

*Memorandum of Understanding
of
Co-Management Society for Protected Areas*

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Preamble

Bangladesh has 22 protected areas (PAs) covering some 240,000 hectares, representing roughly 0.5 per cent of its surface area. This is, according to international norms and standards, equivalent to only one tenth of a country's surface area that is to be managed as protected areas. Even these relatively small protected areas are suffering from insufficient protection and are being seriously degraded. Lawachara National Park is being cleared of trees; Chunut, once well known for famous Garjan forest, is now nearly void of trees. Progressive encroachment and continued fuelwood harvesting is taking place in Tekhnaf Game reserve. The Forest Department has come to realize that effective protection of the forest can be possible only through "Collaborative Management" involving community participation in forest management based on the principles of partnership, joint responsibility, accountability and benefit sharing.

In forest protection, Collaborative Management or co-management refers to involvement of resource users/stakeholders in forest protection, sharing management functions with the Forest Department with explicit delineation of roles and responsibilities and clear cut definition of rights and entitlements of both parties. In order for co-management to work, the duly constituted management entities must be legally recognized and *empowered* with a clear assignment of management authorities and prerogatives. They also must have assurances of *benefits* that provide both the economic incentives and the means to invest in the protection and management of these areas.

Community participation can be facilitated through an appropriate institutional structure. A two-tier structure is proposed: (i) **Co-Management Council** consisting of resource users/stakeholders belonging to various strata of the society, and (ii) **Co-Management Committee**, an executive body, democratically elected by the Council members from amongst them to undertake executive functions in forest management, jointly with the Forest Department.

The proposed outline and format for the Memorandum of these co-management bodies cover the governance structures, broad guiding principles and specific roles and function, rights and responsibilities of different stakeholders. After the Memorandum has been discussed, adapted and formally adopted by the local stakeholders and approved by the Forest Department, it will become binding on all parties committed to the protection and conservation of the forest.

We Pledge

We the members of the Council note:

That we are proud of our National Park/Game Reserve/Wildlife Sanctuary and pledge to join together with the Forest Department to protect and conserve this Protected Area and to ensure sustainable use in the surrounding landscape.

We acknowledge that the integrity of the Protected Areas is presently threatened by massive collection of fuel wood by large numbers of people living in communities within the interface landscape, illegal felling and encroachment by some vested interest groups. We are aware of the unremitting loss to the plant and animal world and the disastrous impact it will make on our future generations

We further note :

That such rapid clearing, continued encroachment and degradation of the PA will not only lead to loss of current and potential sources of livelihoods but also destroy possibilities of substantive income opportunities from tourism and other sources if we the people of the communities within and around the PA are not able to work together with the Forest Department as partners to protect the area.

Accordingly, we the people from various strata of the society, belonging to different occupational groups have come together to form an institution called the Co-Management Council and its constituent Committee to provide a structure and operational means for the Co Management of the PA and solemnly pledge that:

- ❖ We believe in the merits of conservation and will help to protect the forest and save the Park/Game Reserve/Wildlife Sanctuary from further degradation.
- ❖ We are committed to partnership and will work closely with the Forest Department and assist in its efforts to protect the forest and its bio-diversity.
- ❖ We understand the need to motivate community people and actively involve them in forest protection and conservation processes.
- ❖ We will work collectively to resolve all issues related to forest protection and conservation, settle all differences and defuse all tensions among us emerging from conflicts of interest amicably and uphold the tenets of this Memorandum.
- ❖ We believe in participatory, democratic processes and will act in a way that is transparent, accountable to represented user groups and stakeholders and oriented to the service of our children and our children's children -- to the future generations.
- ❖ We want to provide adequate incentives for and to reward efforts that contribute to the conservation of this PA and agree on the need to provide for equitable and transparent revenue and benefit sharing
- ❖ We recognize the value of preparing and implementing management plans, land use plans, harvesting plans, the organization of local patrols for surveillance and other tools for conservation and improved management, and will endeavor to support their use and application.

Memorandum of Understanding Of Co-Management Society for Protected Areas

1. Name

The name of the Institution shall be **Co-Management Society for Protected Areas**

2. Office

The office of the Society shall be located centrally at a place that is easily accessible and agreed by the Council members and the Forest Department. Each PA shall set up its own office in consultation with its own Council members.

