

Disempowerment in the name of 'participatory' forestry? - Village forests joint management in Uttarakhand

by Madhu Sarin ¹

In the name of devolution, the Uttar Pradesh Forest Department is being empowered to reassert control over the only example of legally demarcated village forests managed by Van Panchayats (elected forest councils). The case of Pakhi Van Panchayat is presented to illustrate the concrete effects of the top-down planning and implementation of a 'participatory' forestry project. Set in the wider historical and cultural context, it indicates how big money in combination with the need for uniformity when implementing large projects reek havoc among the great diversity of existing local institutional arrangements. The poor, and the women, increasingly targeted as primary project beneficiaries, are often left further disempowered. If we are serious about achieving the stated goals of women's empowerment and poverty alleviation there are some important lessons to be learned. Is anyone interested?

The case of Pakhi Van Panchayat

Pakhi Van Panchayat was constituted in 1958 to manage a 240 hectare legally demarcated village forest for meeting the needs of Pakhi and Jalgwad villages. The village lies in Chamoli district from where the famous Chipko movement against commercial forest exploitation had begun in the early 1970s. The village women and men actively participated in the movement and successfully stopped commercial felling of their forests by forest department contractors. Today the

village forest is in good condition and has mixed species dominated by oak and rhododendron, and a sprinkling of deodar (Himalayan cedar). Fuelwood, fodder, leaf litter for animal bedding and other non-timber forest products (NTFPs), rather than cash income, have been the primary benefits of the village forest. These have been critical for sustaining local agro-pastoral livelihoods. The area has limited male migration with only a few men having regular jobs. Besides wage work for road construction, some men find seasonal employment in Badrinath shrine, 60 kms away, during the summer months of pilgrimage.

Due to the women's involvement with *Chipko*, they have a strong and active *Mahila Mangal Dal* (women's welfare association). The *Mahila Mangal Dal* networks with women of neighbouring villages, interacts with several non-governmental organisations, participates in government sponsored camps for women, and is also a member of HIMVANTI, a multi-country federation of mountain women's organisations for the Hindukush Himalayan region. Although the elected forest council had 2 women members, they did not participate actively in *Van Panchayat* meetings. Instead, the *Mahila Mangal Dal* as a whole influenced the VP council by the women's collective decisions.

This strong *Mahila Mangal Dal* had established effective control over management of the village forest as collection of fuelwood, fodder & water is almost exclusively women's work in the hills. Decisions about when to open the forest for grass, leaf and firewood collection, the rules for collection, the fines for violation, etc. were taken by the *Mahila Mangal Dal* and communicated to the *Van Panchayat Sarpanch* (president). His primary responsibility was to get these decisions publicly announced in the two villages. As no external funds were available, the women used to repair the forest boundary wall with voluntary labour. They also employed a poor woman as forest *chowkidar* (watchwoman). Her salary of Rs.300 per month was raised through voluntary contributions. Fines from those violating the protection rules were collected by the *Mahila Mangal Dal* and deposited in its own account.

The women's control over forest use decisions enables them to ensure that forest product collection does not conflict with periods of heavy agricultural work. Soon after harvesting the monsoon mandwa crop in October, they open the forest closest to the village for grass collection. The furthest forest area is opened in December when all agricultural work is finished and women can devote most of their time to stocking up firewood and grass before the snow falls. Cutting of bushes and pruning tree branches is done from April to May.

Although pleased with having appropriated control over the village forest, the women expressed resentment over the men leaving all the forest protection work to them. They had attempted to coax the men to assist with voluntary patrolling but the men had refused saying that only women need the forest. The women

also reported that when outsiders come to the village, and there are many visitors due to the contacts established during Chipko, the men push the women forward for talking to them. However, when important village related decisions are made, the women are often kept in the dark.

Power shift with the introduction of 'participatory' village forests joint management (VFJM)

The women lose out

The women's lament about being kept in the dark about important village related decisions came starkly true with the introduction of VFJM under a World Bank funded forestry project in August 1999. The forestry project documents specifically emphasise the targeting of women and the poor during participatory micro-planning. However, Pakhi's women were neither consulted nor their existing management system taken into account while deciding to introduce VFJM with the *Van Panchayat*. Neither the Forest Department-NGO spearhead team² (responsible for developing forest management microplans) nor the male village leaders provided the women much information about the rules governing VFJM. The men only told them that a budget of Rs. 20 *lakhs* (Rs.2 000 000)³ was being approved for the *Van Panchayat* forest and that this would be very beneficial for the village.

