Chapter-3

FOREST, FORESTRY,
STATE AGENDA AND
PEOPLE'S INTEREST
IN POST
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With independence there was hardly any change in the Indian national approach and the position of people in relation to forests. It was merely an extension of the colonial policy. It is interesting to note that the national government of free India in its resolution on Forest Policy (1952) declared that the "underlying fundamental concepts in the colonial forest policy still hold good because maintenance of the physical condition of the country necessitates state control".¹

The forest resolution of 1952 stressed the fact that the forest policy would be based on paramount national needs. It laid down that the claim of communities living in and around forest should not override national interests. It stated that "local use should at no event be permitted at the cost of national interests" and that national interest should not be sacrificed because they are not greatly discernible. It recognized the protective functions of forests and discarded the notion that "forestry having no intrinsic right to land and should be permitted on the residual land, not required for any other purpose".

The National Forest Policy (1952) target was fixed to bring one-third area of the total land area under forest cover, suggesting a proportion of 20% in the plains and 60% in the mountainous regions. Adherence to the principles of sustained yield was advocated. Dealing with the problem of grazing, it did not allow continuous and cheap grazing in forests. It sought total exclusion of grazing by goats and restriction on grazing by sheep. The policy indicated a functional classification of forests to facilitate fixing priorities in management.
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It retained the concept of ‘reserved forests’ now justified in the name of national needs and placed them under the exclusive control of the state. Although the policy did accept the category of ‘village forests’ to serve the needs of people in surrounding areas and it did not grant them the right to manage. As during the British rule, the approach of the state continued to reflect a lack of faith in the capacity of people to manage or protect their forest and was seen as a major threat to forests.  

As an agenda for concrete action, however, the 1952 policy was ambivalent. It stressed that “paramount national needs” were to be the basis for future management and these were listed as follows:

(i). The need for evolving a system of balanced and complimentary land use;
(ii). The need for checking,
   (a) denudation in mountainous regions;
   (b) erosion on riverbanks and on undulating wastelands;
   (c) invasion of sea sands on coastal tracts and the shifting of sand dunes;
(iii). The need for establishing tree lands for the amelioration of physical and climatic conditions;
(iv). The need for ensuring progressively increasing supplies of grazing, small wood and fire wood;
(v). The need for sustained supply of timber and other forest produce for defence, communication and industries;
(vi). The need for realization of the maximum actual revenue in perpetuity consistent with the above needs.

There was no ranking of these needs and little recognition that the limited forest resource base would be unable to satisfy all the demands, which had been listed. As far as making choices between these competing claims was concerned, there were no clear guidelines. By attempting to cater to all groups, the policy did not address the
fundamental conflict between incompatible competing uses. However, although the demands of all the claimants had been listed, it needs to be recognized that these represented groups, which had unequal power and access to the decision-making process. (Guha, 1993).

The 1952 policy also changed rights and privileges to “rights and concessions”. The rights (nishtar) have rarely been communicated to the people since their list was kept with the Divisional Forest Officer. What the forest dwellers needed from the forests, which they have preserved for centuries, was thought of as a concession from the state, which already owned all the forests.

The unquestioning acceptance of colonial norms, especially with regard to the usurpation of state monopoly right has characterised postcolonial policies to this day. Even in 1978, the then Blandly stated: “The year 1855 was a memorable year in the history of Indian forestry. In that year, Lord Dalhousie, the then Governor General of India enumerated for the first time of outline of a permanent programme of forest administration. His proclamation laid down the ruling principle of management of ‘state forest’ namely that timber standing on a state forest was state property to which individuals or communities had no rights or claim (Gupta, 1978).”

In the post 1947 situation, the growing needs of the industry and centralized exercise of the state power were the focal driving forces guiding policy formulation, which was later reflected in the 42nd amendment. In 1976, the 42nd amendment established centres control on forests. The subject of forest was transferred from the State list to the Concurrent list. This resulted in diminution of state power and enhancement of centres power over forests. Henceforth any major decisions regarding forest are to be taken by the Centre.
Hence it can be said, there has been a marked degree of continuity in approach between the colonial and post-colonial forest policies, though the dominant interests behind the formation and execution of state policies have deferred. For example, while before 1947 forests were seen as a source of strategic raw material crucial for imperial interests, in the post-independence period it has been for commercial and industrial interests. In both cases it has been at the expense of the forest communities. The organic link between the policies of both the periods have been manifested in several ways. First, what Guha says is that between the 'theory' and 'practice' of forest policy (Guha, 1993) though the needs of the rural communities have been explicitly recognized and articulated in the populist rhetoric of many policy documents, the actual implementation of policy has invariably concentrated on realizing the productive functions of the forest. Second, the methods used by forestry legislation and management to realise the goals of forest policy have been remarkably invariant in the two periods under review. Changes in the latter period have been more in the nature of modification and additions rather than established colonial practices.