3. Nature of the Institution

The Co-Management Society is a non-political, non-sectarian, people initiated and propelled voluntary institution to protect and conserve selected Protected Areas of Bangladesh.

4. Location of the PAs

The physical location of the PAs shall be (i) *Lawachara National Park* in Kamalgonj Upazila of Maulavibazar District, (ii) *Satchuri National Park* in Chunarughat Upazia of Habigonj District, (iii) Rema Kalenga Wildlife Sanctuary in Chunarughat and Madhabpur Upazilas of Habigonj District, (iv) Tekhnaf Game Reserve in Ukhia and Tekhnaf Upazila of Cox's Bazar District, and (v) Chunoti Wildlife Sanctuary in Bashkhali and Lohagara Upazilas of Chittagong District and Chokoria Upazila of Cox's Bazar District.

5. Objects of the Co-Management Society

The objects for which the Society is established are:

- (i) To serve as formal and recognized platform for local stakeholders to voice their concern regarding continued degradation of the PAs;
- (ii) To aid, stimulate and promote any activity that is geared towards protection and conservation of the PAs;
- (iii) To develop partnership and work closely with the Forest Department to protect and conserve the PAs and its bio-diversity;

- (iv) To empower community people so that they consider the PA to be an invaluable asset, resolve mutual differences and take initiatives to conserve it for current and future generations;
- (v) To serve as a platform for hearing, airing and resolving conflicts related to PA conservation;
- (vi) To provide for arbitration in respect to disputes arising at the community level in course of protection and conservation of the PAs;
- (vii) To ensure that all policies and decisions related to the PA safeguard the rights and interests of the voiceless poor, women in particular, ethnic minorities, and other marginalized groups including the aged and the disabled.
- (viii) To provide feedback and recommendations, and if needed, appeal and or undertake advocacy campaign against any decisions that are likely to have major impact on the PA;
- (ix) To provide general guidance to and assist the Co-management Committee to perform its tasks effectively;
- (x) To make publicity in respect of the activities and progress of the Co-management Council in PA protection and conservation so that diffusion of such knowledge can have positive multiplier effect in conservation activities both within country and outside;
- (xi) To work in collaboration with the Forest Department to promote facilities and services to expand ecotourism;
- (xii) To accept donation, gift, contribution in cash or kind, and or raise funds from PA management activities with the Forest Department, and to use the funds in interventions that will lead to improvements in the quality of life of community people, and or invest in improvements of facilities and services in and around PAs to attract more visitors and tourists as determined by the members;
- (xiii) To hold, purchase, hire, lease, turn to use any movable or immovable property for the fulfillment of the objects of the Society and as determined by the members of the Council;
- (xiv) To borrow money required to further the objects of the Council upon such terms and in such manner as may be determined by the members of the Council;
- (xv) To enter into arrangements with any government department, public or quasi-public bodies or private agencies, which might help in furtherance and or fulfillment of the objects of the Society provided that the members of the Council agree to such proposal;

- (xvi) To provide assistance or extend support to academics, researchers, academic institutions, and other professionals to undertake research that will assist in furthering knowledge and improving PA conservation provided that the Forest Department and the Council or its constituted executive Committee members agree to such proposal;
- (xvii) To appoint advisors, and or consultants as shall be deemed necessary to further the effectiveness of the Society in PA conservation provided that the members of the Council agree to such proposal;
- (xviii) To maintain an up-to-date and comprehensive file on Bangladesh Government Rules and Regulations concerning PA management
- (xix) To assist in development of enterprises so as to expand income opportunities for people, poor in particular, living in and around the PAs within the interface landscape;
- (xx) To take steps to promote and support actions that will help in marketing of the products produced by community people so as to enhance their income;
- (xxi) To do all such other things as are incidental to or as the Council may think conducive for the attainment of the above objects or any of them subject to the permission of the Council members and the Forest Department, if needed;

6. *Incomes and Assets*

All incomes and assets of the Co-Management Society shall be used solely to promote the objects of the Society as set forth above. No portion of such income shall be paid to any individual member as salary or dividend other than such payments that are approved by the Council.

7. *Winding Up*

In the event of wind-up or dissolution of the Co-Management Society, any remaining surplus assets or properties including cash after payment of all debts and liabilities shall not be distributed among the members of the society but shall be given or transferred to other local institutions having the same objects and interventions.

