports are electronically available at <https://fsi.nic.in>.

National Forest Reference Level (FRL) serves as benchmark for assessing performance of implementation of REDD+ activities in a country and it is also one of the mandatory requirements for implementation of REDD+ activities. All the five pools namely above ground biomass, below ground biomass, dead wood and litter and soil organic carbon have been taken into account for construction of FRL. Only CO₂ as greenhouse gas has been taken into account for construction of FRL. Historic period of 2000 to 2008 was considered for construction of forest reference level. Government of India submitted the National Forest Reference Level to UNFCCC in 2018 which has since been technically assessed by the UNFCCC. India's Forest Reference Level is (-)49.70 million tonne CO₂ eq.

Process followed for the development of Safeguards Information System

Expert Committee constituted for development of Safeguards Information System has prepared the draft through analysis of existing policies, law and regulation related to environment, forest, biological diversity and right of local communities as per the requirement of Cancun safeguards for implementation of REDD+ activities. The outlines of the process followed for the development of Safeguards Information System are given in Fig. 1.

1. Nine regional stakeholder consultation workshops on draft safeguards information system have been organised in different parts of the country to get relevant inputs stakeholders (Annex - 2). The draft has been further improved by the Expert Committee in view of the stakeholder's inputs.

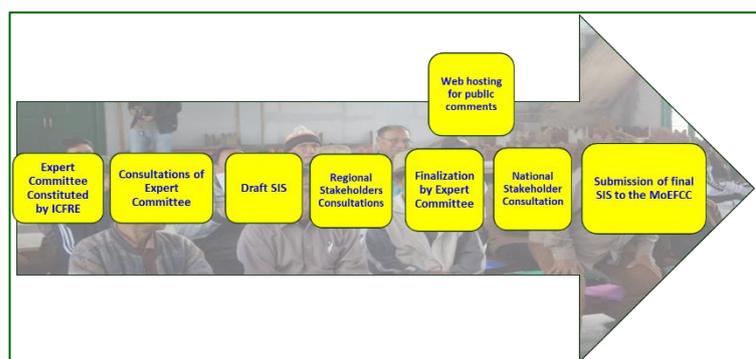


Fig. 1: Outlines of the process followed for developing SIS

2. Background: Cancun Safeguards and National Circumstances

Cancun Agreements state that REDD+ actions should be consistent with the conservation of natural forests and biological diversity, incentivize the protection and conservation of natural

forests, and enhance other social and environmental benefits (UNFCCC, 2011). REDD+ activities should:

- (a) Contribute to the achievement of the objective set out in Article 2 of the Convention;
- (b) Contribute to the fulfilment of the commitments set out in Article 4, paragraph 3, of the Convention;
- (c) Be country-driven and be considered options available to Parties;
- (d) Be consistent with the objective of environmental integrity and take into account the multiple functions of forests and other ecosystems;
- (e) Be undertaken in accordance with national development priorities, objectives and circumstances and capabilities and should respect sovereignty;
- (f) Be consistent with Parties' national sustainable development needs and goals;
- (g) Be implemented in the context of sustainable development and reducing poverty, while responding to climate change;
- (h) Be consistent with the adaptation needs of the country;
- (i) Be supported by adequate and predictable financial and technology support, including support for capacity building;
- (j) Be results-based;
- (k) Promote sustainable management of forests;

Country Parties to the Convention on Biological Diversity (CBD) have also recognized that REDD+ can provide considerable benefits for biological diversity of forest. CBD has also highlighted the risks of poorly designed REDD+ efforts on biological diversity, indigenous people and local communities (CBD, 2011). Potential risk for biological diversity in implementation of REDD+ as identified by CBD (2011) are:

- the conversion of natural forests to plantations and other land uses of low biological diversity value,
- introduction and growing of biofuel crops,
- the displacement of deforestation and forest degradation to areas of higher carbon value and high biological diversity value,
- increased pressure on non-forest ecosystems with high biological diversity value and
- afforestation in areas of high biological diversity value.

2.1 REDD+ safeguards requirements

Safeguards have been identified as an important tool to ensure the effective implementation of REDD+ actions and to avoid, or at least minimize slack governance, and adverse social and

environmental impacts of REDD+ implementation. Sixteenth Conference of the Parties (COP 16) to the UNFCCC vide Decision 1/CP.16 establishes that REDD+ activities should promote and support a set of seven governance, social and environmental safeguards, also known as the 'Cancun safeguards'.

The Cancun safeguards ensure that the REDD+ actions should have positive impact on the ecosystem services, biological diversity and forest dependent communities. As per decision 1/CP.16 of UNFCCC, when undertaking the REDD+ activities the following safeguards should be promoted and supported:

- (a) That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;
- (b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
- (c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;
- (d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision;
- (e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;
- (f) Actions to address the risks of reversals;
- (g) Actions to reduce displacement of emissions.

Decision 1/CP.16 of UNFCCC further requests developing country Parties to develop a system for providing information on how these safeguards are being addressed and respected in a transparent manner throughout the implementation of REDD+ actions/ activities. Decision 12/CP.17 of UNFCCC complements by defining that the Safeguards Information System should:

- (a) Be consistent with the guidance identified in decision 1/CP.16, appendix I, paragraph 1;
- (b) Provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;
- (c) Be transparent and flexible to allow for improvements over time;

- (d) Provide information on how all of the safeguards referred to in appendix I to decision 1/CP.16 are being addressed and respected;
- (e) Be country-driven and implemented at the national level;
- (f) Build upon existing systems, as appropriate.

2.2 India's approach to safeguards

The issues related to forest and environmental management have been given adequate importance in the overall national policies and planning for balanced development of the country. The basic approach is development without destruction. Environmental protection is enshrined in the Constitution of India. Article 48-A of the Directive Principles in the Constitution of India state that *"the State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife in the country"*, and under Article 51 A (g) it is a fundamental duty of every citizen *"to protect and improve the national environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures"*.

Forest governance in India: The era of scientific management in India began in 1864 with the appointment of Sir Dietrich Brandis as Inspector General of Forests. This was followed by the creation of a separate forest service in 1867 and the promulgation of legal measures, notably the Forest Act, 1865 which was revised in 1878 and 1927 to consolidate laws related to forests. It provided for the creation of separate categories of forests such as reserved forest, protected forest, village forest, etc. (MoEF, 1999).

The major task undertaken by the forest departments until about the end of the 19th century was the creation of reserved and protected forests and the settlement of rights therein. Most of the exploitable areas and important tree species were brought under working plans. Various silvicultural systems were developed including irregular shelterwood system, selection and selection-cum-improvement felling, conversion to uniform system, coppice with standard/ reserves as well as the *taungya* system involving clear-felling and strip planting with short duration agriculture crops between the strips and finally the clear-felling and planting of commercially important species. All these silvicultural systems were primarily designed for harvesting and regeneration of important timber species for commercial resource generation. After independence, the princely states became part of Indian union and provincial administrative units called states were established. Some of these states had organized forest departments whereas others had engaged trained foresters from the neighbouring provinces of erstwhile British India and had brought their forests under a reasonable state of management. This period also saw the initiation of large-scale developmental activities for industrialization, hydro-power projects, urbanisation, expansion

of railways, network of highways and other roads, and construction activities etc., which resulted in substantial diversion of forest area for non-forestry purposes. The 'grow more food' campaign for increasing agricultural production also claimed large areas of forests. The growing human population and cattle population also placed heavy demand on forests for fuel, fodder, food, medicine and small timber causing rapid degradation of forests.

Constitutional amendments leading to paradigm shift in forest governance: Before 1976, the subject of forest and wildlife came under the state list of the Constitution for the purpose of governance. In 1976 with 42nd Constitutional Amendment, forests were brought under the Concurrent List which implied that both the Centre as well as State Governments could make laws on the subject. The forest resources in India are administered by the Ministry of Environment, Forest and Climate Change at the national level and by the State Forest Departments at the state level. The Ministry of Environment, Forest and Climate Change is responsible for planning, promotion, coordination and overseeing the implementation of the various environmental, forestry and climate change-related laws, policies and programmes with the objectives of conservation of forests and biological diversity, prevention and control of pollution, afforestation and regeneration of degraded areas and protection of environment. The State Forest Departments are responsible for planning, implementation and monitoring of programmes in the forestry sector at the state level.

Forest Departments of respective States/ Union Territories are responsible for the protection, conservation, administration and development of forests. State Forest Department is headed by the Principal Chief Conservator of Forests who is also the Head of the Forest Force of the state. At the cutting-edge level, a forest range is the key functional unit of forestry administration for execution of works in the field. The Executive Unit (Forest Division) is headed by the Divisional Forest Officer. There are other functional divisions within the State Forest Department to look after specialized activities and responsibilities. Functional Divisions include Working Plan, Silviculture, Wildlife, Research, Social Forestry and Watershed Management Divisions etc. which carry out specific functions related to a particular aspect of forest management (MoEF, 2014 a).

Forest management in India: Sir Dietrich Brandis in 1856 propounded the fundamental principle that the number of first-class trees - trees over a prescribed diameter- to be felled in a year should be limited to the number of second-class trees that will eventually replace them in that year. Based on this principle of yield control, Brandis prepared the first forest management plan using strip sampling for the Pegu Yoma (now in Myanmar) Forests of British India in the year 1860. In 1884, the efforts of Sir Wilhelm Schlich, the then Inspector General of Forests, resulted in a countrywide unified approach towards the preparation of working

plans and scientific management of forests as per prescription of working plans (MoEF, 2014 b).