The sudden offer of a generous budget for the village forest, however, led to a rapid gender based shift in power and control. The same men, about whom the women complained of leaving all forest protection work to the women, suddenly became over enthusiastic for it. 3 *watchmen*, at salaries of Rs.1000 per month, were employed together with one *watchwoman* for forest protection. After 3 months of working without a salary, the *Sarpanch* offered to pay the *watchwoman* Rs.200 per month. Knowing that the men were being paid Rs.1000 per month, she refused to accept such a payment. After a lot of arguing, she was finally paid Rs.700 for the previous month's work and then laid off on the grounds that it was difficult for a woman to protect the far ends of a large forest. Initially, the men even monopolized wage work in the project financed nursery. Only after strong protests by the women were some women also employed.

When no funds were available for the village forest, women were left to take care of it with voluntary labour. As soon as money came in, the women were labelled ineffective for undertaking the task. At the time of this study in December 1999, the women were still being permitted to frame rules of use in accordance with their needs as no plantation had yet been established. Following closure after plantation, they may have lost control even over such decisions⁴.

Men are also losers

The men too, however, were not outright winners in the subtle shifts in the balance of power and control within the village. The *Van Panchayat* council and *Sarpanch* had experienced a similar loss in local decision making control to the Forest Department. Maintenance of the muster roll for wage work and preparation of the monthly progress report is now done by the guard or forester instead of the *Sarpanch* as had been the case earlier. According to the *Sarpanch*, VFJM had reduced the villagers' role from being responsible for forest management to providing information for preparation of the microplan and working as paid labour for forestry operations. The villagers can no longer do anything on their own without prior approval of the forest staff. Neither the men nor the women were clear about the new VFJM rules or the legal agreement they were supposed to have signed accepting superior authority of the Forest Department over their village forest. There was no copy of the agreement in the VP records and the *Sarpanch* did not have a copy of the microplan with him. He said that years of experience had made him familiar with the rules governing *Van Panchayats*. But he knew little about the VFJM rules which had superseded the VP rules.

In the words of one of the worried women when these issues were probed by the researcher, *"In their lure for money, the men have made a deal over our village forest with the Forest Department."*

Forest category distribution			
Category	Jurisdiction	Area (Ha.)	% of total forest area
Reserved Forest	Forest Department	2,375,571	68.92
Civil and Soyam 6	Forests Revenue Department/ Gram Sabha	578,550	16.78
(Van) Panchayat Forests	Van Panchayats/ Revenue Department	469,326	13.63
Private, Cantonment and others	Miscellaneous	23,262	00.67
Total		3,446,655	100.00

(Source: Jena, N.S., et al, 1997 *Panchayati vana mein vyavsayaik paudharopan*, in *Parvatiya Vikas: 1(iv)*, CDS, Nainital.)

Discussion

The above case of Pakhi *Van Panchayat* is one of sixteen case studies carried out in Uttarakhand as part of CIFOR research to analyse the impact of devolution policies (in this case of VFJM) on increasing local control over forest management decisions, enhancing livelihoods and improving forest quality. Special attention was given to analysing impacts on the poorest forest dependent

women and men within communities. The findings raise several issues concerning the gap between the stated objectives of donors/government agencies and actual policy outcomes. Let us look at how VFJM aiming to promote villagers' 'participation' in forest management - especially of women and the poorest - ends up leaving them far more disempowered than before. To do so, it is important to understand the present and historical context of Uttarakhand.

The context for forest management in Uttarakhand - Diversity of community institutions

Uttarakhand, the hill region of Uttar Pradesh, has an agro-pastoral economy that is still predominantly subsistence based. About 50% of rural households, including the rural elite, have a high dependence on village commons and forest lands. Land distribution is relatively equal with rare cases of land holdings of over 2 hectares, and landlessness is low. Because many men out-migrate in search of employment the women are in effect the managers of the rural subsistence economy. About 40% of households are estimated to be headed by women.

Whereas only 12.5% of Uttarakhand's geographical area is private cultivable land, 67% of it is legally classified as 'forests'. The table above indicates the present distribution of this land under different legal categories of forests.