Rules and Regulations of Co-Management Society for Protected Areas

1. *DEFINITIONS*

The following words and expressions shall have following meanings in the interpretation of the rules and regulations of the Co-Management Society:

“The Council shall mean Collaborative Management Council or Co-Management Council for the selected Protected Areas.”

“The President shall mean the President of the Co-Management Council”

“The Vice-President shall mean the Vice President of the Co-Management Council”.

“The Committee” shall mean the Co-Management Committee”.

“The Chairperson shall mean the Chairperson of the Co-Management Committee duly elected from time to time under the provisions of these presents”.

“The Vice-Chairperson shall mean the Vice-Chairperson of the Co-Management Committee duly elected from time to time under the provisions of these presents”.

“The Treasurer” shall mean the Treasurer of the Co-Management Committee duly elected from time to time under the provisions of these presents”.

“The Forest Department” shall mean Bangladesh Forest Department under the Ministry of Environment and Forest”

“The Annual General Meeting” shall mean the year-end meeting of the Co-Management Council”.

“The Office” shall mean Office of the Co-Management the Co-Management Committee.

“Park” shall mean the National Park”.

“Seal” shall mean the common seal of the Co-Management Committee.

“Month” and “Year” where ever mentioned shall mean Gregorian calendar, unless otherwise mentioned.

“Landscape shall refer to the Impact Zone which constitutes an area of five kilometres around the protected area.

“NSP” shall refer to Nishorgo Support Project funded by US AID implemented by International Resources Group (IRG)

“NGOs” shall refer to a private voluntary organizations involved in undertaking development programmes.

2. *GOVERNANCE AND STRUCTURE*

There shall be the following Representative Bodies: **(A) Co-Management Council** and **(B) Co-Management Committee**, an executive body, elected by the members of the Council

2.1. *Membership to Co management Council*

The membership to the Council shall be drawn from various strata of the community and belonging to different stakeholder groups ensuring a reasonable and representative proportion of women and youths. The stakeholder groups from which membership will be drawn are as follows:

- ❖ **Representatives from the Administration**
 - Upazila Nirbahi Officer (UNO)
 - ❖ **Representatives from the Forest Department**
 - Assistant Conservator of Forest (ACF)
 - Range Officers
 - ❖ **Representatives from Local Communities**
 - Representatives from the Organized Poor¹
 - Representatives from Resource Owning Groups: Sawmill Owners, Brickfield Owners, Timber Traders, Furniture Shop Owners, and Bazaar Committee
 - Representative from Tea Estate (where ever applicable)
 - Representatives from Ethnic Minority Communities
 - Representatives from Youth groups
 - ❖ **Representatives from Local Government (including women) and Pourashova**
 - ❖ **Representatives from Civil Society**
 - Representatives from Local Elite: Teachers, Doctors, Social Activists, Journalists, and Religious Leaders
 - ❖ **Representatives from Law Enforcing Authorities:** BDR, Police, Ansar/VDP
 - ❖ **Representatives from NGOs/CBOs**
 - ❖ **Representatives from Government Departments:** Department of Social Welfare, Department of Agricultural Extension (DAE), Department of livestock and Poultry, Department of Fisheries, Department of Land and Department of Health and Family Planning.
- (i) The list of member shall be maintained in a register and kept in the office of the Co-Management Committee setting out the names and addressed of each member. The list shall be reviewed periodically and necessary changes shall be recorded, if applicable.

¹ These include poor people of the community organized by NSP in groups and federations.

2.2 The Structure of the Co-Management Council

The total number of members in the council shall be between 51 and 55. No less than one fifth of the total number of members shall be women.

The representation from the different stakeholder group noted above shall be as follows:

Member of Parliament - Advisor

- 1 UpaZila Nirbahi Officer (UNO) - Chairperson
- 1 Assistant Conservator of Forest – Member Secretary
- 1 Representatives from the Forest Department
- 9 Representatives from the Organized Poor
- 13 Representatives from the local government and Pourashova
- 6 Representatives from Resource Owning Groups
- 1 Representative from Tea Estate (where ever applicable)
- 3 Representatives from Ethnic Minority Communities
- 2 Representatives from Youth groups
- 7 Representatives from Local Elite
- 2 Representatives from Law Enforcing Authorities
- 5 Representatives from NGOs/CBOs
- 4 Representatives from Government Departments