At the country level, Forest Working Plan has been the main instrument of forest planning for scientific management of forests. Earlier, state governments adopted their own provincial working plan codes as per regional requirements. However, in accordance with the directions of Supreme Court of India in 1996, all Forest Working Plans are now required to be approved by the Government of India. The Ministry of Environment, Forest and Climate Change, Government of India adopted a uniform code (National Working Plan Code – 2014) for preparation of working plans for the management of forests. The forest working plan prescriptions strive to harmonize socio-economic development with forest conservation keeping in view all relevant policies, rules and regulations, and other international conventions/ agreements related to forests.

India is one of the few countries with documented forest policy right from 1894. National Forest Policy, 1952 emphasized the role of forests in meeting the needs of industry and society besides recognizing forest conservation requirements. National Forest Policy, 1988 mainly focused on maintaining ecological balance. This policy underlines the need to meet the domestic demands of the tribal and rural people for forest produce, as well as highlighting the imperative of a participatory approach to the protection and management of forests. The policy advocates for a people's movement for forest conservation and protection, and gave a thrust to social forestry for extending forests outside the traditional forest areas to minimise the pressure on natural forests.

Essentials of Forest Management as per National Forest Policy, 1988 are as under:

- Existing forests and forest lands should be fully protected and their productivity should be improved. Forest and vegetal cover should be increased rapidly on hill slopes, in catchment areas of rivers, lakes and reservoirs, and on the semi-arid, and desert tracts.
- For the conservation of total biological diversity, the network of national parks, wildlife sanctuaries, biosphere reserves, conservation and community reserves should be strengthened and extended adequately.
- Provision of sufficient fodder, fuelwood and pasture, especially in areas adjoining forests, is necessary in order to prevent depletion of forests beyond the sustainable limit.
- Minor forest produce provides sustenance to tribal population and to other communities residing in and around forests. Such produce should be conserved,

improved and their production enhanced with due regard to generation of employment and income.

- No forest should be permitted to be worked without approved working plan, which should be in a prescribed format and in keeping with the National Forest Policy.
- Exotic species should not be introduced for enhancing the forest cover in the country, and meeting national needs through public or private sources, unless long-term scientific trials undertaken by the specialists in ecology, forestry and agriculture and have established that exotic species are suitable and have no adverse impact on native vegetation and environment.

Joint forest management: India has a long history of protection of forests by the involvement of local communities. There are many examples of successful participation of local communities in managing forests in the country such as forest management by *Van Panchayats* in Uttarakhand since 1931. Joint Forest Management is an approach and programme initiated in the context of the National Forest Policy of 1988 wherein state forest departments support local forest dwelling and forest fringe communities to regenerate, protect and manage degraded forests through Joint Forest Management Committee (JFMC) guided by locally prepared byelaws and micro plans.

A JFMC is a democratic, decentralized and transparent local institution of forest and forest fringe dwelling communities that is part of the *Gram Sabha* fully or partially and set up as per the provisions of relevant JFM rules/ guidelines of the state. There are about 1,18,213 JFMCs spreading across 28 States and 8 Union Territories that are managing about 22.94 mha of forests in the country (ICFRE, 2011).

An Eco-Development Committee (EDC) is similar to JFMC, but meant for villages in Protected Areas and their buffer zones. Their setup, working, role, responsibilities, powers, funds etc. are as per the state-level orders. Their area of operation is restricted to protected areas, and forest and non-forest areas near protected areas. EDCs are set up with twin objectives to protect wildlife and other biological diversity, and to undertake eco-development activities in the villages.

2.3 Goals, scope and scale of safeguards application

The existing governance systems such as policies, laws and regulations, and institutional arrangements are in place for effective management of environment and forests. In India, a number of law and policy instruments such as Indian Forest Act, National Forest Policy, Biological Diversity Act, National Working Plan Code, National Action Plan on Climate Change and National Biodiversity Action Plan etc. are in place for sustainable management and conservation of forests including biological diversity.

In accordance with the National REDD+ Strategy of India, “Implementation of REDD+ programme is envisaged in conformity with the relevant UNFCCC decisions, in particular the Cancun Agreements, Warsaw Framework for REDD+, Paris Agreement and the national policies, laws and regulations for conservation and improvement of forest and environment”. The National REDD+ Strategy identifies the following REDD+ activities, to be undertaken as per its applicability in the different parts of the country’s forests:

- (i) Reducing deforestation,
- (ii) Reducing forest degradation,
- (iii) Conservation of forest carbon stocks,
- (iv) Sustainable management of forests, and
- (v) Enhancement of forest carbon stocks.

All the aforesaid REDD+ activities are consistent with the National Forest Policy of 1988 and, in fact, India has been practicing this approach for past many decades in one form or the other. Thus, it is relevant to state that there is already a broad framework for addressing the various elements of Cancun safeguards for implementation of REDD+ activities in India.

The goal of the Safeguards Information System (SIS) for India is to meet the reporting requirements of the UNFCCC, Cancun safeguards for implementation of REDD+ activities. The scope for application of SIS for India mainly focuses on REDD+ actions in the forestry as well as other land-use sectors. The unit for application of SIS shall be at the forest division level. At national level, Ministry of Environment, Forest and Climate Change, Government of India shall provide necessary guidance to the State Forest Departments for implementation of the SIS and also prepare a report on summary of information on safeguards. State REDD+ Cells shall provide necessary information on application of SIS to the Ministry of Environment, Forest and Climate Change, Government of India on periodical basis.

In addition to Cancun safeguards, the SIS will also cover the safeguards provisions of national forest policy and programmes as well as safeguards policies relevant to forestry and allied sectors of the World Bank, Global Environment Facility and Green Climate Fund.

2.4 Major global conventions and agreements ratified by India

India is Party to all the major global conventions and agreements related to forest, biological diversity and environment such as United Nations Framework Convention on Climate Change (UNFCCC) and its Paris Agreement, Convention on Biological Diversity (CBD), United Nations Convention to Combat Desertification (UNCCD), Convention on International Trade in Endangered Species of Fauna and Flora (CITES), Ramsar Convention, the World Heritage Convention and Convention on the Conservation of Migratory Species of Wild Animals.

Ministry of Environment, Forest and Climate Change is the nodal Ministry in the Government of India for all global conventions and agreements related to environment. Some of the major global conventions and agreements related to forest and environment ratified by India are as under:

2.4.1 United Nations Framework Convention on Climate Change (UNFCCC): India signed UNFCCC on 10 June 1992 and ratified on 1 November 1993. India submitted its Initial National Communication in the year 2004, second National communication in 2012, first Biennial Update Report (BUR) in 2016, second BUR in 2018 and third BUR in 2021. Now, India is in the process of submission of Third National Communication to UNFCCC. India hosted the eighth session of Conference of Parties (COP 8) of the UNFCCC at New Delhi in 2002.

India has signed the Paris Agreement- an international treaty allowing each country to set its own national emission goals on climate change, on 22 April 2016 and ratified same on 2 October 2016. India has submitted its Nationally Determined Contribution (NDC) to UNFCCC on 2 October 2016 keeping in view its development agenda, particularly the eradication of poverty coupled with its commitment to following the low carbon path to progress. NDC target of forestry sector is “to create an additional carbon sink of 2.5 to 3 billion tonnes of CO₂ equivalent through additional forest and tree cover by 2030”.

Towards implementation of REDD+ activities, India has submitted its National REDD+ Strategy and Forest Reference Level (FRL) to UNFCCC in 2018.

2.4.2 Convention on Biological Diversity (CBD): India ratified the Convention on 18 February 1994 and later its successive offshoots, *i.e.*, Cartagena Protocol on Biosafety (to ensure the safe handling, transport and use of living modified organisms resulting from modern biotechnology that may have adverse effects on biological diversity, taking also into account risks to human health) ratified on 17 January 2003, and Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization, ratified on 9 October 2012. National Biodiversity Action Plan (NBAP) was prepared in 2008 and submitted to the CBD. An addendum to the National Biodiversity Action Plan 2008 was also prepared in 2014. The country has also developed 12 National Biological Diversity Targets for achieving Aichi Biodiversity Targets. Five cycles of national reporting for CBD has been completed. India’s Fifth National Report to the CBD in 2014 provides an update on biological diversity status, trends and threats, updating of NBAP, and India’s progress towards Aichi targets. India hosted the eleventh session of Conference of Parties (COP 11) of CBD at Hyderabad in 2012.

2.4.3 United Nations Convention to Combat Desertification (UNCCD): India ratified the convention on 17 December 1996. After ratification, the country prepared its National Action

Programme in 2001 which *inter-alia* provides the initiatives taken for combating desertification. First national reporting in 2000 to seventh reporting to UNCCD Secretariat in 2018 has been completed. India hosted the fourteenth session of Conference of Parties (COP 14) of UNCCD in September 2019.

2.4.4 Convention on International Trade in Endangered Species of Fauna and Flora (CITES):

It is an international agreement between governments and aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival. The Government of India has signed the Convention in 20 July 1976, which was ratified in 18 October 1976. The enforcement of the provisions of CITES is carried out by the Regional Deputy Directors, Wild Life Crime Control Bureau, who have also been designated as the Assistant CITES Management Authority for India. The Ministry of Environment, Forest and Climate Change has also constituted a CITES Cell in 2010 to assist the Government of India in CITES implementation.

2.4.5 World Heritage Convention: It links together the concepts of nature conservation and the preservation of cultural properties, and recognizes the way in which people interact with nature, and the fundamental need to preserve the balance between the two. India has ratified the Convention on 14 November 1977 and responsible for listing of World Heritage Sites, which include both cultural and natural sites. Currently, in India seven natural World Heritage Sites viz., Great Himalayan National Park Conservation Area, Nanda Devi and Valley of Flowers National Parks, Kaziranga National Park, Keoladeo National Park, Manas Wildlife Sanctuary, Sundarbans National Park, Khangchendzonga National Park and Western Ghats, have been recognized by United Nations Educational, Scientific and Cultural Organisation (UNESCO).