**FORESTRY UNDER PLAN PERIODS**

This policy came around the same time, when the country embarked upon a process of planned development, with clearly defined priorities to achieve self-sufficiency in food production and to build up an indigenous industrial infrastructure, which would provide the base for sustained economic growth. Forest sector was made subservient to this process, providing raw material for industry and being treated as a revenue-yielding resource by state governments. In various plans, there have been different points of emphases, though theoretically in
conformity with a broad policy. A look at forest practices in these plans is pertinent here.

The major thrust in the first and second five-year plans was on survey, demarcation and rehabilitation of vast forest areas. It was necessitated because of the merger of the princely states and abolition of Zamindars. However, as far as sectoral programmed is concerned, the most significant provision was for checking soil erosion and halting the menacing march of the desert in Rajasthan.6

Emphasis in the Third Five Year Plan was on the plantation of fast growing species, which could meet the industrial requirements, especially those of pulp and paper. As early as 1961, it had been recognized that there was large and growing gap between the demand and supply of forest produces and the plan document estimated that by 1975, the shortfall for industrial wood would be around four million tonnes while the expected shortfall of fuelwood was hundred million tonnes.7

Despite this, almost 75% of the Third Five Year Plan outlay on afforestation was targeted towards production forestry. In many cases, these plantations were made after felling reasonably well-stocked forests of mixed species. This process continued through till the end of the fifth plan period.8

The major problem of forests was their low productivity. Fourth, plan therefore emphasized on extensive plantations but the allocations were far too low to make any significant impact on the density of the forests. Total afforestation was worth Rs 44.34 crores.

Meanwhile a ‘National Commission on Agriculture’ was set up in August 1970, whose terms of reference included a study and report on forestry in all its aspects. Some recommendations made by it in its report
were accommodated in the Fifth plan. This plan identified creation of large-scale man-made forests through institutional financing, as a major objective of forestry, as the Commission stated that “production of industrial wood would have to be the raison d'être for the existence of forests”. The plan also proposed a network of the ‘state forest corporations’ for the establishment and management of man-made forests. But their working induced relegation of silviculture and ecology to secondary places by economics—“it should be project-oriented and commercially feasible from the point of view of cost and return” (NCA, 1976).

Such forest practices pursued by various state governments attracted widespread criticisms, which ultimately led to amendment in the Constitution bringing the subject of forestry in the ‘concurrent list’, which so far had been on the ‘state list’.9

The report (NCA 1976) also suggested the revision of National Forest Policy of 1952.

Two key considerations were identified—

1. To meet the requirement of wood for different purposes: industrial wood for forest based industries, defence, communications and other public purposes, besides meeting the needs of rural community for small timber, firewood and fodder;

2. To satisfy the present and future demand for protective and recreational functions of forests.

Second, consideration was, perhaps, due to international environmental concerns being expressed at that time. In the aftermath of Stockholm Conference of 1972 international development aid was linked to environment. Since India had also participated in the Conference and agreed with the cause, though it did not accept the critique, which
identified industrialization-urbanization pattern of development as the root cause of environmental degradation, the developmental policies showed reflection of the consideration (Pathak, 1994).  

Since the early 1970s, grassroots organizations active in forest areas called repeatedly for a complete overhaul of forest management. State policies, they contended, excluded the dominant majority of the Indian population from the benefits of forest working, while favoring the interests of a select group of industries and urban consumers. They asked for a reorientation of forest policy, towards more directly serving rural subsistence interests (Fernandes and Kulkami, 1983).

NCA 1976 recommendation of 'social forestry' can be viewed in this light. It can be said that forestry entered a new phase with this. The commission stressed socio-economic importance of social forestry in the rural community as well as in the management of forest resources. It suggested plantations to meet the requirement of fuel-wood, fodder, small timber for rural housing and agricultural need, fencing material etc., as well as industrial wood. From the Sixth Five Year Plan onwards-social forestry became a major programme in the forestry planning. There was considerable interest and financial support from donor agencies for afforestation under the social forestry programme, which expanded rapidly through the 1980s. 'Development without destruction' was the theme of the Sixth Five Year Plan. A special feature of the plan proposals was an attempt to link forest development with the growth of tribal economy.