- (i) The Memorandum of Understanding of the Co-Management Society of Protected Areas shall have to be approved by the Ministry of Environment and Forest.
- (ii) If PA area is too big and covers two Upazillas then there shall be two Councils.
- (iii) If the Council covers two or more Unions, the members from the Wards adjacent to the Park/Game Reserve/Wildlife Sanctuary shall be taken as members.
- (iv) If the Park/Game Reserve/Wildlife Sanctuary spread over two Upazilas then the Upazila Nirbahi Officer shall be member of the Council formed in its Upazila as noted in clause 2.2(i) above and shall chair the session.

2.3 Operation of the Co-Management Council

2.3.1 Selection of Council Members

- (i) The Forest Department and NSP shall jointly select initial members of the Council after thorough consultation with, and based on the suggested list of, different stakeholder groups. After the council is formalized, the members of the Council shall decide on inclusion of new members, if needed.
- (ii) If a position becomes vacant, the Council shall take a new member in the specific vacant position of the predetermined stakeholder group following

democratic principle; however, necessary consultation shall have to be made with the UNO before final selection of the member is made.

- (iii) UNO shall serve as the President of the Council and shall chair all the meetings of the Council. The Assistant Conservator of Forest shall serve as the Member Secretary. After the formation of the Committee the Chairperson of the Committee shall serve as the Vice Chairperson of the Council and shall chair the meeting in the absence of the Chairperson.

2.3.2 Duration of Membership

- (i) Duration for membership to the Council shall be for a period of 4 years after which all shall retire. Thereafter, each stakeholder group shall elect its representing member/s for another term. Those completing two terms shall be eligible for election only after a gap of one term.

2.3.3 Resignation from Membership

When a member desires to resign from his membership to the Council, he shall forward his letter of resignation to the Chairperson of the Co-Management Committee. If the resignation is accepted by the Committee then his/her resignation shall take effect from the date the Committee accepts the resignation. The decisions of the Committee, however, shall have to be ratified subsequently by the Council members at the Annual General Meeting

2.3.3 Cessation of Membership

- (i) Membership to the Council could be terminated on the happening of any of the following events:
 - a. A member reported and proved to be involved in, or associated with, illegal extraction of forest resources, or other illegal use of resources within the boundaries of the Park/Game Reserve/Wildlife Sanctuary.
 - b. On the member's death, resignation, lunacy or conviction for a criminal offence.
 - c. Failure to attend three consecutive meetings of the Council without any prior notice.
 - d. When in general meeting members, by a two-third majority, decide to terminate the membership of any person against whom a specific complain is raised provided that the allegation against the member is conclusively proved and the member before expulsion be given due notice with a copy of the charge or complain and an opportunity of replying or being heard in the Council.
- (ii) If a vacancy occurs, such vacancy shall be filled by following the process mentioned above in clause 2.3.1(ii).

2.3.4 Meeting of the Council: Bi-monthly and Annual General Meeting

- (i) The members of the Council shall meet once every six months; the year end meeting shall be treated as the Annual General Meeting of the Council. During

the initial period, meeting of the Council could be held once every two or three months as may be decided by the members in the Council meeting. The members, however, could call an Extra Ordinary General Meeting if two thirds of the members so decide specifying agenda item/s.

- (ii) The Member Secretary with the approval of the Chairperson shall convene regular meeting of the Council by circulating notice at least 21 clear days before the meeting specifying venue, agenda and time. The Member Secretary shall also prepare the minutes of all the meetings and circulate those with notice to all members of the Council.

2.3.5 2.3.5 Quorum

- (i) The quorum shall be one third of the members present. For example, if the number of members of the Council is 51 the quorum shall be 17; for a fifteen-member committee the quorum shall be five.
- (ii) At any General Meeting a resolution put to the vote shall be decided by show of hands, unless a poll is so demanded. If a poll is demanded, it shall be taken in such manner as defined in the Memorandum, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.
- (iii) In the case of an equality of votes, whether on a show of hands or on a poll, the Chairperson of the meeting at which the show of hands takes place, or at which the poll is demanded, shall be entitled to give a deciding vote.

2.3.6 Accountability of the Council

The Council shall be accountable to the members of the community and the stakeholders they are drawn from. The Council shall at a meeting convened at the year end report to the community people and stakeholders all the activities undertaken during the year and also share the plan for the next year.