2.4.6 Convention on the Conservation of Migratory Species of Wild Animals (CMS): It is an environmental treaty of the United Nations and provides a global platform for the conservation and sustainable use of migratory animals and their habitats. It brings together the States through which migratory animals pass and lays the legal foundation for internationally coordinated conservation measures throughout a migratory range. CMS Parties strive towards strictly protecting these animals, conserving or restoring the places where they live, mitigating obstacles to migration and controlling other factors that might endanger them. Migratory species that need or would significantly benefit from international co-operation are listed in Appendix II of the Convention. India has ratified the Convention on 1 November 1983 and submitted its country reports regularly from 2005 to 2019. India hosted the thirteenth session of Conference of Parties (COP 13) of CMS in February 2020.

2.4.7 Ramsar Convention: The Convention on Wetlands is an intergovernmental treaty that provides the framework for national action and international cooperation for the

conservation and wise use of wetlands and their resources. India became a party to the Ramsar Convention on 1 February 1982 and so far, 42 wetlands covering 19 States & Union Territories have been designated as Ramsar sites covering a total area of 1,081,438 hectares.

Draft for Public Comments

3. Existing Governance Arrangements in India and Cancun Safeguards

Over the past seven decades since independence, the Government of India has made a series of efforts to conserve and protect environment and natural resources, including forests, by framing suitable policies, laws and regulations and through appropriate administrative and managerial actions. The first Forest Policy enacted by British Colonial Government in 1894 aimed at a custodial and timber-oriented management of forests. To ensure maintenance of adequate forest cover for general well-being of the country, meeting needs of local people and revenue collection was the main thrust of the policy. First Forest Policy of independent India enacted in 1952 recommended that 33 percent of the total geographical area of the country should be brought under forest or tree cover. It provided detailed guidelines for management and protection of forests and wildlife. The policy was revised in 1988 and emphasised on extension of forests beyond the traditional forest areas. This gave impetus to social forestry, agroforestry and farm forestry.

In India several policies, laws and regulations related to environment, forest, biological diversity, and right of local communities are in place. These have the effect of addressing the concerns of Cancun safeguards and are described below:

3.1 National Forest Policy, 1988: It enunciates conservation and preservation of the natural forests, which are home for unique and endemic flora and fauna. Policy also recognizes the rights and concessions enjoyed by the tribal and other poor communities living within forest, and on forest fringes. Policy further states that the domestic requirements of fuel-wood, fodder, minor forest products and timber for construction to the tribal and other communities should be the first charge on forest produce.

The national goal of forest policy is to have a minimum of one-third of the total geographical area of the country under forest and tree cover. In the hills and in mountainous regions, the aim is to maintain two-third of the area under forest and tree cover in order to prevent soil erosion and land degradation and to ensure the stability of the fragile ecosystem. The principal aim is to ensure environmental stability and maintenance of ecological balance including atmospheric equilibrium which are vital for sustenance of all lifeforms, human, animal and plant. The derivation of direct economic benefit must be subordinated to this principal aim. The basic objectives of the National Forest Policy, 1988 are:

- Maintenance of environmental stability through preservation and, where necessary, restoration of the ecological balance that has been adversely disturbed by serious depletion of the forests of the country.

- Conserving the natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, which represents the remarkable biological diversity and genetic resources of the country.
- Checking soil erosion and denudation in the catchment areas of rivers, lakes and reservoirs.
- Checking the extension of sand-dunes in the desert areas of Rajasthan and along the coastal tracts.
- Increasing substantially the forest/tree cover in the country through massive afforestation and social forestry programmes, especially on all denuded, degraded and unproductive waste lands.
- Meeting the requirements of fuel-wood, fodder, minor forest produce and small timber for local rural and tribal communities.
- Increasing the productivity of forests to meet essential national needs.
- Encouraging efficient utilisation of forest produce and maximising substitution of wood.
- Creating a massive people's movement with the involvement of women, for achieving these objectives and to minimise pressure on existing forests.

National Forest Policy, 1988 also provides for the following rights and concessions to the local communities:

- The rights and concessions, including grazing whose carrying capacity should be optimised by increased investment, silvicultural research and development of the area. Stall-feeding of cattle should be encouraged. The requirements of the community, which cannot be met by the rights and concessions so determined, should be met by development of social forestry outside the reserved forests.
- The holders of customary rights and concessions in forest areas should be motivated to identify themselves with the protection and development of forests from which they derive benefits. The rights and concessions from forests should primarily be for the *bona fide* use of the communities living within and around forest areas, specially the tribal communities.
- As the life of tribal and other communities within and near forests revolves around forests, the rights and concessions enjoyed by them should be fully protected.
- Similar consideration should be given to scheduled castes and other poor living near forests.

Having regard to the symbiotic relationship between the tribal people and forests, a primary task of all agencies responsible for forest management is to associate the tribal

people closely in the protection, regeneration and development of forests as well as to provide gainful employment to people living in and around forests. While safeguarding the customary rights and interests of such people, forestry programmes are required to pay special attention to the following:

- Protection, regeneration and optimum collection of minor forest produce along with institutional arrangements for the marketing of such produce;
- Undertaking integrated area development programmes to meet the needs of the tribals, and their livelihood in and around the forest areas, including the provision of alternative sources of domestic energy on a subsidised basis, to reduce pressure on the existing forest areas.

3.2 National Environment Policy, 2006: This policy seeks to achieve balance and harmony between conservation and development. The policy is intended to mainstream environmental concerns in all development activities. This policy is based on the theme that conservation of environmental resources is necessary to secure livelihoods and well-being of all, the most secure basis for conservation is to ensure that people dependent on particular resources obtain better livelihoods from conservation than from degradation of the resources. The principal objectives of this policy *inter alia* include:

- a) To protect and conserve critical ecological systems and resources, and invaluable natural and man-made heritage, which are essential for life support, livelihoods, economic growth, and human well-being.
- b) To ensure equitable access to environmental resources and quality for all sections of society, and in particular, to ensure that poor communities, which are most dependent on environmental resources for their livelihoods, are assured secure access to these resources.
- c) To ensure judicious use of environmental resources to meet the needs and aspirations of the present and future generations.
- d) To integrate environmental concerns into policies, plans, programmes, and projects for economic and social development.
- e) To apply the principles of good governance (transparency, rationality, accountability, reduction in time and costs, participation, and regulatory independence) to the management and regulation of use of environmental resources.

3.3 National Policy for Farmers, 2007: The main goals of the National Policy for Farmers, 2007 are to improve economic viability of farming by substantially increasing the net income of farmers, to protect and improve land, water, bio-diversity and genetic resources essential for sustained increase in the productivity, and to strengthen the bio-security of crops, farm

animals, fish and forest trees for safeguarding the livelihood and income security of farmer. As per this policy, efforts need to be made to conserve as well as enhance bioresources (floral and faunal wealth) and to ensure their sustainable use with equitable sharing of benefits. This policy also stated that following need to be promoted for conservation and development of bioresources:

- a) Documentation of traditional knowledge through community bio-diversity registers with the involvement of women, who hold much of this knowledge.
- b) Support to tribal and rural people for revitalising their *in-situ* farm conservation traditions.
- c) Participatory breeding procedures involving scientists and local conservers for improving the productivity of land races.
- d) Genetic engineers working in public institutions to perform the role of pre-breeding i.e., development of novel genetic combinations for important biological and economic traits, such as resistance to biotic and abiotic stresses, in participatory breeding programmes with farmers, to integrate genetic efficiency and genetic diversity in an effective manner.
- e) Genetic homogeneity enhances genetic vulnerability to pests and diseases. Therefore, pre-breeding and participatory breeding would be integrated to help insulate small farmers from the risks of pest and disease epidemics.
- f) Launch of literacy movement on genetic and legal aspects, in areas rich in agrobiodiversity such as the North East, Western and Eastern Ghats and the arid and semi-arid zones.
- g) Genome clubs will be encouraged in rural schools and colleges for imparting an understanding of the importance of genetic resource conservation.
- h) Literacy and awareness to help tribal and rural families understand the provisions of the PPVFR Act and the Biological Diversity Act with reference to their entitlements.
- i) Training of farm and tribal families in methods of preventing gene erosion.
- j) Conservation of coastal biodiversity, including coral reefs and sea grass beds and support to traditional methods of conservation.
- k) Organise and support herbal biovalleys in the Western Ghats, Eastern Ghats, Vindhyas and Himalayan region for the conservation and sustainable use of medicinal plants. In such biovalleys, farmers would be assisted through venture capital and other support to take to conservation, selection and multiplication of medicinal plants of value to health security.
- l) A nationwide programme will be taken up for the *ex-situ* and *in-situ* conservation of plant genetic resources at the field / farmer level. Farmer-level gene / seed banks would be set up in areas where traditional varieties are in danger of extinction. Seed exchange

programmes undertaken by some state governments, should take due care to ensure that the traditional rice gene pool is not lost in this process.

m) Participatory management of national parks, biosphere reserves and gene sanctuaries.

3.4 National Water Policy, 2012: The objective of the National Water Policy is to conserve rivers, river corridors, water bodies and infrastructure in a scientifically planned manner through community participation. The storage capacities of water bodies and water courses and/or associated wetlands, the flood plains, ecological buffer and areas required for specific aesthetic recreational and/or social needs may be managed to the extent possible in an integrated manner to balance the flooding, environment and social concerns. Integrated watershed development activities with groundwater perspectives need to be taken in a comprehensive manner to increase soil moisture, reduce sediment yield and increase overall land and water productivity.