Simultaneously, with the beginning of sixth plan in 1980, a 'Committee on Environment' headed by N. D. Tewari submitted its report, recommending to create a full-fledged new department to look after the environmental problems of the country. Consequently two major developments took place in the period of the Plan.
1. The administrative development, was the formation of a separate ‘Ministry of Environment and Forests’ in December 1984, which indicated government of India’s realization that the forests in the country had depleted and needed attention.

2. The other development was legislative. Forest (Conservation) Act 1980 was enacted prohibiting dereservation of a forest and diversion of forest lands to non-forest uses without concurrence of the central government.

3. This was necessary, as in the period between 1951-52 and 1975-76, 4.135 million hectares of forest land were diverted to non-forest uses, of which 60.62 per cent was for agricultural purposes, 11.58 per cent was for river valley projects, 1.38% was for construction of roads, 3.08 percent was for establishment of industries and 23.34 percent for miscellaneous purposes (NCHSE 1987).¹¹

The legislation was ostensibly motivated by the need to check rapid degradation of forests. It was based on the principle that the only feasible way to achieve this would be to confer more powers on the forest bureaucracy. This was contested by the opponents of the Act, who contented that the system was already over-centralized and the only way forward was to recognize and legitimize the rights of users in the immediate vicinity of forests. This, it was argued, would set up an incentive structure, which would motivate subsistence users to participate in afforestation programmes, thereby reducing costs of enforcement.¹²
The controversy fuelled a broader debate about the orientation of forest policy. While the inadequacies of the existing structure were generally recognized, there were considerable differences over the choice of resource management regime. On the one hand, some members of the forest bureaucracy and conservationists argued that customary access to forests by the growing population of subsistence users was leading to unsustainable pressures on the resource. For them the only feasible way of preserving the remaining forest resources of the country was by increasing the powers of the bureaucracy and strengthening state management. On the other end of the spectrum were radical social activists, NGOs and representatives of subsistence users, who argued that it was the denial of customary rights, and the commercial exploitation of resources under state forestry, which was responsible for the degraded state of forests. The radical reform alternative, which they suggested was to return the forest areas to subsistence users, under a regime of community management.

In between these polar positions were protagonists who argued for a less extreme approach, with a judicious mix of state, community and individual control. Other issues, which were discussed, included the matter of technical competence (i.e. Scientific forestry as practised by forest officials as opposed to the more specialized local knowledge of forest users) and the means of control (i.e. by external decree imposed by the bureaucratic state machinery or an incentive structure based on internal regulation by community-based user groups).

The Central Board of Forestry had appointed a committee in 1974 to prepare a revised National Forest Policy. Drafts were considered by the Central Board of Forestry, which gave its approval in 1982. The consultative committee of parliament attached to the ministry of agriculture (which, at the time, controlled forests) considered the policy in 1982, and members of parliament representing tribal areas were
consulted in 1983. The policy was also debated at various levels within the Government of India, including the powerful Committee of Secretaries and was finally officially pronounced in December 1988. 16

In keeping with the earlier policy documents in its statement of basic objectives the 1988 forest policy lists all the competing claims on the country's forests. 17

SOCIAL FORESTRY IN INDIA

From 1976 to 1988:

Since this programme had become a major activity, its review is also relevant here. N.C.A. recommended social forestry to secure people’s participation for generating forest resources by the people, for the people (Biswa, 1993). It favored, commercial plantations on forest lands and trees for consumption and subsistence on community and private lands. N. C. Saxena (1992) said summarizing it that “the programme of social forestry consisted of two main components: afforestation of village lands and planting trees on private lands called farm forestry. Tiwari (1980) argues that even traditional forestry is social forestry as it caters to the vital needs of the society like preservation of ecosystem, maintenance of ecological balance, production of oxygen, water conservation, social conservation and raw material for running the vital wood based industries. This view is certainly in conformity with the concept of social forestry, as defined by Weston - “social forestry is a forestry which aims at producing flow of protection and recreation benefits for the community”.