2.4 Responsibilities of Co-Management Council

- (i) Agree upon the overarching and primary objectives of the Council with respect to the conservation and management of the Protected Area
- (ii) Provide for the election of an appropriate Committee to achieve the aforesaid objectives, and agree on the roles and functions of the key officers and decision makers in the Co Management Committee
- (iii) Provide for a process to agree on appropriate land use within and around the Protected Area
- (iv) Provide for locally enforceable rules and the adoption of best practices aimed at controlling access and ensuring the sustainable use of resources within the PA and the surrounding landscape
- (v) Agree on the terms and provisions for equitable sharing of revenue and benefits

- (vi) Promote sustainable and value added utilisation of resources in managed areas in a manner consistent with the conservation of the PA
- (vii) Provide for the protection, surveillance, rehabilitation, restoration, management and increased productivity of the resources within and around the PA
- (viii) Agree on a management plan, harvesting plans, annual work plans and other tools and methods to achieve the management objectives for the PA and surrounding landscape
- (ix) Assist and facilitate mobilization of locally available human resources, private sector contributions and other sources of funding and support to provide for the conservation and management of the PA
- (x) Motivate and make people aware of negative consequences of forest depletion, and assist the Co-Management Committee in its efforts towards building resistance against forces involved in the destruction of forest resources and biodiversity.
- (xi) Assist the Co-Management Committee to take appropriate actions against people involved in illegal encroachment of forest land and extraction of forest resources.
- (xii) Assist the Co-Management Committee in resolving forest-based conflicts, if needed.

2.5 The Structure of the Co-Management Committee

2.5.1 Members of the Committee

- (i) The Council Members shall elect from amongst them a Co-Management Committee of 15-19 members drawn proportionately from different stakeholder groups and from all segments of the landscape to assist the Forest Department in the management of the PAs.
- (ii) The elected members of the Committee shall, in turn, elect a Chairperson, a Vice Chairperson and a Treasurer from amongst them. The elected Chairperson shall chair all Committee Meetings, and in his absence the Vice Chairperson shall chair the session. In the event both the Chairperson and the Vice Chairperson are absent, the members shall elect someone amongst them to chair the session.

2.5.2 Composition of the Committee

- (i) The Upazila Nirbahi Officer (UNO) shall serve as the Adviser and the Assistant Conservator of Forest (ACF) shall serve as the Member Secretary to the Committee.

- (ii) The Committee shall seek assistance of the Advisor when need arises particularly in resolving issues and in achieving the aforesaid objectives.
- (iii) The composition of the Committee shall be as follows
 - ❖ Upazila Nirbahi Officer (UNO) - Adviser
 - ❖ 1 Assistant Conservator of Forest (ACF)- Member Secretary
 - ❖ 1 Representative for Forest Department – Range officer
 - ❖ 2 Representatives from NGO-Organized Federations/Groups
 - ❖ 2-3 Representatives from the Local Government (at least 1 woman)
 - ❖ 2 Representatives from Resource Owning Groups
 - ❖ 1-2 Representative from Ethnic Minority Communities
 - ❖ 3-4 Representatives from Local Elite
 - ❖ 1 Representative from Law-Enforcing Authorities
 - ❖ 1-2 Representatives from NGOs/CBOs
 - ❖ 1 Representatives from the Government Department

Total Number: 15-19

2.5.2 Election of Members of the Committee

- (i) The Members of the Council shall elect the Committee from amongst them ensuring proportionate representation of the stakeholder groups. The election shall be conducted by a three-member Election Commission selected by the council unanimously. The members selected shall be no way associated with the Forest Department or the Council.
- (ii) The Commission, if the council members agreed, could elect the committee members by simple show of hands or could follow normal election procedures in which case nomination shall be sought by a specific date followed by scrutiny by the Commission and then election through ballot.

2.5.3 Tenure of the Committee

- (i) The tenure of the Committee shall be for a period of two years. However, in the first year half of the members of the committee shall be asked to retire voluntarily. If the members refuse to resign voluntarily, then a lottery shall be held and members picking up cards with 'voluntary resignation' shall resign from the post. The vacant posts, thus created, shall be filled through election following the standard procedure noted in clause 2.5.2 (ii).
- (ii) A member shall not be allowed to serve in the Committee for more than two terms consecutively. One can opt to compete in the election after a gap of one year at the least. This has been done to allow opportunities for all members to get elected in the Committee eventually.