National Water Policy incentivises the increase in moisture retention and the availability of water for people as an important ecosystem service arising out of natural forests and thus discourages the conversion of natural forests.

3.5 National Agroforestry Policy, 2014: The policy underlines the environmental contribution of agroforestry by preventing deforestation, and promoting carbon storage, biological diversity conservation, and soil and water conservation. Agroforestry also provides livelihood opportunities to the rural as well as urban communities. The basic objectives of the National Agroforestry Policy are:

- To encourage and expand tree plantation in complementarily and integrated manner with crops and livestock to improve productivity, employment, income and livelihoods of rural households, especially the small holder farmers.
- To protect and stabilize ecosystems, and promote resilient cropping and farming systems to minimize the risk during extreme climatic events.
- To meet the raw material requirements of wood-based industries and reduce import of wood and wood products that serves to reduce the likelihood of displacement of emissions.
- To supplement the availability of agroforestry products, such as the fuel-wood, fodder, non-timber forest produces and small timber for the rural and tribal populations, thereby reducing the pressure on existing natural forests.
- To complement achieving the target of increasing forest/tree cover.
- To promote ecological stability, especially in the vulnerable regions.

3.6 Indian Forest Act, 1927: Indian Forest Act promotes conservation of natural forests and its biological diversity by protecting flora and fauna on lands defined as forests and through

the practice of sustainable management of forests. The Act enables recognition of rights and privileges on forest resources to the people and thereby serve to protect their rights. The act prohibits the tilling and occupation of forest lands thus discourages encroachment.

3.7 Wildlife (Protection) Act, 1972 (amended in 1993): Act provides for the protection of wild animals, birds and plants and their habitats through:

- selection of areas to be declared as sanctuaries, national parks, and closed areas and the administration thereof,
- formulation of the policy of protection and conservation of wildlife and specified plants,
- relation to the measures to be taken for harmonizing the needs of the tribals and other dwellers of the forest with the protection and conservation of wildlife, and
- prohibition of picking, uprooting of specified plants.

3.8 Forest (Conservation) Act, 1980: Forest (Conservation) Act, 1980 is a unique piece of legislation, and a regulatory mechanism that reflects the collective will of the nation to protect its rich biological diversity and natural heritage and that permits only unavoidable use of forest land for various developmental purposes. This Act was enacted to reduce indiscriminate diversion of forest land for non-forestry purposes. The Act empowers the Union Government to regulate the diversion of forest for non-forestry use. With the enactment of this act, the deforestation and conversion of forest lands to non-forestry use has been drastically checked. Now forests are diverted only for the urgent national developmental needs after rigorous scrutiny to ensure that adverse impact on the environment is minimised.

3.9 The Environment (Protection) Act, 1986: This is an umbrella act to provide for the protection and improvement of environment and deals with the prevention of hazards to human beings, other living creatures, plants and property. It empowers the Central Government to take necessary measures for the purpose of protecting and improving the quality of environment and preventing, controlling and abating environmental pollution.

3.10 The Panchayats (Extension to the Scheduled Areas) Act 1996: This act serves to strengthen the role of tribal communities in the decision-making processes. Under this Act, every *Gram Sabha* falling under the tribal dominated areas in the country (except North eastern India where even more stringent provisions apply) has the power to approve plans and programmes for social and economic development of the villagers, to identify persons as beneficiaries under these programmes and to safeguard and preserve the traditions and customs of people, their cultural identity, and community resources. For any acquisition of land in these areas approval of *Gram Sabha* is needed.

3.11 The Protection of Plant Varieties and Farmers' Rights Act, 2001: It is an Act to provide for the establishment of an effective system for protection of plant varieties, the rights of farmers and plant breeders and to encourage the development of new varieties of plants. The Protection of Plant Varieties and Farmers' Rights Authority has been established for the purposes of this Act. Functions of Authority are to promote the development of new varieties of plants and to protect the rights of the farmers and breeders. A National Gene Fund has been constituted under this Act, and the expenditure for supporting the conservation and sustainable use of genetic resources including *in-situ* and *ex-situ* collections and for strengthening the capability of the *Panchayat* in carrying out such conservation and sustainable use.

3.12 The Biological Diversity Act, 2002: This Act deals with the conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources and their knowledge. The Act is aimed at conservation of biological resources and incentivisation of associated knowledge as well as facilitating access to them in a sustainable manner and through a just process. It also aims at extending the benefit of traditional knowledge of use of the biological diversity to the local communities. The Act recognises the rights of local communities on traditional use related to use of local biological diversity, and also supports conservation of biological diversity.

The National Biodiversity Authority, State Biodiversity Boards and Biodiversity Management Committees form the operational arms for the Act and Rules at national, state and local levels respectively. Biodiversity Management Committees are constituted at local level for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.

3.13 The Right to Information Act, 2005: This Act provides setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority. A Central Information Commission and State Information Commissions have been setup for operationalizing the Act effectively.

3.14 The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006: The Act recognizes and vests the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. This act includes the responsibilities and authority for sustainable use, conservation of biological

diversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwellings scheduled tribes and other traditional forest dwellers. Forest rights include:

- (a) Right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling scheduled tribe or other traditional forest dwellers;
- (b) Community rights;
- (c) Right of ownership, access to collect, use, and dispose off minor forest produce which has been traditionally collected within or outside village boundaries;
- (d) Other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;
- (e) Rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;
- (f) Rights in or over disputed lands under any nomenclature in any State where claims are disputed;
- (g) Rights for conversion of *Pattas* or leases or grants issued by any local authority or any State Government on forest lands to titles;
- (h) Rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;
- (i) Rights to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;
- (j) Rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribal under any traditional or customary law of the concerned tribes of any state;
- (k) Right of access to biological diversity and community right to intellectual property and traditional knowledge related to biological diversity and cultural diversity;
- (l) Any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal; and
- (m) Right to *in-situ* rehabilitation including alternative land in cases where the scheduled tribes or other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13th December 2005.

3.15 The Compensatory Afforestation Fund Act, 2016: In order to promote conservation of forests, the Forest (Conservation) Act, 1980 provides for diversion of forestlands for non-forest purposes only after rigorous procedural scrutiny and as a last resort option. The Act ensures availability of funds for compensatory creation of forests through afforestation/ reforestation over an equal extent of non-forest lands or twice the extent in degraded forest lands when it becomes imperative to divert forest lands for taking up developmental projects. The Compensatory Afforestation Fund Act, 2016 ensure to provide for the establishment of funds under the public accounts of India and the public accounts of each State and crediting thereto the monies received from the user agencies towards compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, net present value and all other amounts recovered from such agencies under the Forest (Conservation) Act, 1980; constitution of an authority at national level and at each of the State and Union territory Administration for administration of the funds and to utilise the monies so collected for undertaking artificial regeneration (plantations), assisted natural regeneration, protection of forests, forest related infrastructure development, Green India Programme, wildlife protection and other related activities and for matters connected therewith or incidental thereto.

3.16 National Working Plan Code-2014: Forest Working Plan is a main instrument of forest planning based on sound principles of sustainable management of forests in the country. It is a very useful document for evaluating the status of forests and biological diversity and natural resources of a Forest Division, assessing the impact of past management practices and deciding about suitable management interventions for future.

To sustainably manage, conserve and utilize the forest resources and to bring uniformity in forest management and planning across the country and ensuring environmental stability, biological diversity management, restoration of ecological balance, climate change mitigation and adaptation, protective functions of the forest resources, sustained flow of ecosystem services and NTFP based socio-economic benefits, Ministry of Environment, Forest and Climate Change, Government of India adopted the National Working Plan Code in 2014.

National Working Plan Code-2014 specifically mandates that the implementation of REDD+ requires mechanisms to measure forest carbon stocks, interventions and payments to local people in addition to alternative activities such as fodder development to avoid lopping of tree branches, efficient cooking energy devices etc. This helps to address issues of displacement of emissions in the implementation of REDD+ activities.

3.17 Joint Forest Management: National Forest Policy, 1988 recognized people's participation in using and protecting forests and suggested that forest communities should

develop and conserve forests together with the State Forest Departments. Joint Forest Management (JFM) is a care and share approach wherein State Forest Departments work with the local forest dwelling and forest fringe communities for the protection and management of forests and share the benefits arising from the forests.

Joint Forest Management Committees (JFMCs) mainly target conversion of low-productive forests to high productive forests. JFMCs can play a very important role in the stakeholder participation in the implementation of REDD+ activities.

3.18 National Green Tribunal Act, 2010: This is an act for the effective and expeditious disposal of cases related to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to the environment and giving relief and compensation for damages to persons and property. Any person who is affected adversely by the activity or activities causing harm to environment, forest and biodiversity can approach National Green Tribunal with a simple application without any fee and lawyer.