The region has an impressive array of community forest management systems, both informal as well as officially constituted. Unofficial community management, with diverse institutional arrangements on all legal categories of forest lands, has co-existed with formally constituted *Van Panchayats*, and in fact predates them. Democratic and autonomous community management of legally demarcated *village forests* (on Forest & Revenue Department land) by elected forest councils, *Van Panchayats* (VPs), has existed in Uttarakhand for over 7 decades.

The historical context

Prior to British conquest in 1815, the hill peasantry effectively exercised direct control over the use and management of cultivated lands and uncultivated commons, with little interference from their rulers. Resident communities regulated use within customary village boundaries, which defined communal property rights, by evolving their own rules rooted in cultural norms and traditions. Agriculture and animal husbandry comprised inseparable components of hill farming systems dependent on spatially and temporally integrated use of cultivated and uncultivated lands. Seasonal transhumance to alpine pastures and grasslands ensured lowland pasture regeneration. High dependence on the forests generated conservation values embedded in cultural and religious traditions, such as the maintenance of sacred groves. Traditional (male) village *panchayats* dealt with community affairs and inter- and intra- village disputes.

A number of interventions during colonial rule permanently altered this landscape of integrated local resource use and management with progressive transfer of ownership and control from villages to the state. Among other things, this trend has been characterised by:

- dilution of customary resource boundaries defining communal property rights;
- state enclosure of common property as reserve and protected forests;
- fragmentation of holistic resource management into individual rights/concessions;
- conversion of common property resources into open access; and
- progressive reduction of villagers' access to critical livelihood resources.

Reservation of forests under colonial rule was met with stiff resistance by the peasantry who set the commercially valuable pine forests on fire in protest. To contain the unrest, the colonial government was compelled to withdraw the forest department from over 50% of the new reserves, restore people's rights in these areas (while simultaneously converting them into open access) and create legal space for community based forest management through the institution of *Van Panchayats*.

After Independence, however, this centralisation trend continued as the state concentrated on commercial forest exploitation with even greater vigour. The Forest Department continued to gain still more control over forest resources. Local livelihoods received even less attention than under colonial rule, as state policy consistently favored export of raw timber and resin for processing by large industry in the plains. By the 1970s, the *Chipko* Movement had emerged to demand that priority be given to local needs and employment in the extraction and processing of forest produce. Increasing incidents of landslides and floods and declining availability of biomass for subsistence needs propelled even hill women into the movement. The issue of local forest rights, however, was soon subsumed within the new national and global ideology of environmental conservation. Instead of priority to local forest based livelihoods and employment, Chipko was used to justify a spate of fresh centralizing environmental policies and laws.

As the largest custodian of state property the Forest Department had been unable to maintain the forests in good condition or meet people's forest-based livelihood needs. Its responsibility for enforcing the Forest Conservation and Wildlife Protection Acts had reinforced its image as an anti-people agency. Thus, in 1988-89, some of the Chipko activists started yet another, relatively less known *Ped Kato Andolan* (cut trees movement) in protest against the Forest Conservation Act. They felt that it was being used to hold up basic development schemes for the hill villages while the builders' mafia continued to flout it brazenly under the guise of promoting tourism. More recently, resource

displacement and loss of livelihoods caused by expansion of the protected area network to twenty percent of Uttarakhand's geographical area has produced the *Jhapto Cheeno Andolan* (snatch and grab movement) reflecting the intense local feelings of alienation and disempowerment. Women who earned international fame for stopping contractors from felling their forests during *Chipko* have come to hate the word *paryavaran* (environment). As one of these women from Reni village complained "They have put this entire [surrounding forest] area under the Nanda Devi National Park. I can't even pick herbs to treat a stomach ache any more." 7

***Van Panchayats* - a unique space for local forest management**

The institution of *Van Panchayats* was created in response to protests against forest reservation through notification of the Kumaon *Panchayat* Forest Rules in 1931. Although it has undergone several changes since, it remains a unique example of community based forest management in India possible under section 28 of the Indian Forest Act, 1927. These forests are demarcated as village forests under the Act and are entered in the land records in the *panchayat's* name 8. The original framework provided by the 1931 Rules is summarized in the box below.

According to recent Forest Department estimates, there are 6,069 *Van Panchayats* managing 405,426 hectares of forests (13.63% of total forest area) in Uttarakhand. Various studies have shown that although the effectiveness of *Van Panchayats* varied from village to village, the condition of *panchayat* forests has been generally as good or better than that of Reserve Forests, particularly those near habitations.