2.5.4 Secretariat of the Co-Management Committee

- (i) The office of the Co-Management Committee shall be the secretariat of the Committee.

- (ii) The Committee shall hire a full-time staff—an Office Assistant cum Accountant—who shall sit in the office regularly. He will maintain the books of accounts keep all other records and documents and maintain links with the Forest Department. The Member Secretary of the Committee shall sit in the office and oversee all the management functions. The office bearers of the Committee could also sit in the office if they so desire.
- (iv) Hiring of the staff shall be made by a three-member hiring committee formed by the Committee for the purpose. The position shall be advertised in the local news paper. The hiring committee shall short list the candidates applying for the post and finally select the person deemed fittest through interview.

2.6 Operation of the Co-Management Committee

- (i) The Co-Management Committee shall be primarily responsible for overall management of the protected area including the landscape, which will include an area covering five kilometres from the boundary of the Park/Game Reserve/Wildlife Sanctuary.
- (ii) If the landscape of the protected area is too big, the Co-management Committee shall segment the landscape into multiple blocks and form an informal action committee in each block to undertake actions aimed at protecting the forest and conserving bio-diversity.
- (iii) The Committee shall introduce a reward system for blocks achieving notable success at the end of a specific time frame. Reward shall be in the form of certificate and in kind benefit for income generation like cows, goats, etc. Such reward system could generate a sense of competition among the sectors, which in turn, could bear positive impact on protection of the forest and preservation of bio-diversity.

2.7 Responsibilities of the Co-Management Committee

Co-Management Committee shall:

- (i) Prepare an Annual Plan of Action for forest protection and bio-diversity conservation (as per management plan prescription), initially with the support of the facilitating NGO and the Forest Department and later independently. The status of the planned activities shall be reviewed every six months at the half yearly Council meeting to check the progress made, problems encountered and take appropriate actions to remedy the situation.
- (ii) Undertake awareness building and motivational campaigns within the project sites using multi-media communication techniques to make people aware of the negative consequences of forest depletion. Also involve school children, scouts, girl's guides to undertake specific motivational campaigns at the project sites.
- (iii) Take appropriate actions to prevent illegal encroachment of forest land and take stern social actions against the encroachers jointly with the Forest Department.

If needed, approach the law enforcing authorities to prevent such encroachment by the encroachers.

- (iv) Develop, initially with the help of NSP and Forest Department monitoring tools and indicators of forest resource and bio-diversity protection and conservation, and monitor periodically with the help of community people to see the achievements made in each block.
- (v) Motivate brickfield owners and other resource extraction groups not to get involved in illegal extraction of forest resources. Generate a strong public opinion against such actions so that they conform to public demand.
- (vi) Undertake protection of the forest to allow its natural regeneration. Also help the Forest Department to undertake plantation activities, if required.
- (vii) Undertake afforestation activities involving community people, organized poor in particular, along the roadsides, railway tracts, khas land, and other degraded areas with the advice and support of the Forest Department following the benefit sharing principles of the Forestry Sector Project.
- (viii) Identify and assign families, if possible, from amongst organized group members, to raise nurseries as part of income generating activities. Also identify other alternative resources that could be accessed and used for generating income and employment for the poor people of the community.
- (ix) Open a bank account to deposit grant received from NSP, a portion of income from the park and income from other sources that the committee can generate. It is expected that the system will prepare the committee to operate and manage funds during the post phase out period.
- (x) Resolve local issues and forest-based conflicts that may arise from time to time. Also provide appropriate information and technologies to community people.
- (xi) Maintain close linkage with other government departments that have presence at the community level and interact closely with the community people.
- (xii) Build, maintain and operate visitor facilities in and around PAs after obtaining due approvals.
- (xiii) Monitor the status of the forest and the Park in conjunction with the Forest Department and share the information with the members of Upazila Environment and Forest Development Committee. The Members shall also share the information among other members in its regular monthly meetings.
- (xiv) Impose sanctions and institute penalties on those who are caught extracting resources illegally or involved in illegal felling. The amount of such penalty shall be determined by the Committee and revised time to time.