Existing governance arrangements addressing Cancun safeguards

i). Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements (Safeguard 'a'): This safeguard ensures that REDD+ actions do not conflict with the objectives of national policies, laws and regulations (PLRs) as well as with the state-specific laws, rules and regulation aimed at conservation and sustainable management of forests, and with the objectives of international conventions and agreements related to environment, forest and biodiversity ratified by India. The relevant sections of existing PLRs addressing this safeguard are listed below:

S. No.	Policy, Laws and Regulations	Relevant Sections (s) of the PLR
1.	National Forest Policy, 1988	Section 2. Basic Objectives Section 3. Essentials of Forest Management Section 4.3 Management of State Forests
2.	National Environment Policy, 2006	Section 3. Objectives of the National Environment Policy Section 5.2.3. Forests and Wildlife
3.	Indian Forest Act, 1927	Chapter 2 of Reserved Forest Chapter 3 of Village Forest Chapter 4 of Protected Forest
4.	Forest (Conservation) Act, 1980 (amended in 1988)	Section 2. Restriction on the dereservation of forests or use of forest land for non-forest purpose Section 6. Application of Forest (Conservation) Act, 1980

India is Party of relevant international conventions (UNFCCC, CBD, UNCCD, CITES, CMS etc.) and agreements, and implementation of REDD+ actions shall be complement and consistent with their objectives.

ii). Transparent and effective national forest governance structures, taking into account national legislation and sovereignty (Safeguard 'b'): This safeguard ensures transparency and access to information, effectiveness and efficiency of system feedback, oversight and accountability. Forests are under the *Concurrent List* of the Constitution of India, and Ministry of Environment, Forest and Climate Change, Government of India is responsible for planning, promotion, coordination and overseeing the implementation of the various policies and programmes. Forest governance in India is vested with State Forest Departments, who are also responsible for the protection, conservation, administration and development of forests at the state level through Forest Circles, Forest Divisions and Forest Ranges.

Indian Forest Act, 1927, Wildlife (Protection) Act, 1972, Forest (Conservation) Act 1980, Biological Diversity Act, 2002, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 etc. along with National Forest Policy, 1988, National Environment Policy, 2006, National Agroforestry Policy, 2014 ensure good and just forest governance structure. Right to Information Act, 2005 ensures transparency in the governance structure. Forest Working Plans prepared in accordance with the National Working Plan Code-2014 are the main instrument for scientific management of forests in India. All forests are to be sustainably managed under the prescriptions of forest working plans. The National Forest Policy of 1988 clearly mandates that *“No forest should be permitted to be worked without an approved working plan by the competent authority”*. Transparent and effective national forest governance structure is thus in place in India. The relevant sections of existing PLRs addressing this safeguard are listed below:

S. No.	Policy, Laws and Regulations	Relevant Sections (s) of the PLR
1.	National Forest Policy, 1988	Section 4.3. Management of State Forests Section 4.13. Personnel Management Section 4.15. Legal Support and Infrastructure Development
2.	National Environment Policy, 2006	Section 3. Objectives of the National Environment Policy, Sub-section 3(vi) Environmental Governance Section 5.1 Regulatory Reforms 5.1.3. Substantive Reforms (i) Environment and Forests Clearances
3.	National Agroforestry Policy, 2014	Section 5.1. Establishment of Institutional Setup at National level to promote Agroforestry Section 5.2. Simple regulatory mechanism

4.	Indian Forest Act, 1927	Chapter 2 of Reserved Forest Chapter 3 of Village Forest Chapter 4 of Protected Forest Chapter 12 Subsidiary Rules Chapter 13 Miscellaneous
5.	Wildlife (Protection) Act, 1972 (amended in 1993)	Chapter II. Authorities to be appointed or constituted under this Act
6.	Forest (Conservation) Act, 1980 (amended in 1988)	Section 2. Restriction on the dereservation of forests or use of forest land for non-forest purpose Section 6. Application of Forest (Conservation) Act, 1980
7.	Biological Diversity Act, 2002	Chapter - III. National Biodiversity Authority Chapter - IV. Functions and Powers of the National Biodiversity Authority Chapter - VI. State Biodiversity Board Chapter - IX. Duties of the Central and the State Governments Chapter - X. Biodiversity Management Committees
8.	Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	Chapter IV. Authorities and Procedure for Vesting of Forest Rights

In view of the government's general policy of transparency and openness development and other projects as well as processes of introduction of new policy or legislative instruments undergo a thorough exercise of stakeholders' consultation through use of media, including web and other electronic media.

iii). Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples (Safeguard 'c'): In India tribals, forest dwellers and other local communities have several safeguards to exercise their customary rights and traditions ensuring respect for rights of local communities as stated in the Constitution of India, national laws like Panchayat (Extension to Scheduled Areas) Act, 1996, Biological Diversity Act, 2002 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. India has accepted United Nations Declaration on the Rights of Indigenous Peoples with the clarification that after the end of colonial period in India all people are indigenous. The relevant sections of existing PLRs addressing this safeguard are listed below:

S. No.	Policy, Laws and Regulations	Relevant Sections (s) of the PLR
1.	National Forest Policy, 1988	Section 3.5. Minor forest produce provides sustenance to tribal population and to other communities residing in and around the forests. Such produce should be protected, improved and their production enhanced with due regard to generation of employment and income. Section 4.2. Afforestation, Social Forestry & Farm Forestry Section 4.3.4 Rights and Concessions Section 4.6 Tribal People and Forests
2.	National Environment Policy, 2006	Section 3. Objectives of the National Environment Policy ii. Intra-generational Equity: Livelihood Security for the Poor vii. Enhancement of Resources for Environmental Conservation Section 4. Principles i. Human Beings are at the Centre of Sustainable Development Concerns, ii. The Right to Development Section 5. Strategies and Actions Section 5.2.4 Biodiversity, Traditional Knowledge, and Natural Heritage
3.	National Farmer Policy, 2007	4.6.2 (i) Documentation of traditional knowledge through community bio-diversity registers with the involvement of women, who hold much of this knowledge.
4.	Forest (Conservation) Act, 1980 (amended in 1988)	Section 6. Application of Forest (Conservation) Act, 1980
5.	Panchayats (Extension to the Scheduled Areas) Act Addresses Safeguards	Section 4 on safeguarding traditional practices of communities
6.	Protection of Plant Varieties and Farmers' Rights Act, 2001	Chapter VI. Farmers' Rights
7.	Biological Diversity Act, 2002	Chapter X. Biodiversity Management Committees
8.	Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	Chapter II. Forest Rights Chapter III. Recognition, Restoration and Vesting of Forest Rights and Related Matters

iv). The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities (safeguard 'd'): India has a very successful programme of involving local communities and tribal groups in forest protection and management. Concept of Joint Forest Management (JFM) was introduced in 1990 for people's participation in forest

management. JFM has also contributed to increase in productivity of the degraded forests. The relevant sections of existing PLRs addressing this safeguard are listed below:

S. No.	Policy, Laws and Regulations	Relevant Sections (s) of the PLR
1.	National Forest Policy, 1988	Section 4.2. Afforestation, Social Forestry & Farm Forestry (Sub-section 4.2.3) Sub-section 4.3.4. Rights and Concessions Section 4.6. Tribal People and Forests
2.	National Environment Policy, 2006	Section 3. Objectives of the National Environment Policy vii. Enhancement of Resources for Environmental Conservation Sub-section 5.6. Partnerships and Stakeholder Involvement
3.	National Agroforestry Policy, 2014	Section 5.5. Improving famers' access to quality planting material Section 5.7. Facilitating increased participation of industries dealing with agroforestry produce Section 5.8. Strengthening farmer access to markets for tree products
4.	Indian Forest Act, 1927	Chapter 3 of Village Forest
5.	Panchayats (Extension to the Scheduled Areas) Act 1996	Section 4 on safeguarding traditional practices of communities

v). Actions are consistent with the conservation of natural forests and biological diversity, ensuring that REDD+ activities are not used for the conversion of natural forests, but are instead used to incentivise the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits (safeguard 'e'):

REDD+ actions should incentivize protection and conservation of natural forests, and enhance ecosystem goods and services as well as other environmental and social benefits of forests. Various acts and legislations in India are a testimony of country's strong commitment to forest conservation. REDD+ action shall be consistent with provisions of National Forest Policy, 1988, Wildlife (Protection Act), 1972, Forest (Conservation) Act, 1980, Panchayat (Extension to Scheduled Areas) Act, 1996, Biological Diversity Act, 2002, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, National Working Plan Code - 2014, etc. The relevant sections of existing PLRs addressing this safeguard are listed below:

S. No.	Policy, Laws and Regulations	Sections (s) of the PLR
1.	National Forest Policy, 1988	Section 2. Basic Objectives Section 3. Essentials of Forest Management Section 4.5. Wildlife Conservation

2.	National Environment Policy, 2006	Section 3. Objectives of the National Environment Policy I. Conservation of Critical Environmental Resources iv. Integration of Environmental Concerns in Economic and Social Development v. Efficiency in Environmental Resource Use vii. Enhancement of Resources for Environmental Conservation
3.	National Farmer Policy, 2007	3.1 (ii) To protect and improve land, water, bio-diversity and genetic resources essential for sustained increase in the productivity, profitability and stability of major farming systems by creating an economic stake in conservation. 4.6.2 (xii) A nationwide programme will be taken up for the ex situ and in situ conservation of plant genetic resources at the field / farmer level. Farmer-level gene / seed banks would be set up in areas where traditional varieties are in danger of extinction. 4.6.2 (xiii) Participatory management of national parks, biosphere reserves and gene sanctuaries. 8.2 Mega Bio-diversity Areas Local communities would be involved in the conservation of mega bio-diversity areas such as Western and Eastern Ghats, eastern Himalayan region, other North East and tribal areas.
4.	National Water Policy, 2012	Section 8. Conservation of River Corridors, Water Bodies and Infrastructure
5.	National Agroforestry Policy, 2014	Section 3. Goal Section 4. Basic Objectives Section 5.9. Incentives to farmers for adopting agroforestry
6.	Indian Forest Act, 1927	Section 3. Power to reserve forests Section 28. Formation of village forests Section 29. Protected forests Section 35. Protection of forest for special purpose
7.	Wildlife (Protection) Act, 1972	Chapter III. Hunting of Wild Animals Chapter-III A. Protection of Specified Plants Chapter IV. Sanctuaries, National Park, and Closed Areas

8.	Forest (Conservation) Act, 1980	Section 2 Restriction on the dereservation of forests or use of forest land for non-forest purpose
9.	Biological Diversity Act, 2002	Chapter - II Regulation of Access to Biological Diversity

vi). Actions to address the risks of reversals (safeguard 'f'): Risk of reversals means non-permanence of mitigation of climate change and other benefits of REDD+ activities, which are land use based. There may be risk of reversals of emission reductions, carbon sequestration actions, water regimes, community livelihood, biodiversity and other environmental and social benefits. This safeguard ensures that REDD+ results in long-lasting permanent actions and ensuring benefits. Pragmatic Forest Policies, Legislations, Acts and Rules are in place and are being implemented in India which contribute to minimize the possibility of a reversal of expected REDD+ actions and benefits including carbon service from either natural disturbance (e.g., fires, disease, pests, and unusual weather events), or from any untoward human actions.