NCA intended social forestry to be seen as a programme, which would free industrial forestry from social pressures. Releasing industrial
forestry from social pressure was necessitated because of the paradigm of development the country chose in 1950s. As Madhav Gadgil (1993) points out - "Nehru wanted India to modernize, to industrialize and to catch up with the west. The policy adopted was to industrialize at all costs, which meant subsidizing industry in every possible way" It meant use of forests for the industrialization of the country. In such a contradictory situation the forests were bound to deplete. The tree cover instead of going up, from 22% to one-third of the total land area came down to 12% by 1988. The launching of social forestry, to remedy these evils, was appreciated by one and all.

A few reports found the success of programme. It stated “in Uttar Pradesh, the World Bank assisted 'Social Forestry Programme' overshot its farm forestry targets by 343%", phenomenal and unprecedented degree of success for a government programme. In Gujarat, farm forestry targets exceeded by more than 200% (CSE, 1988). Between 1980-87, the government claimed to have raised 18865 million trees. If survival rate is assumed to be 60%, the average number of new trees per village since 1980 comes out to be 18865. This was by all means an impressive achievement (Saxena, 1989).

However, a closer look reveals the shortcomings of the programme. The way the programme was conceptualized and implemented, led to a marked divergence between the stated objectives and the actual outcome. For example, the programme was started to meet the fuel-wood and fodder needs of the people, but people planted market oriented trees and as a result social pressure on forests remained as it was. The reason behind it was that the people could collect branches, twigs, leaves and grasses from forests and to boost their incomes they raised commercial plantations. Added incentive came from free or subsidized distribution of seedlings.
Species selection has also been questioned in this programme. Foresters preferred the species keeping in mind the end product, while poor usually depend on the intermediate products (Saxena, 1992; Dey, 1989). Neglect of production of ‘Minor Forest Produces’ (MFPs) led to policy makers holding them responsible. However, the poor have played a part in deforestation is not in dispute but blaming them is a convenient diversion (Saxena, 1989).

Importance of meeting fuelwood need can be gauged from the fact that most of the extracted wood is used for this purpose. A World Bank report, quoting figures from the ‘Food and Agriculture Organization’ (FAO) stated that the total extraction of wood in India was 264 million cubic meters in 1988, of which 240 million cubic meters was used for fuel. Policymakers were at fault when they assumed that fuel-wood is obtained by felling trees. The fact is that it is obtained from twigs and branches of living trees and not by felling trees. They planted Cajurina and Eucalyptus from which poor got little or nothing despite they being promoted as fuel-wood species. Because of its commercial orientation, farmers who planted Eucalyptus on their farms, on being advised to use it as fuel-wood, often raised, Do you burn your currency notes for keeping yourself warm? In U.P. and Haryana Eucalyptus formed 95 percent of seedlings distributed by the forest department (Saxena, 1992).

Another factor, which contributed to reduce timber supplies to the markets, resulting in price escalation, which further increased deforestation, at the same time encouraging farmers to raise commercial plantations, was the commitment of government funds to match foreign contributions for social forestry projects and which resulted in forest lands becoming starved of funds.

Saxena (1993) provided an alternative suggesting consumption and subsistence to be met from forests and common lands and market
demand from private lands. Voices were raised against social forestry programme asking for changes. For example, Vandana Shiva and J. Bandyopadhyay (1985)\textsuperscript{18}, two environmentalists, led the campaign against social forestry. They referred to government statistics on food production in Kolar district of Kamataka, where there was a dramatic decline in the production of the staple cereals, Ragi due to the increased use of farmlands for Eucalyptus. In part the criticism directed at the programme stems from its failure to achieve a number of its stated environmental goals (Burgess, 1992).\textsuperscript{19}

Apparently the success of social forestry programme was due to success of farm-forestry, where farmers made use of facilities provided by the government and benefited from the market demands. As a result social objectives of the programme could not be achieved.

One favourable thing happened with the policy makers. They realized the symbiotic relationship between the people and forests. It is relevant to quote Para 1.234 to 1.236 in seventh plan which says-

“forestry programmes have so far been implemented in isolation and therefore the concept of people's participation in forest development has never been conceptualized and operationalized in clear and comprehensive terms. Since the people's participation in the forestry, particularly in social forestry is sine-qua-non for its success, there is an urgent need for evolving a viable, effective and operational model”

Stimulation should have come for policy makers from a pilot project begun during 1970s in Arabari, in southern West Bengal, to see community participation. This project involved local community to protect degraded public forest lands dominated by 'Sal'. They in turn were given all MFPs and 25 percent share in timber. Success of the programme led to extension of the programme. By the end of 1989, community based forest protection committees were protecting
approximately 152,000 ha. forest lands in West Bengal. The existence of strong Panchayats facilitated this success.