3. PRINCIPLES AND GUIDELINES FOR PA CONSERVATION, NATURAL RESOURCES MANAGEMENT And SUSTAINABLE USE

- (i) For people living in and around the PA shall, have access to non-timber forest products and dead, dying, dried, diseased, fallen or salvaged trees to meet their subsistence consumption needs in exchange of their protection and conservation services. This access will be subject to the provisions of the PA management plan and controlled by the Committee.
- (ii) The non-timber forest products shall include fruits and vegetables, grasses used for house building, medicinal plants, basket-making materials and other non-wood materials. The approved Management Plan for the PA shall specify areas for the collection of the above-mentioned resources. These areas will be called multiple use areas.
- (iii) The PA Management Plan shall define mechanisms and regulations for extraction of resources. Extraction of resources in multiple use areas shall be done in a sustainable manner so that it does not offset the eco-balance and endanger sustainability of the resources. The Forest Department shall, if needed, issue identity cards to the resource users to institute some restriction on indiscrete resource extraction.
- (iv) The Management Plan shall include provisions to allow general public and expatriate tourists to go inside the park obtaining valid permission from, and paying specified entry fee to the Forest Department. The tourists/visitors shall always go inside the Park with guides and follow established procedures and norms.

3.1 Fund Generation and Sustainability

- (i) A portion of the income generated from eco-tourism and other exhibits shall be turned over to the Co-Management fund for financial sustainability. The fund shall be administered by the Committee and shall be used to support the enforcement of related rules and regulations and other PA management activities.
- (ii) The Council shall have the authority to accept donations from local and international communities and donors or other sources; however, necessary permission or registration shall have to be taken from the Government before accepting such funds.
- (iii) The Committee shall prepare an expenditure plan for the grant money provided by NSP and money received from other sources and shall have it approved by the Council in its regular meeting. The fund shall be used for Social Development, Scholarships to bright school students, improvement of WatSan facilities, establishment or operation of clinics or health centers, development of infrastructure facilities for promotion of Eco-tourism, etc.

- (iv) The manner in which the funds shall be spent will be determined by the Committee; however, the Committee shall make special efforts to spend on such project mix and in such manners that could bring not only social benefits but also financial return to augment the fund for sustainable use.
- (v) Committee shall also explore the possibilities of other fund raising sources, which could include: membership fees (mutually determined), picnic spots (near to but not inside the PA) rental, resorts/guest house rental, fees from souvenir shops, handloom/handicraft shops, horse riding, elephant riding, bamboo rafting, eco-tour guide, and shops constructed by private people close to the Park.
- (vi) The Committee shall use the fund to pay for the salary of the Secretary cum Account hired to maintain all records and all books of accounts of the Committee. The Committee shall, if needed, pay from the fund such incidental expenses as transport costs of members attending the Council and Committee meetings, refreshments at the meetings, stationeries, workshop and seminar attendance, etc.

3.2 Legal Entity

- (i) The Forest Department shall help the Committee in obtaining registration under the Societies Act of 1860 (XX) if the Committee proves its efficiency in its operation. Such registration will allow the committee to operate like an NGO and also seek funds from different sources and as such will ensure sustainability.

3.3 Conservation Activities

- (i) The Committee could recruit some members of the community to patrol the forest on a regular basis and pay them an amount for the services rendered from its own fund.
- (ii) The Committee shall negotiate with the Forest Department to have access to landscape zone resources, which may include reserve forest areas in buffer sub-zone, or land and water bodies belonging to other government departments (local government, railway department, roads and highways), to augment their income and improve their socio-economic conditions. However, the Committee shall ensure that those gaining access to such resources will be required to contribute towards protection and conservation of the protected area.

3.4 Relation with Other Government Departments

- (i) The Committee shall maintain close relationship with other Government Departments operating at the grassroots level and where ever possible take advantage of opportunities for bio-diversity conservation and local area development.