Compensatory Afforestation Fund Act, 2016 provides for setting up of the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) at both Central and State level to ensure expeditious and transparent utilization of amounts released in lieu of forest land diverted for non-forestry purposes. The utilization of funds is expected to compensate for the loss of forests and mitigate the impact of diversion of such forest land, under Forest (Conservation) Act, 1980. The Act requires that non-forest land, equal to the size of the forest being diverted, shall be afforested. Various programmes and research activities are also underway to minimise the forest losses due to fire and diseases and insect pest attacks. Regular reviews through stakeholder consultations etc. further help to reduce risks of reversal of benefits of REDD+ activities. The relevant sections of existing PLRs addressing this safeguard are listed below:

S. No.	Policy, Laws and Regulations	Sections (s) of the PLR
1.	National Forest Policy, 1988	Section 3. Essentials of Forest Management (sub-section 3.1, 3.3, 3.4, 3.5) Section 4.3. Management of State Forests
2.	National Environment Policy, 2006	Section 4. Principle, iv. The Precautionary Approach, xiii. Preventive Action Section 5. Strategies and Actions 5.1 Regulatory Reforms 5.2 Enhancing and Conserving Environmental Resources
3.	National Agroforestry Policy, 2014	Section 4. Basic Objectives

4.	Indian Forest Act, 1927	Section 26 (a). preventing encroachments Section 26 (b). Forest fire prevention
5.	Water (Prevention and Control of Pollution) Act, 1974	Chapter 5 Prevention and Control of Water Pollution
6.	Forest (Conservation) Act, 1980	Section 2. Restriction on the dereservation of forests or use of forest land for non-forest purpose
8.	Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	Chapter V. Offences and Penalties

vii). Actions to reduce displacement of emissions (safeguard 'g'): REDD+ actions should address drivers of deforestation and forest degradation rather than shift them from activity area to outside. Also, conservation of forest carbon stocks, sustainable management of forests and enhancement of forest carbon stocks resulting from REDD+ activities should not lead to displacement of emissions. In accordance with its National REDD+ Strategy, India intends to implement REDD+ at national level and initially as an interim measure REDD+ shall be implemented at Sub-national level considering physiographic zone as a sub-national unit. REDD+ when implemented at national level will minimise the chances of displacement of emissions because any displacement would be automatically captured and measured at its place of occurrence. When implemented at sub-national level, special monitoring will be put in place to reduce the chances of displacement of emissions. Further, policies, legislations, acts and rules as mentioned below contribute directly or indirectly to the issue related to displacement of emissions:

S. No.	Policy, Laws and Regulations	Sections (s) of the PLR
1.	National Forest Policy, 1988	Section 4.8. Damage to Forests from Encroachments, Fires and Grazing
2.	National Environment Policy, 2006	Section 3. Objectives of the National Environment Policy, v. Efficiency in Environmental Resource Use Section 5. Strategies and Actions, 5.2. Enhancing and Conserving Environmental Resources
3.	National Agroforestry Policy, 2014	Section 4. Basic Objectives
4.	Indian Forest Act, 1927	Section 35. Protection of forest for special purpose Section 36. Protection to assume management of forests

4. Safeguards Information System

REDD+ has the potential to provide carbon and non-carbon benefits out of its implementation besides various other co-benefits to the participating communities. It can also pose several environmental and social risks during its implementation. To protect against environmental and social risks from REDD+ actions, country Parties to the UNFCCC have adopted a set of seven safeguards, which are known as Cancun safeguards. These safeguards need to be addressed and respected during the implementation of REDD+ activities. Cancun Agreements mandate the country party to have an information system to demonstrate how the Cancun safeguards are addressed and respected while implementing REDD+ activities. Development of a safeguards information system (SIS) is one of the key requirements for obtaining result-based payments of REDD+ activities.

India has more than 150 year long history of scientific management of forests and due care has been given to the environmental and social safeguards in forest management practices. Over the period of time, the priorities of forest management in India have changed which have also been amply reflected in the National Forest Policies the country has had so far. The distinct feature has been gradual shift in priorities of forest management from production forestry to the conservation and participatory forestry. The extant Policies, Laws and Regulations (PLRs) pertaining to forest conservation and management address, directly and indirectly, environmental and social concerns for successful implementation of the forestry programmes in the country. A SIS through combination of, and building on existing forest governance structures, *i.e.*, existing legal and institutional frameworks and sources of information need to be developed to meet its objectives as per the UNFCCC requirement for implementation of REDD+ activities. National REDD+ Strategy, 2018 of India endorsed that Cancun safeguards principles shall be adhered to during the implementation of REDD+ activities, and SIS shall be developed building on existing policies, laws and regulations of forest governance.

4.1 Objectives: The basic objective of the SIS, from UNFCCC perspective is to demonstrate that the Cancun safeguards are being addressed and respected during the implementation of REDD+ activities by the country party.

In the Indian scenario, adequate safeguards have already been provided within the existing policies, laws and regulations, and need to be leveraged appropriately to meet the requirements of the SIS. These instruments address the sustainable management of forests in the country while taking care of conservation of biological diversity, maintenance of ambient environment and the rights of local communities on forests. Apart from PLRs

mentioned earlier in Chapter 3, well-structured existing institutional arrangements are also in place for implementation of various policies, laws and regulations related to forests.

The SIS will help in developing the ownership of REDD+ activities among stakeholders by increasing transparency and encouraging their participation at local, state, regional and national level. Participation and intervention of different stakeholders will ensure that the REDD+ activities are appropriate to regional and national circumstances and contribute towards the national sustainable development goals while complying with the international agreements/ commitments. The objectives of the SIS can be summarised as under:

- To meet the national objectives of forest management, forests and biological diversity conservation, environment protection, and sustainable development.
- To meet the objectives of National REDD+ Strategy.
- To demonstrate that Cancun safeguards are being addressed and respected throughout the implementation of REDD+ activities.
- To prepare periodically a summary of information on how the Cancun safeguards are addressed and respected during the implementation of REDD+ activities for onward submission to UNFCCC through agreed communication channel.

4.2 Functions: Following steps are required to meet the objectives of SIS in implementation of REDD+ activities:

- To collect and compile the information/ data on safeguards for REDD+ activities being implemented in the field.
- To analyse the compiled information/ data on safeguards and their interpretation.
- To devise suitable mechanism(s) for quality control and quality assurance of the information/ data to be collected on safeguards.
- To periodically prepare 'summary of information' report on the implementation of safeguards and to disseminate to concerned quarters, including the NDE-REDD+ through appropriate means of communication.

4.3 Institutional arrangements: For implementation of REDD+ activities, Ministry of Environment, Forest and Climate Change, Government of India has constituted a National Designated Entity for REDD+ (NDE-REDD+) to serve as a liaison between the UNFCCC Secretariat and the relevant bodies under the Convention and also with the state forest departments (SFDs).

The National REDD+ Strategy devolves major responsibility for execution of REDD+ activities and measurement of their performance to the SFDs. It places high priority on capacity building

at all levels of the SFDs, the other line departments, and the local communities to enable proper implementation of REDD+ activities and accurate assessment and measurement of REDD+ performance. Each State will create a REDD+ Cell in the Forest Department, and nominate/ appoint a Nodal Officer to coordinate the activities of the State REDD+ Cell. Notification for creation of the State REDD+ Cell to the states has been issued by the Ministry of Environment, Forest and Climate Change, Government of India.

An institutional arrangement for implementation of the Safeguards Information System (SIS) is as under:

- **Union Ministry of Environment, Forest and Climate Change (MoEFCC)**

- National Designated Entity for REDD+: Oversee the implementation of the REDD+ Safeguard Information System and submission of periodic summary of information on safeguards to UNFCCC in accordance with the relevant COP decisions.
- Research and Technical Institutions under MoEFCC
 - Indian Council of Forestry Research and Education (ICFRE) to provide support to NDE-REDD+ for compilation of information at national level and preparation of summary of information on safeguards for further submission to UNFCCC.
 - Forest Survey of India (FSI) to provide support to NDE-REDD+ for forest inventory related tasks.