The early *Van Panchayats* enjoyed considerable autonomy in decision-making and control over the forest. They balanced the maintenance of ecological services such as soil fertility and water source protection with grazing, collecting and other forest uses necessary to support local livelihoods. High stakes in the forest and strong bonds of trust among villagers allowed many of the *Van Panchayats* to remain successful for many years. Many have displayed remarkable resilience and adaptation to changing internal and external environments.

However, the total number of *Van Panchayats* remained low for many decades, partly due to the weak capacity in many villages to negotiate the bureaucratic procedures for getting a *Van Panchayat* constituted. Also people saw little advantage in getting village forests notified as they continued to assert customary authority over their commons on the strength of the traditional *sal assi* boundaries. Such community forest management continues to be widespread and is growing outside any formal legal framework on all categories of legal forest lands. This is particularly so in villages away from major roads

where the commons are still central for sustaining the local subsistence economy. Traditional *Lath Panchayats*, informal *Van Samitis* and more recently, increasing numbers of *Mahila Mangal Dals* are regenerating and regulating use of reserve and civil/*soyam* forest lands, often compelling unofficial cooperation by Forest and Revenue Department staff.

The Kumaon Panchayat Forest Rules, GOUP 1931 ⁹

Any 2 or more right holding residents of a village could apply to the Deputy Commissioner (DC) to demarcate a specified forest area within the village's *sal assi* ¹⁰ boundary as a village forest. After dealing with any claims or objections, the DC called a meeting of the residents and other right holders for electing 3 to 9 *panches* for managing the village forest. The *panches* selected a *sarpanch* from among themselves.

The elected representatives signed an agreement that the village forest land would not be sold or partitioned ¹¹ and that "The produce of the panchayat forest shall be utilized by the panchayat to the best advantage of the village community and of the right-holders". The panchayat had the status of a forest officer with the powers to fine or prosecute offenders and "To sell forest produce ¹², including slates and stones without detriment to the forest, and to issue permits and charge fees for grazing or cutting grass or collecting fuel". Resin from Chir (Pine) trees was the only product that could not be extracted or sold without the permission of the Forest Department and resin income had to be shared with the department where extraction was done by the latter.

The Van Panchayat had full control over use and income from village forests and all dues payable to it were deemed as dues payable to the government, recoverable as arrears of land revenue.

The only role assigned to forest officers was to inspect the panchayat forests or their records, and report on their functioning or the condition of their forests, if requested to do so by the Deputy Commissioner.

The erosion of Van Panchayat authority from the early 1960s

The centralizing policies and administrative changes mentioned earlier have weakened the *Van Panchayats'* abilities to manage forests for the benefit of their people. The revision of the 1931 Rules in 1976 drastically curtailed panchayat autonomy, authority and entitlements. The area eligible for *Van Panchayats* was drastically reduced through the redrawing of village boundaries. The *Van Panchayats'* entitlement to income from their forests was reduced to only 40 percent. Even this could be used only after obtaining permission from a distant Deputy Commissioner or Sub-Divisional Magistrate. Villagers continued to depend on adjoining forest areas, but they were no longer permitted to manage them.

Simultaneously, excessive powers and responsibilities were concentrated in the *Sarpanch* which has not only weakened the *Van Panchayats'* strong tradition of collective decision making but also reduced transparency and accountability. Excessive responsibilities thrust on the *Sarpanch* as an individual have also become a major disincentive for taking up *Van Panchayat* leadership.

The Forest Conservation Act, the felling ban, monopoly control of the Forest Corporation on resin and even salvage timber from village forests, and controls over NTFP marketing have drastically reduced local livelihood and employment benefits from both village and other categories of forests. Reduced bureaucratic support and accountability has resulted in a plethora of unattended boundary disputes in the absence of effective and accessible dispute resolution mechanisms. The problem of inter- village inequity in the availability of village forest areas remains unattended.

Van Panchayats have survived these multiple obstacles and challenges to their authority in many villages, albeit in a weakened state. Now they face a new threat from the introduction of VFJM. The practical effect of VFJM has been to transfer even more authority to the state at the expense of forest dependent villagers. Will VFJM be the final straw bringing about the demise of these relatively democratic and self- governing forest management institutions?

Why is village forest joint management (VFJM) so problematic?