4. ACCOUNTS MANAGEMENT

- (i) The Committees shall operate transparently with regard to sharing of resources and benefits as provided for in Revenue / Benefit Sharing Plans in the Management Plan. They shall keep all relevant records for inspection and verification by the individuals or groups or organizations/Departments
- (ii) Funds generated by the Committee shall be kept in a Bank Account and managed following certain procedures and norms as recommended by the Committee office bearers and agreed upon by the Council.
- (ii) The Committee shall keep proper books of account with respect to: (a) all sums of money received and expended and (b) all matters related to all sales and purchases of goods/services.
- (iii) The books of account shall be kept at the office or at such other place as the Committee members deem fit and appropriate, and such books or documents shall be open to inspection by any member of the Council; any person from any other government department or relevant institution could inspect the books and documents subject to receipt of valid permission from the Committee.
- (iv) The Accounts person shall prepare every year a statement of accounts to be presented to the Council at the Annual General Meeting. The statement shall be accompanied by a report by the Chairman on the activities planned and executed and an outline of the planned activities in the coming year.
- (v) The Council in the Annual General Meeting shall appoint an Audit Firm or Audit Team to do both financial and management audit. The Firm or Team shall submit the audited report to the Committee, which in turn would circulate to the Forest Department and Nishorgo Support Project. The audited report shall be made available for review or inspection by any member/s of the Council, if requested.

5. *INDEMNITY*

- (i) It shall be the duty of Committee to pay out of the funds of the Society all costs and expenses which Committee selected persons may incur while patrolling to conserve the PA.
- (ii) No application, complain or suit will have legal effect or be entertained without the joint signature of the Chairman and Member Secretary.

6. *AMENDMENT*

These Rules and Regulations may be amended, altered or repealed by a two-third majority of the members present and voting in any General Meeting of the Council provided that the notice of the amendment is contained in the agenda of the meeting in writing and further provided that such notice shall have been served on the members of the Council at least twenty one days prior to the meeting.

Annexure

Annex-1

ROLES AND RESPONSIBILITIES OF THE CHAIRPERSON OF THE CO-MANAGEMENT COMMITTEE

The Chairperson shall:

- (i) Conduct monthly meetings of the Committee, maintain discipline and take steps to sort out differences that may arise.
- (ii) Call an end to a meeting in case of any disorder caused by the members and also fix a date and venue of the next meeting.
- (iii) Review progress made in the implementation of the Action Plan prepared at the beginning of the year by the Committee and approved by the Council.
- (iv) Coordinate with the Member Secretary to prepare the report to be presented to the Council at the end of every six months and also arrange for audit of accounts by a reputed audit firm at the year end.
- (v) Operate the bank account jointly with the Member Secretary in the absence of the Treasurer.

Annex-2

ROLES AND RESPONSIBILITIES OF THE MEMBER SECRETARY OF THE CO-MANAGEMENT COMMITTEE

The Member Secretary shall:

- (i) Regularly sit in the office of the Council and deal with day to day management of the Park.
- (ii) Call Council and Committee meetings as per the schedule and write minutes of all meetings.
- (i) Work with the Committee, prepare Annual Action Plans and provide all official assistance in implementation of the plan.
- (ii) Facilitate management of the Park/Game Reserve/Wildlife Sanctuary Park; particularly undertake activities related to protection of the forest and conservation of bio-diversity.
- (iii) Operate the bank account jointly with the Treasurer and shall be responsible for maintaining books of accounts properly and keep the accounts ready for auditing.

- (iv) Facilitate and assist the Committee in management of the tourists visiting the Park and institute mechanisms for collection of the entry fee.
- (v) Assist the Committee in developing facilities for the tourists and also work collectively with the Committee members to maintain safety and security for the tourists.

Annex-3

ROLES AND RESPONSIBILITIES OF THE VICE CHAIRPERSON OF THE CO-MANAGEMENT COMMITTEE

The Vice Chairperson shall

- (i) Assist the Chairperson in conducting meetings of the committee.
- (ii) Officiate as the Chairperson in his absence in meetings and other official functions.
- (iii) Perform specific tasks assigned by the Chairperson time to time.

Annex-4

ROLES AND RESPONSIBILITIES OF THE TREASURER OF THE CO-MANAGEMENT COMMITTEE

The Treasurer shall:

- (i) Operate the bank account jointly with the member secretary and be responsible to oversee the books of accounts maintained by the Accounts person.
- (ii) Ensure that money received from various sources is deposited in the Bank account the same day or the next day at the latest.
- (ii) Ensure that financial statements are prepared regularly for presentation in the monthly Committee meetings and the bi-annual Council meetings.
- (iii) Responsible to disburse funds to community people subsequent to approval by the Committee and upon receiving instruction from the Chairperson and the Member Secretary.