- **State Government Departments**

- State Forest Departments through State REDD+ Cells shall be responsible for implementation of SIS, collection of data on safeguards for implementation of REDD+ activities from the field, quality control and quality assurance of the data/information, and submission to ICFRE for further compilation and preparation of summary of information on SIS.
- State Biological Diversity Boards will provide necessary assistance in ensuring the effective compliance of biological diversity related

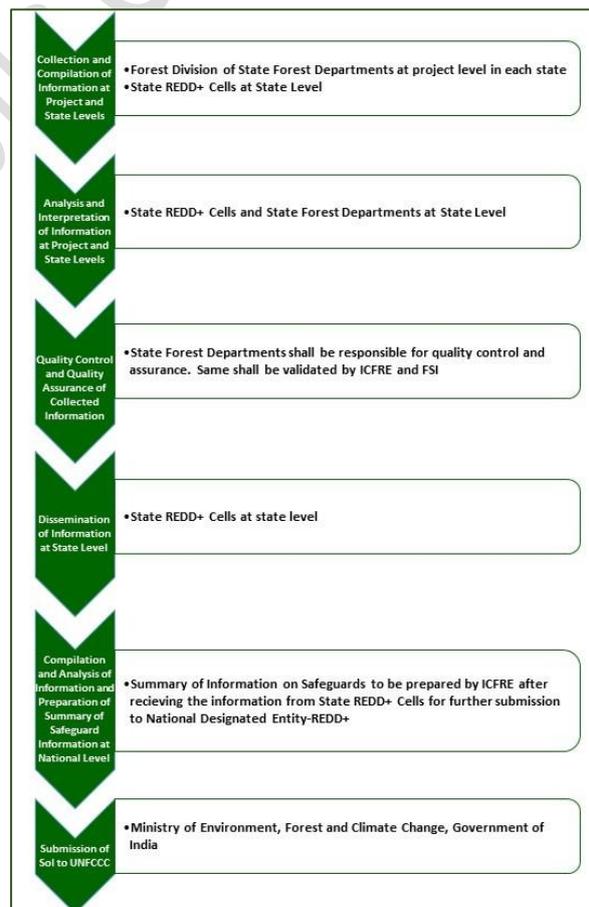


Fig. 2: Institutional framework for collection, compilation and analysis of information on safeguards and their submission to UNFCCC

safeguards through Biological Diversity Management Committees during implementation of REDD+ activities.

The State REDD+ Cells shall provide necessary information/ data on REDD+ safeguards to the Ministry of Environment, Forest and Climate Change, Government of India. Further, access of state wise data shall be given to the ICFRE for further compilation, analysis and interpretation at national level and preparation of the summary of information (SoI) on safeguards for submission to the NDE-REDD+ at Ministry of Environment, Forest and Climate Change, Government of India. The SoI should, *inter alia*, clearly indicate whether the safeguards are being addressed and respected during the implementation of REDD+ activities, and if any deficiency is noted in adherence to the safeguards, same should also be highlighted along with ways and means of overcoming the same.

4.4 Indicators to be used for collection of information on Cancun safeguards: In order to mitigate the potential risks from implementation of REDD+ activities, Cancun safeguards are intended to be addressed by leveraging various existing policies, laws and regulations governing forest management in the country. Indicators for these safeguards have been identified for collection of information on how the safeguards are being addressed and respected.

Safeguard 'a': Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements

Indicator 1: Consistency or complementarity of REDD+ actions with the objectives of national forest policy and programmes at planning stage

Indicator 2: Consistency or complementarity of REDD+ actions with the objectives of national forest policy and programmes during implementation

Indicator 3: Consistency or complementarity of REDD+ actions with the objectives of relevant international conventions and agreements ratified by India (UNFCCC, CBD, UNCCD and CITES etc.) at planning stage

Indicator 4: Consistency or complementarity of REDD+ actions with the objectives of relevant international conventions and agreements ratified by India (UNFCCC, CBD, UNCCD and CITES etc.) during implementation

Safeguard 'b': Transparent and effective national forest governance structures, taking into account national legislation and sovereignty

Indicator 5: Adequate institutional and legal framework for forest management

Indicator 6: Number of capacity building programme on forest governance related

issues organised for personnel of State Forest Department, other line departments and local communities

Safeguard 'c': Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples

Indicator 7: Documentation of traditional/ indigenous knowledge of local communities

Indicator 8: Documentation of present use and claims over forest land / resources of different stakeholders including local communities

Indicator 9: Status of Biodiversity Management Committees and People's Biodiversity Registers

Indicator 10: Integration at planning stage of local community knowledge and rights in REDD+ Action Plan

Safeguard 'd': The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities

Indicator 11: Identification of all relevant stakeholders

Indicator 12: Efficacy of stakeholder participation process

Safeguard 'e': The actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits

Indicator 13: Condition and extent of natural forest land parcels and biological diversity

Indicator 14: Prevalence of exotics and invasive alien species

Indicator 15: Status of vulnerability to forest fires, pests and diseases

Indicator 16: Status of encroachment

Safeguard 'f': Actions to address the risks of reversals

Indicator 17: Identification of potential drivers (fire, encroachment, illicit felling, grazing etc.) for risks of reversal

Indicator 18: Measures taken to address the risks of reversal

Safeguard 'g': Actions to reduce displacement of emissions

Indicator 19: Identification of potential events, actions and causes of displacement of emissions and strategies to address displacement of emissions

Indicator 20: Efficacy of strategies developed to address displacement of emissions

Reporting formats for collection of information/ data on safeguards from field is placed at Annex - 1.

4.5 Grievance redressal mechanism related to safeguards

In order to address grievances related to application of safeguards in implementation of REDD+ activities, three grievance redressal committees shall be established at national, state and forest division level for addressing the grievances (if any) of stakeholders on application of Cancun's safeguards in implementation of REDD+ actions.

4.5.1 A National Level Grievance Redressal Committee shall be established at Ministry of Environment, Forest and Climate Change, Government of India. Most complaints and grievances are likely to be resolved at the State level, but some may escalate to the National level for which the committee shall meet as and when required. The composition of the National Level Grievance Redressal Committee shall be as follows:

1. Inspector General of Forests (Forest Policy), MoEFCC: Chair
2. Dy. Inspector General of Forests (Forest Policy), MoEFCC: Vice Chair
3. Representative of National Biodiversity Authority: Member
4. A representative of a Civil Society: Member to be nominated by the DGF
5. Assistant Inspector General of Forest (Forest Policy), MoEFCC: Member Secretary

Additional Director General of Forests (FC), MoEFCC shall be the Appellate Authority.

Functions of National Level Grievance Redressal Committee shall be:

1. To issue the necessary guidelines to the State Grievance Redressal Cell for timely resolving the grievance with respect to Cancun's safeguards implementation
2. To address the grievances of the stakeholders with respect to Cancun's safeguards implementation
3. To take necessary corrective measures for disposal of grievances
4. To prepare summary of grievances and their resolution at national level
5. To prepare the annual report of the grievance's redressal for submission to National Designated Entity for REDD+

4.5.2 A State Level Grievance Redressal Committee shall be established at State Forest Departments under the chairmanship of Chief Conservator Forests dealing with Forest Policy. The composition of the State Level Grievance Redressal Committee shall be as follows:

1. Chief Conservator of Forests (dealing with Forest Policy in the office of PCCF): Chair
2. Conservator of Forests (dealing with policy and law in the office of PCCF): Vice Chair
3. Representative of State Biodiversity Board: Member
4. Representative of the Panchayati Raj and Rural Development Department: Member
5. Representative of Civil Society: Member (to be nominated by the PCCF)
6. Dy. Conservator of Forests (Hqs): Member Secretary

An officer of the level of Additional Principal Chief Conservator of Forests nominated by Principal Chief Conservator of Forests & Head of Forest Force shall be the Appellate Authority.

Functions of State Level Grievance Redressal Committee shall be:

1. To issue the necessary guidelines to the Forest Division Level Grievance Redressal Cells for timely resolving the grievance with respect to Cancun's safeguards implementation
2. To address the grievances of the stakeholders (if any) with respect to Cancun's safeguards implementation at state level
3. To take timely necessary corrective measures for disposal of the grievances at state level
4. To prepare summary of grievances and their resolution at state level for submission to the State REDD+ Cell
5. To prepare the annual report of the grievance's redressal for submission to State REDD+ Cell, National Designated Entity for REDD+ and Member Secretary, National Level Grievance Redressal Committee

This committee shall meet as and when required to redress the grievances.

4.5.3 A Forest Division Level Grievance Redressal Committee shall be established in each Forest Division under the chairmanship of the concerned Divisional Forest Officer. The composition of the Forest Division Level Grievance Redressal Committee shall be as follows:

1. Divisional Forest Officer: Chair
2. Representative of Panchayati Raj and Rural Development Department: Member
3. Representatives of JFMC: Members to be nominated by chair
4. Representative of Civil Society: Member to be nominated by chair
5. Assistant Conservator of Forests: Member Secretary

Chief Conservator of Forests/ Conservator of Forests of respective territorial circle shall be the Appellate Authority.

Functions of Forest Division Level Grievance Redressal Committee shall be:

1. To address the grievances of the stakeholders (if any) with respect to REDD+ safeguards implementation at Forest Division level
2. To take timely necessary corrective measures for disposal of the grievances at Forest Division level
3. To prepare summary of grievances and their resolution at Forest Division level for submission to the State Level Grievance Redressal Committee
4. To prepare the annual report of the grievances redressal for submission to State REDD+ Cell

Draft for Public Comments

5. Future Vision: Further Improvement and Development

Presently, the information/ data on safeguards from field as per Annex – 1 shall be collected using the standard processes and tools for the purpose. However, gradually a system of automation to save the time, energy, and human and financial resources will be introduced. For example, a web-based computer application can be developed for collection of necessary information/ data on REDD+ safeguards from the states. Use of web-based computer application will help in avoiding duplication of information as well as quality control of the data. This will not only reduce the resources, efforts and time but also improve work efficiency and transparency in processing information on safeguards.