In the name of promoting 'people's participation', *village* forests joint management being introduced in Uttarakhand is creating space for the Forest Department to intrude on the only existing example of reasonably autonomous legal space for community forest management in India. This is in contrast to space being created for villagers to participate in management of reserve forests under departmental jurisdiction through JFM in most other states. The UP 'Village Forests Joint Management Rules' (VFJMR), 1997 enable the department to become the dominant partner in the management of *Van Panchayat* and civil forest lands. The decision-making autonomy of *Van Panchayats* participating in VJFM is now "subject to the supervision, direction, control and concurrence of the Divisional Forest Officer" ¹³. The forest guard, who was removed from class-I reserve forests by the villagers through protests and incendiarism more than 7 decades ago, is being brought back not only into the *Panchayati* forests, but also inside the village institution itself as the joint account holder and proposed member secretary of *Van Panchayats* ¹⁴. The funds for management of village forests, including those raised by villagers through contributions, are now to be deposited in a bank or post office account to be operated jointly by the committee's chairman and the forester member secretary. This violates the objective of democratic decentralisation of governance by vesting power and authority in a non-elected representative of the bureaucracy.

VFJM is an important part of a bigger forestry project being financed with a World Bank \$65 million loan over the period 1998- 2002. Although receiving priority under the project, the Bank's appraisal document does not provide any analysis supporting the Forest Department's empowerment to intrude into the management of village forests instead of strengthening autonomous functioning

of existing *Van Panchayats* in the unique historical context of Uttarakhand. Nor does it specify any process ensuring multiple stakeholder participation in framing the rules for VFJM. In the event, the responsibility for framing them rests with the Forest Department with no history or experience of working with *Van Panchayats*. Exclusion of long standing *Van Panchayats*, as primary stakeholders, from any role in the matter is conspicuous by its absence. *Van Panchayats and other community institutions are treated as the objects of attention, not active participants in redefining their future destiny.* The World Bank project simply assumes the desirability of importing the standard JFM model from other states into Uttarakhand, with all its shortcomings¹⁵, instead of supporting a strengthened *Van Panchayat* framework.

Contrary to the World Bank condition that the 1976 *Van Panchayat* Rules be revised to provide them 'greater authority and control over funds', the 1997 VFJM rules ironically do the opposite. While overlooking the *Van Panchayats'* existing problems, they superimpose a confusing new structure of Forest Department authority and control over them. The rules also entitle the state, as land owner, to claim 50% of the *Van Panchayats'* income including that raised through village contributions and from forests nurtured for decades by villagers on their own. Foresters will thus enjoy final say over how the village institutions use their own income. Under the 1976 VP rules, *Sarpanches* have to repeatedly visit the Deputy Commissioner or Sub Division Magistrate's office for permission to use their share of income from sale of forest produce. Under the 1997 VFJM rules, they will have to contend with the approval of the forest guard as joint account holder *within* their institution, and even for use of funds raised through voluntary contributions, fines and user fees.

The impact of VJFM on communities in Uttarakhand

It is still too early to see the long term impacts of VJFM on village forests and forest based livelihoods. The content of the VFJM Rules, however, suggests a significant loss of decision-making space for local villagers and a highly negative impact on collective choice arrangements. Preliminary discussions in the field also indicate that VJFM may be the latest in a long series of policy interventions that further undermine the authority of *Van Panchayats* as well as informal community management. Despite claims to empower local forest users, the rules do much to achieve the opposite. Below, we highlight a few early effects before discussing how forest users are reacting and why.

The language of the Village Forests Joint Management Rules, 1997

Clause 5 of the agreement provides "that if the beneficiary fails to carry out any of the directions

issued by the Forest Officer for forest management or any of its binding obligations, the Forest Officer shall carry out at his discretion any or all the works regarding forest management departmentally". The Forest Department, thus, acquires the unilateral right to take over management of village forests brought under VFJM if they are not perceived to be well managed by it. The Forest Department itself did not fulfill any of its responsibilities towards Van Panchayats under the 1976 VP Rules. Still, it has again been assumed that only the villagers would fail and no mechanism has been designed to increase the department's accountability for honouring its responsibilities.