*Rita Brara* (1992) in a study in Sikar district in Rajasthan found that foresters instead of seeking participation, alienated local people by their functioning, which she enumerated as following-

i) The implementers were not accountable to local people;

ii) They ignored the knowledge of the inhabitants for whom the schemes were intended; and

iii) The rationale for such pursuits was not debated with those who were presumed to benefit from such action.

People's participation can help tackle this alienation. *Kishore Saint* (1992) mentions two contrasting experiments carried out in Arravalis, which support this view. In one project in Dhar-Bamadia, where the presence of an outside agency was prominent, an inbuilt bias towards agency management was found with a high level involvement of outside expertise in planning. Lack of participation made people shunning responsibility and not caring for community-management arrangement. Inter-village cooperation problems were faced. Changing the strategy, by removing these obstacles, made the experiment in Patiya village successful.

The need for smaller groups of resource-dependent users to assume an active primary role in local forest management is receiving increasing acceptance (*Sarin, 1996*).

**1988 Onwards National Forest Policy (JFM)**

Realizing the importance of people's participation, government of India announced a new forest policy in December 1988, emphasizing on the same. The new policy on the first appearance seems to be people friendly. It recognized the role of tribals in forests and seeked...
that communities living within and around forest areas, especially the tribals, get their domestic requirement of MFPs. Dealing with the industrial requirement of timber, it stated that forest based industries must get their raw materials from wood raised through farm forestry. It also said that the practice of supplying forest produces to industry at concessional rates would cease. It stipulated that the forest lands should not be diverted to non-forest uses and advocated ending of system of private forest contractor. Thus the policy showed ecological orientation, though the objectives remained same as in forest policy 1952.

However, in 1988 for the first time since independence, it was declared by the state that forests were not to be commercially exploited for industries but must contribute to the conservation of soil and environment and meet the subsistence needs of the local people (see Appendix). The declaration of the policy was the consequence of a number of factors. The population pressure had increased and so were the local needs with no visible alternative to meet the fuel and fodder requirements emerging in large parts of the country. The post independence scenario along with the pressure of local needs and support of some enlightened foresters resulted in the emergence of forestry protection groups. “The apparent failure of forest policing and the emergence of ‘participation’ as an almost unavoidable policy option and the increasingly significant counter availing power exercised by these local level groups resulted in the declaration of a new policy initiative “ (Chopra, 1995).21

The 1988 policy emphasized the environmental protection and conservation role of forests. It stated that organized industry must meet its needs from private lands and focused on ‘participatory management’ of forests. In a sense it was a small beginning in its attempt to create and foster an enabling rather than a policing role of government. This was quite apparent from a circular issued from the Ministry of Environment
and Forests to State Forest Secretaries in June 1990 that gave guidelines for the involvement of village communities and voluntary agencies in the regeneration of degraded forests. (For official order- see appendix).

The policy document thinks it necessary that for forest management "the forest communities should be motivated to identify themselves with the development and protection of forests from which they derive benefits. The implications of this document are powerful and wide reaching in support of Joint Forest Management strategy, which it considers are centered on the needs of forest communities. In order to help ensure community participation, the document spells out the needs for forest department to work out the operational mechanisms by which forest communities are given userfractory rights on regenerating forest lands. It also encourages forest department to enlist the expertise of local NGOs to serve as interface between forest agencies and communities. The highlights of the programme guideline vis-a-vis the involvement of village communities can be summarized as follows.

- developing partnerships: between communities and forest departments, facilitated by NGOs when helpful.
- access and benefits: only to organized communities undertaking regeneration with equal opportunities based on willing participation.
- rights to userfractory: all non-wood forest products and percentage share of final tree harvest to forest communities.
- 10 year working scheme: Microplans detailing forest management, institutional and technical operations should be developed by community management organization with local foresters.
- funding: from FD, social forestry programmes for nursery raising, with encouragement to communities to seek additional funds from other agencies.
The 1988 policy also laid down that forest based industries should meet its raw material needs by establishing a direct relationship with farmers rather than depending on forests, which would henceforth be maintained primarily for ecological functions and for meeting the subsistence needs of the people. It therefore seemed that a two pronged strategy with reliance on market and on local institutions for alternative needs were to be followed.

