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Manipur Loktak Lake Protection Act: How indigenous communities are being alienated under the garb of conservation



Photo: DALL.E 2

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SUMMARY



A dismantled homestay on the Loktak lake.

Photo: Mukta Joshi

The Manipur Loktak Lake (Protection) Act, 2006 classifies all constructions in the core zone of the lake as encroachments, regardless of size, scale or purpose. While this is used to evict indigenous-run homestays from the lake, Manipur's state government has been steamrolling mega projects worth thousands of crores on Loktak lake, without consulting local communities.

- In compliance with the Act¹, and allegedly to delist the lake from the Montreux Record², the Loktak Development Authority (LDA) ordered the removal of all small floating homestay operations from the lake.
- The state government, however, itself is in breach of the Environment (Protection) Act, 1986³, failing to even notify the lake as required under the Wetlands Rules, 2017⁴, despite multiple Manipur High Court's orders⁵— something that would prevent the LDA from unilaterally taking livelihood rights away from the local communities.
- At the same time, the government's recent announcements of a number of mega projects on the lake, without consultation with the local communities, is in violation of its commitments under the Ramsar Convention⁶.

BACKGROUND


On July 18, 2022, LDA ordered⁷ the removal of all floating homestays from Loktak lake within 15 days or face removal. The purpose for this removal was stated to de-list the lake from the Montreux Record, which is a sub-list of Ramsar sites whose ecological character has degraded. Removal of a wetland from the list implies that the ecological character of the wetland has been sufficiently conserved. Loktak, however, was added to the Montreux Record in 1993, because of problems caused by deforestation in the lake's catchment area, the proliferation of water hyacinth, and pollution – not because of homestay operations.

a. Loktak Lake and its ecosystem

Located in Manipur's Bishnupur district, about 48 km from the capital city of Imphal, Loktak is one of the largest freshwater lakes in India. The lake, known for its phumdis – floating islands of dense vegetation – spans over 287 square kilometres, and supports hundreds of varieties of fish, molluscs, aquatic plants, migratory birds, and the endangered Sangai deer. Its ecosystem also supports the lives and livelihoods of lakhs of people, most from the indigenous Meitei community. In 1990, the lake was designated a wetland of international importance under the Ramsar Convention, to which India had become a signatory back in 1971. Earlier, communities would engage in ataphum fishing for part of the year and have fertile agricultural fields. The water levels in the lake would rise and fall with the changing seasons.

b. Impact of the Ithai barrage

The harmony between the livelihoods of Loktak-dependent communities and the natural ecology changed with the commissioning of the Ithai Barrage in 1983. After the Barrage came up, the water level of the lake stayed high, all year round. Over 60,000 hectares of agricultural fields were submerged, which led to a shift in the local communities' livelihoods. The community then moved to ataphum fishing year round, which led to overfishing.



Floating homestays mushroomed as new avenues of livelihoods, offering tourists the unique experience of staying on a floating phumdi. However, these homestays were classified as encroachments and were ordered to be removed by LDA in July 2022 under the Manipur Loktak Lake (Protection) Act.

c. Manipur Loktak Lake (Protection) Act, 2006

The Manipur Loktak Lake (Protection) Act classifies all constructions made in the core zone as encroachments and directs for their removal. In November 2011, the LDA along with the Manipur police had carried out a brutal eviction drive, burning the floating huts down. The locals refer to the Act as “second AFSPA”⁸ – a reference to the Armed Forces (Special Powers) Act, 1958,⁹ widely considered responsible for grave human rights violations¹⁰ in the region.

d. The issue of floating homestays

The floating homestays which started cropping up in the mid 2000s continued with encouragement from the government, having since hosted not only LDA officials, but a Union minister, and Manipur’s chief minister as well. After issuing the removal notification, the LDA conducted multiple meetings with the homestay owner’s association, promising them regularisation if they complied with the notification and adhered to sustainability guidelines, which it promised to issue before the Sangai festival in November 2022. Two months on, there is no sign of the LDA guidelines, which was outside the scope of the LDA’s parent act to begin with.

e. Announcement of mega projects

The Loktak Lake Eco-Tourism Project, first proposed in 2019, and estimated to cost ₹2,160 crore, seeks to develop the lake as a world-class tourist destination. In August 2022, chief minister N. Biren Singh announced that the state government was working on a Sustainable Loktak Lake Ecosystem Regulation and Livelihood Improvement Project. The local communities, whose livelihoods depend on Loktak, allege that they were never once consulted before the announcement of either project, till date.

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EMERGING ISSUES

THE IMPACT OF POLICIES ON THE GROUND



Ataphum rings on Loktak lake. Ataphum is a traditional method of capture-fishing.

Photo: Mukta Joshi

- Under the Manipur Loktak Lake (Protection) Act, 2006 and subsequent notifications, traditional inhabitants of the lake are treated as encroachers and small operations and sustainable livelihoods are penalised. It implies that traditional inhabitants of the lake do not have any rights over their land, and manufactures a conflict between the indigenous community, and conservation. However, conservation goals cannot be sustainably achieved if local communities are excluded and antagonised.¹¹
- Owing to the lack of consultation, local communities have no say in government actions that impact their lives and livelihoods, leading to persistent conflict and a complete lack of trust between government authorities and the people being governed. Manipur State Wetlands Authority maintains that they have repeatedly directed the LDA to ensure it conducts impact assessments before it takes any action on Loktak, but it has never done so.
- LDA's extra-legal promises to local communities – such as the promise of regularisation – would be impossible to fulfil unless the Manipur Loktak Lake (Protection) Act is amended.

RECOMMENDATIONS

- Amendment of the Manipur Loktak Lake (Protection) Act to allow regulated, sustainable commercial activity by local communities
- Provision of livelihood alternatives to communities who are unable to carry out their traditional livelihood activities owing to concerns regarding conservation of the lake
- Provision of compensation to homestay owners, whose operations continued with encouragement from the government, who were suddenly forced to tear their own businesses down
- Notification of Loktak as legally required under the Wetlands Rules, which would include taking into account pre-existing livelihood rights and prevent an authority such as the LDA from unilaterally taking them away
- Fulfilling commitments made under Ramsar convention, such as ensuring participation of local communities and indigenous people in the management of wetlands, conducting impact assessments with involvement of the local communities, and ensuring consultation with local communities before any projects are proposed and announced by the government

REFERENCES

1. *Manipur Loktak Lake (Protection) Act, 2006.*
2. *Montreux Record, 1990.*
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4. *Wetlands (Conservation and Management) Rules, 2017.*
5. *Court on its own motion v. State of Manipur and Ors. (PIL No. 24 of 2017, order dated May 24, 2018).*
6. *Ramsar Convention on Wetlands of International Importance, 1971.*
7. *Notice dated July 18, 2022 by the Loktak Development Authority.*
8. *Oinam Anand, Manipur's Loktak Lake: Fate of the floating wonder, EastMojo (December 31, 2019).*
9. *Armed Forces (Special Powers) Act, 1958.*
10. *Jade Lyngdoh, AFSPA, the Law That Allows Incidents Like the Nagaland Killings to Occur, The Wire (December 6, 2021).*
11. *Sharachchandra Lele et. al., Beyond exclusion: alternative approaches to biodiversity conservation in the developing tropics, 2(1-2) Current Opinion in Environmental Sustainability (May 2010).*