Shift in the locus of decision-making outside the village

VFJM works through 'spearhead teams' that consist of 3 Forest Department staff and 2 contracted NGO 'motivators'. These teams communicate with and develop microplans for selected villages. Experienced *Van Panchayat* leaders with decades of experience of community forest management have no role as facilitators and technical advisors. Instead they are assumed to require motivation to protect forests (which they are often already protecting - as in Pakhi above). The agreement to be signed by the participating villagers refers to them as beneficiaries rather than as equal partners. The ex-Sarpanch of Makku *Van Panchayat* ¹⁸ found use of this term highly offensive saying that "*the villagers are legal forest right holders and not beneficiaries receiving doles from the Forest Department*".

Increased conflicts and dependency

The World Bank funded forestry project has provided an average of Rs. 15 to 20 lakhs for implementing a microplan in each village brought under VFJM. This has led to the eruption of major conflicts to gain control over the funds. Even where existing *Van Panchayats* were functioning well, small groups of elite men, with the least dependence on the forest, had often made alliances with Forest Department field staff to pervert the requirement of obtaining general body resolutions accepting VFJM. The majority of the genuinely forest dependent women and men were neither aware of the content of the VFJM Rules nor of the fact that the *Van Panchayat* Rules had become inapplicable. Their main involvement had been reduced to that as wage labourers.

Forest quality redefined

The Microplans are cast in the mould of the FD's plantation projects. The villagers' role had been reduced to providing information to spearhead teams during PRA exercises. The plans have actually been written by Forest Department staff and subsequently implemented with the involvement of only the *Sarpanch* or the *Gram Sabha Pradhan*. Village women who had been actively protecting and managing their village forests prior to VFJM had not been involved and no effort had been made to build upon and strengthen the women's efforts or understand their silvicultural practices for increasing forest use values from their perspective.

Sustainability and equity

Sustainable voluntary protection, often by women's groups, had been replaced by patrols of watchmen paid by a loan from the World Bank. While overlooking existing systems of voluntary contributions, the project demands that villagers contribute 20% of microplan costs. This had been collected through compulsory deductions from wages, thereby transferring the costs to those doing wage work. Organised and acutely forest dependent women who had initiated forest protection on their own seemed to be the worst affected. VFJM had not only divested them of collective decision making control they had appropriated within their villages, it had also thrust disproportionate costs of compulsory contributions and pressures to take up unpaid protection on them.

Democratic governance

Institutional strengthening and participatory governance within the *Van Panchayats* has received little attention. Existing relationships established by diverse community management systems with their *Gram Sabhas*, particularly by women's groups have been over-ridden. In the majority of cases, ordinary villagers and even *Van Panchayat* council members had little information about the new management system of their village forests, and most perceived a shift in control over them to the Forest Department.

Livelihoods vs. income

A key assumption underlying support for VFJM is that the major problem plaguing *Van Panchayats* has been lack of funds and the best incentive for increasing villagers' stake in forest protection is to offer them attractive shares of income from sale of forest products. This assumption is not backed by forest dependent women's (and men's) perspectives and experiences.

In all the case study villages, women forest users' priorities were to increase the direct use values of their forests. An improved quality of life through easy access to fuelwood, fodder and water, and ecological security for them preceded considerations of income from sale of forest products, although additional income is never unwelcome. The project document claims to target women and the poor but provides no analysis of how a shift in management priorities for increasing monetary income would impact their access to requirements for daily subsistence or their work burdens. VFJM microplans, for example, have few provisions for supporting livestock, a critical component of local livelihoods, and instead emphasize closure of forests to grazing.

Why did Van Panchayats accept village forest joint management?

Given the assertion of Forest Department authority on *panchayat* forests implied by the VFJM rules, 1997, we tried to understand why, in a majority of cases, villagers have agreed to VFJM. Based on discussions with village members there appear to be two main reasons.

The majority of villagers are unaware of the provisions of the VFJM Rules. At best, the *Sarpanch* and sometimes the other panches have received copies of the rules. Such leaders, however, have either not studied them carefully themselves or have made no effort to obtain informed consent of the women and men of the community for VFJM acceptance. Very few villagers knew that the agreement that had been signed with the Forest Department withdrew the *Van Panchayat's* autonomy.

In most cases, no well attended village meetings for obtaining acceptance of VFJM had been organised. In Pakhi, where the women's *Mahila Mangal Dal* had effectively been managing the *Van Panchayat* forest, the women did not find out about some men having accepted VFJM till after the agreement had been signed.