Analysis of constraints and gaps in implementation of Safeguards Information System need to be done at sub-national level. Fulfilment of the Safeguard Information System in implementation of REDD+ activities further need:

- 1) Capacity buildings of State Forest Departments for collection of information/ data required for preparation of summary of information on safeguards
- 2) Capacity buildings of stakeholders on various aspects of REDD+ including safeguards
- 3) Adequate financial arrangement for effective implementation of SIS at all levels

Information on safeguards compliance in implementation of REDD+ activities from state levels shall be compiled. Summary of information on how the safeguards are addressed and respected in implementation of REDD+ activities will be prepared at Ministry of Environment, Forest and climate Change, Government of India level for final submission to UNFCCC periodically in biennial update reports and national communication or other means of communication as agreed by the UNFCCC.

Monitoring and evaluation of the SIS functioning will be done with a view to effecting further improvement in the safeguards information system.

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Reporting Formats for Collection of Data on REDD+ Safeguards

Project Title:
Project Locations (Name of Forest Beat, Block, Range, Division, Circle and State with Geo-coordinates):
Brief Description of the proposed project activities:

Safeguards 'a': *Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements*

Indicator 1: Consistency or complementarity of REDD+ actions with the objectives of national forest policy and programmes at planning stage

S. No.	Complementarity/consistency at project planning stage			
	REDD+ actions complement or are consistent with the national and state forest policies & programmes	Yes	No	Please specify briefly

Frequency of data collection: Once

Indicator 2: Consistency or complementarity of REDD+ actions with the objectives of national forest policy and programmes during implementation

S. No.	Consistency/ complementarity during project implementation				
	REDD+ actions complement or are consistent with the national and state forest policies & programmes	Year	Yes	No	Please specify briefly

Frequency of data collection: Every Two Years

Indicator 3: Consistency or complementarity of REDD+ actions with the objectives of relevant international conventions and agreements ratified by India (UNFCCC, CBD, UNCCD and CITES etc.) at planning stage

S. No.	Consistency/ complementarity at project planning stage	Yes	No	Please specify briefly
i.	REDD+ action complement or are consistent with the objectives of UNFCCC			
ii.	REDD+ actions complement or are consistent with the objectives of CBD			
iii.	REDD+ actions complement or are consistent with the objectives of UNCCD			
iv.	REDD+ actions complement or are consistent with the objectives of other conventions and agreements ratified by India			
Frequency of data collection: Once				

Indicator 4: Consistency or complementarity of REDD+ actions with the objectives of relevant international conventions and agreements ratified by India (UNFCCC, CBD, UNCCD and CITES etc.) during implementation

S. No.	Consistency/ complementarity during project implementation	Year	Yes	No	Please specify briefly
i.	REDD+ actions complement or are consistent with the objectives of UNFCCC				
ii.	REDD+ actions complement or are consistent with the objectives of CBD				
iii.	REDD+ actions complement or are consistent with the objectives of UNCCD				
iv.	REDD+ actions complement or are consistent with the objectives of other conventions and agreements ratified by India				
Frequency of data collection: Every Two Years					

Safeguard 'b': *Transparent and effective national forest governance structures taking into account national legislation and sovereignty*

Indicator 5: Adequate institutional and legal framework for forest management

S. No.	Institutional framework	Yes	No	Please specify briefly
i.	Adequate legal framework with Acts, Rules, Regulations and procedures for forest governance exists			
ii.	Adequate institutional framework for forest management exists			

iii.	Adequate hierarchy of human resource for forest management is in place			
iv.	Forest governance structure is transparent			
v.	Grievance redressal mechanism exists			
Frequency of data collection: Once at the inception stage				

Indicator 6: Number of capacity building programme on forest governance related issues organised for personnel of State Forest Department, other line departments and local communities

S. No.	Name of the training programme	Date & duration	Number of staff/ community members participated		Remarks
			Male	Female	
Frequency of data collection: Every Two Years					

Safeguard 'c': *Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples*

Indicator 7: Documentation of traditional/ indigenous knowledge of local communities

S. No.	Name of the village/ community	Indigenous traditional knowledge documented (specify briefly)
Frequency of data collection: Once at the inception stage		

Indicator 8: Documentation of present use and claims over forest land / resources of different stakeholders including local communities

S. No.	Name of the village/ community	Traditional rights of local communities documented (specify briefly)

Frequency of data collection: Once at the inception stage

Indicator 9: Status of Biodiversity Management Committees (BMC) and record of People's Biodiversity Register (PBRs)

S. No.	Year	BMC		PBR	
		Name of BMC	Functional status	Name of the village	Functional status

Frequency of data collection: Every two years

Indicator 10: Integration at planning stage of local community knowledge and rights in REDD+ Action Plan

S. No.	Integration in REDD+ Action Plan	Yes	No	Briefly specify
i.	Integration of local community knowledge in REDD+ Action Plan			
ii.	Integration of local community rights in REDD+ Action Plan			

Frequency of data collection: Once at inception stage

Safeguard 'd': *The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities*

Indicator 11: Identification of all relevant stakeholders

S. No.	Name of the stakeholder group (Line departments, Gram Sabha, community members, JFMCs, SHGs, right holders, NGOs, industry etc.)	Number of representatives of each stakeholder group

Frequency of data collection: Every two years

Indicator 12: Efficacy of stakeholder participation process

S. No.	Date of consultation	Names of the participating	Number of representatives of each	Number of female	Whether stakeholders' concerns	Specif

		stakeholder groups	stakeholder group participated	participants	documented and addressed	by briefly

Frequency of data collection: Every two years

Safeguard 'e': *The actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits*

Indicator 13: Condition and extent of natural forest land parcels and biological diversity

Reporting Year	Status of natural forests					
	Area of Natural Forest (ha)				Area of natural Grasslands (ha)	Area of Plantation (ha)
	VDF	MDF	OF	Total		

Frequency of data collection: Inception year and every two years

Status of Faunal Diversity			
Faunal Diversity	Number of species	Number of rare and endangered species	Perceived effect of REDD+ activities on rare and endangered species (please specify)
Mammals			
Reptiles			
Birds			
Others (specify)			

Frequency of data collection: Once at inception stage and at five year interval

Status of Floral Diversity				
Floral Diversity	Number of species	Number of exotic species	Number of identified rare and endangered species	Perceived effect of REDD+ activities on rare and endangered species (please specify)
Trees				
Shrubs				
Herbs				
Climbers				
Frequency of data collection: Once				

Indicator 14: Prevalence of exotics and invasive alien plant species

Year	Name of exotic plant species	Name of invasive alien plant species	Forest infested area with invasive plant species	Whether affected area decreased or not (Y/N), please specify
Frequency of data collection: Inception year and every two years				

Indicator 15: Status of vulnerability to forest fires, pest and diseases

Year	Number of fire events	Total forest area affected (ha)	Whether affected area decreased or not (Y/N), please specify
Frequency of data collection: Inception year and every two years			

Year	Number of pest and diseases incidences	Total forest area affected by pest and diseases (ha)	Whether affected area decreased or not (Y/N), please specify

Frequency of data collection: Inception year and every two years			

Indicator 16: Status of encroachment

Year	Number of encroachment cases	Total forest area encroached (ha)	Control measures adopted, please specify
Frequency of data collection: Inception year and every two years			

Safeguard 'f': Actions to address the risks of reversals

Indicator 17: Identification of potential drivers (fire, encroachment, illicit felling, grazing etc.) for risks of reversal

Potential Drivers	Identified (Yes/ No)	Whether control measures prescribed (Yes/ No)
1. Forest Fire		
2. Weeds Invasion		
3. Grazing		
4. Encroachment		
5. Illicit felling		
6. Others specify		
Frequency of data collection: Once at the inception stage		

Indicator 18: Measures implemented to address the risks of reversal

Potential Drivers	Control measures implemented		Remarks
	Yes	No	
1. Forest Fire			

2. Weeds Invasion			
3. Grazing			
4. Encroachment			
5. Illicit felling			
6. Others specify			
Frequency of data collection: Every two year			

Safeguard 'g': Actions to reduce displacement of emissions

Indicator 19: Identification of potential events, actions and causes of displacement of emissions and strategies to address displacement of emissions

Potential events, actions and causes of displacement identified	Strategy developed to address the events, actions and causes	Remarks
Frequency of data collection: At the inception and every two year		

Indicator 20: Efficacy of strategies developed to address displacement of emissions

S. No.	Name of the strategy	Strategy implemented (Yes/ No)	If yes, year of implementation	Is the strategy effective?	Remarks, if any
Frequency of data collection: At the inception and every two year					

Details of the stakeholder consultation workshops organised on draft Safeguards Information System

S. No.	ICFRE's institutes involved	States covered in the regional stakeholder consultation workshops	Date of the stakeholder consultation	No. of participants
1.	IWST, Bengaluru	Karnataka, Andhra Pradesh and Goa	16/09/2020	65
2.	TFRI, Jabalpur	Madhya Pradesh, Maharashtra, and Chhattisgarh	30/09/2020	53
3.	HFRI, Shimla	Himachal Pradesh, Jammu and Kashmir, and Ladakh	09/10/2020	74
4.	FRI, Dehradun	Haryana, Punjab, Uttar Pradesh, Delhi	14/10/2020	42
5.	RFRI, Jorhat	North-eastern states	22/10/2020	21
6.	AFRI Jodhpur	Dadra and Nagar Haveli, Daman and Diu, Rajasthan, Gujarat	03/11/2020	35
7.	IFP, Ranchi	Bihar, Jharkhand, West Bengal	05/11/2020	45
8.	IFGTB, Coimbatore	Tamil Nadu, Puducherry, Lakshadweep, Kerala	16/12/2020	48
9.	IFB, Hyderabad	Telangana and Odisha	04/01/2021	40

Draft for Public Comments



Ministry of Environment, Forest and Climate Change, Government of India