The majority of villagers we spoke to perceived VFJM to be just another of the many government plantation schemes they have seen over the last 2 to 3 decades. Given the context of acute unemployment, the primary attraction for them was the generation of wage employment by microplan activities.

In two cases, where there had been open access to information about the content of the VFJM Rules, and an opportunity to discuss their pros and cons among the village men and women, a collective decision to reject VFJM had been taken. Typically, the villagers' relations with the Forest Department were strained and the field staff were unable to provide satisfactory answers to their questions.

Summary and conclusions

Despite the imposition of crippling bureaucratic controls on their functioning, a large number of Uttarakhand's *Van Panchayats* have survived as vibrant self-governing community forestry institutions. Where livelihood and ecological dependence on forests remains high, they have successfully retained reasonable control over decision making and satisfaction of subsistence needs. The quality of forests under their management is often as good, if not better than the reserve forests under the control of the substantially better resourced Forest Department.

A large number of diverse and informal institutional arrangements for community management on all legal categories of forest lands, many led by acutely forest dependent women, co-exist with, and even within, the formal *Van Panchayats*. Such informal arrangements, often with negotiated support of Gram Sabhas,

provide more accessible space for community based management by poor women and marginalised groups outside the framework of bureaucratic procedures and controls.

Through VFJM introduced under a World Bank funded forestry project the Forest Department is being empowered to reassert control over *Van Panchayat* forests and civil/*soyam* lands, the only surviving village commons. Instead of validating the rich diversity of indigenous knowledge of local women and men, and the land use and management systems they have developed for supporting livelihoods and ecological security, VFJM reinforces the Forest Department's claim to being the monopoly holder of technical forestry knowledge and forestry being the best land use even for the remaining commons. This is despite its historical lack of experience in bio-diverse forest management for enhancing livelihoods and ecological security.

Similarly, instead of devolving greater authority and decision making control to autonomous self governing institutions, forest guards are being placed inside them for extending the Forest Department's control over their functioning. This shifts the accountability of these institutions from villagers to the Forest Department, threatening their sustainability and further diluting communal property rights. Whereas bureaucratic structures are being dismantled with the shift to a market economy, bureaucratic controls are being extended inside forest dependent villages in the name of decentralisation and devolution. And all this is being done with the support of the World Bank.

Van Panchayats and community management systems have survived despite insensitive bureaucratic interference and controls in the past. Forest users continue to resist intrusions by the Revenue and Forest Departments through non-cooperation and withdrawal. There are, however, declining incentives for community management in the changing macro context and policy environment. Devolution policies like VFJM may well lead to their ultimate demise.

Madhu Sarin is an independent policy activist and consultant who has been involved with India's JFM programme since its inception with a particular concern for its gender and equity impacts. She can be contacted at: **48, Sector 4, Chandigarh 16001, India.** (msarin@satyam.net.in)

Geeta Gairola is a grassroots activist based in Dehradun. She carried out the field work for the Pakhi case study. She can be contacted at: C/o **G.D. Kala, 74-B, Aradhar, Dehradun-248001, India** (hesco1@nde.vsnl.net.in)

Photos from Madhu Sarin.

Author's update

The implications of extending Forest Department presence and control inside village institutions with the imbalance in power relations between state and communities under JFM, became starkly evident from the most recent incident of state repression on adivasi (tribal) forest dwellers in Madhya Pradesh. This is the first reported case of state agencies using subservient and co-opted members of 'their' JFM committees to terrorise other adivasi forest dwellers who had started fighting for their democratic rights and were unwilling to participate in JFM on the Forest Department's terms. Evidently the real 'crime' of these impoverished villagers was to stop paying bribes to forest staff for meeting their domestic forest based needs and working as labourers for illicit forest fellings at the behest of powerful interests. The shift to a global market driven 'development' is turning into a virtual nightmare for impoverished adivasi as their lands are up for grabs for commercial exploitation. This is the 5th reported case of police and private party atrocities on impoverished tribal villagers in the last 4 months. I feel we need to seriously re-examine the meaning of 'joint' forest management in such a changing context.

A report from events in Madhya Pradesh from April 12 to 17, 2001 (to the listserve on Decentralised Natural Resource Management (DNRM), see below) made the seriousness of the situation clear. Four adivasis were killed in police firings on 2nd April. Although the situation is complex and contradicting versions of the events exist, independent investigations revealed that these shootings were preceded by several days of attacks on villages, house demolitions, looting, assault and molestation of women by combined teams of the police, forest department staff and members of JFM committees led by the District Collector, Superintendent of Police and the District Forest Officer. Although India's National Forest Policy of 1988 protects the adivasis' traditional rights to forest resources, it appears that state violence is a reaction to their building the Adivasi Morcha Sangathan (Indigenous People's Frontal Organisation) and successfully organising to fight for their rights.

The role of officially constituted Forest Protection Committees (FPCs) for JFM in the incident is pertinent. These are created and controlled by forest departments under JFM rules. Activists in Dewas allege that Forest Department officials often nominate history-sheeters and lumpen elements on JFM committees in order to terrorise adivasis to do their bidding. The JFM committee leaders were taken by the Forest Department as labour to demolish the houses in these villages and were responsible for much of the looting. This was clearly an act by the Department to divide the adivasis and create a criminalized coercive force within them. As the DFO put it to one of the investigating teams, one of the major problems was that "poor adivasis are now organized enough even to fight with the Collector and the Superintendent of Police".

This listserve on decentralized natural resource management is currently being moderated by Rajesh R. who is a researcher in the field of natural resource management. To contact him, and/or to follow these discussions on the listserve, write to dnrm@panchayats.org

1 This paper is based on one of the studies under an IFAD-funded research project on "Creating Space for Local Forest Management; the Impacts of Devolution Policies and Civil Society Alternatives". The full draft report on Uttarakhand, *From right holders to 'beneficiaries'? Community forest management, Van Panchayats and village forest joint management in Uttarakhand*, January 2001, is available from Madhu Sarin. See end of article for more information.

2 Each spearhead team set up under the project consists of three Forest Department staff and two 'social motivators' contracted from NGOs whose performance is evaluated by the forest officer team leader!

3 1 US \$ = 46 Indian Rupees (Rs.)

4 Since the fieldwork was done in December 1999, an all-women Van Panchayat council has been elected in Pakhi. However, apparently the woman elected as the *Sarpanch* is the wife of the forest guard making the joint account holder of the Panchayat's VFJM account a husband and wife team. Because of this, her questioning voice related to VFJM has become muted. It is not known how this has impacted women's unity within the *Mahila Mangal Dal* or what the new balance of power between the *Van Panchayat* and the *Mahila Mangal Dal* is.

5 Uttarakhand (together with some area of the plains) was constituted as the separate state of Uttaranchal on November 9, 2000 in response to a sustained agitation by the hill people. Opposition to centralized forest management based on a conservationist ideology was one significant propellant for this movement for a separate state. It remains to be seen, however, whether the hill peasantry will gain a greater voice in defining Uttaranchal's land use and forest management policies.

6 Soyam is a term used for revenue forest land in the princely state of Tehri Garhwal.

7 Mitra, A., (1993), *Chipko, An Unfinished Mission, Down to Earth*, April 30, 1993, New Delhi.

8 Thus both the institution of the Van Panchayat and the village forests under their management are legally constituted. This is in contrast to administrative orders governing village institutions and forest lands brought under joint forest management (JFM) in other states.

9 Government of the United Provinces, 1931

10 Sal assi means the 80th year according to the Hindu calendar and refers to the revenue settlement of 1823 when customary village boundaries were entered in official land records.

11 Although leasing was, and is still, permitted.

12 This included timber.

13 FDUPb (Forest Department, Uttar Pradesh), *Village Forests Joint Management Rules*, August 30, 1997: 3.1, Lucknow).

14 A draft revision of the 1976 Van Panchayat Rules prepared by the FD proposes to make the forester or Range Forest Officer the member secretary and joint account holder of every VP, irrespective of its willingness to participate in VFJM. The forester secretary will have the responsibility of recording panchayat meeting minutes (a task performed by villagers themselves for over 7 decades) and preparing annual reports for submission to senior forest officers. It also

proposes bringing the management of VP forests within the FD's framework of 5 year plans and annual implementation plans, all subject to prior FD approval. (GOUP, 2000a)

15 These include a highly unequal balance of power between the Forest Department and village institutions and income sharing from commodified forest products instead of holistic resource management focussed on enhancing livelihoods and ecological security. Van Panchayats embody far greater devolution than JFM.

16 Makku VP refused to participate in VFJM despite being selected.