In other words it states that both people's and industrial requirements should be attended to but all of them should be governed by the principle of environment stability. However while putting peoples and industrial requirements on par, it calls only the latter's national needs.

Though the new policy has been positive in approach than the earlier document there has been a great amount of ambiguity and even contradiction concerning the three actors involved viz, the people, the state and the industry. A positive point of the present policy is that it does not openly accuse the people of being the main destroyer of forests as the National Commission of Agriculture 1976, the draft policy of 1984 and other documents had done. The new policy has removed many anti-people statements and recognizes the symbiotic, relationship between the tribal people and forests. It suggests that to protect forest, people should be provided with alternatives such as remunerative prices for MFP (minor forest products) and development of forest villages on par with revenue villages. At least indirectly the policy document recognizes the failure of the state to preserve forests, control timber smugglers and contractors and that forest dwellers alone can preserve forests.

However the policy reflected certain internal contradictions. For examples Para 4.3 of the policy suggests to distribute forest produce to the people from government depots which amounts to banning the entry
of the people to forest lands. This can be criticized on three grounds. First it takes away the fundamental and age old rights of the people to gather usufruct. Further Indian forests are not uninhabited wilderness. There are people living inside forests who under the new dispensation have to travel miles outside their habitat to the government depots to buy essentials, which so far they got free. Second, the new scheme further strengthens the authority of local government officials in harassing the forest dwellers. And third, given the poor condition of state funds, the scheme would not be able to get enough subsidies and hence supplies are unlikely to be available at a price that the poor can afford.

There are two provisions of the Amended Forest Conservation Act (1981), which need to be taken into notice. First, it bans assignment or lease of forest land to the people and second it prohibits plantation of horticulture crops, palms, oil bearing and medicinal plants on forest lands unless prior permission of the Government of India has been taken. Thus the section 2(iii) of the Forest Conservation Act (after its amendment in 1988) reads as follows: “No state government or other authority shall make except with the prior approval of the central government any order directing that any forest land or any portion therefore may be assigned by way of lease or otherwise to any private person or to any other authority, corporation, agency or any other organisation not owned, managed or controlled by the government. This new section contradicts section 28 of the Indian forest Act which states:

Formation of village Forests- The state government may assign to any village community the rights of government to takeover any land which has been constituted a reserve forest or declared a protected forest or is a forest belonging to the government and may cancel such assignments. All forests so assigned shall be called ‘village forests’.
The new amendment thus nullifies the entire concept of village forests provided for in the Indian Forest Act (1988). The rationale for keeping section 28 of the Forest Act was the realisation that villagers can better protects forests that are close to the village and only land far away from habitation was to be brought under Government control. In pursuance of the powers given to states under this section, some states had transferred forest areas to village bodies for protection and management. With this Rule becoming null and void, the existing legal basis for encouraging peoples' participation has been marginalised.

Similar ambiguous position exists regarding species choice. The new act as has been stated, discourages planting of horticulture crops, oil-bearing plants, palms and medicinal herbs on forest lands. Terming it as non forest use”, the intention behind this enactment is laudable. It is well known that despite the Forest Conservation Act of 1980, many states have been diverting with impunity forest lands for non forest purposes and therefore making it a cognizable offence will be a check on these states. Similarly many forest departments have been growing horticultural and other species on forest land in the name of afforestation. These abuses and contraventions seem to have been committed under pressure from the industrial and commercial lobby. These amendments are therefore meant ostensibly to counteract this pressure and preserve the ecological balance.

However, the amendments also reveal the existing gap between the decision makers and the rural poor. The commercial interests misuse the afforestation programme by cultivating fruit and other trees. But many forest dwellers have been using the same scheme to rebuild their community resources and have been able to avoid impoverishment caused by industrial clear felling. For the industry, these schemes are a source of quick profit, while people require them for their survival (Fernandes, 1989).
The amendment when read with section 2 (in) gives rise to a suspicion that usufruct based trees like her, mahua, neem, karanj, jamun would not be permitted now. By having a single definition of “non forest use” and by imposing a blanket ban, the amendment makes it impossible for the people to get forest land or to grow fruits, fodder, fuel and medicinal plants which they need for their survival. On the other hand, the forest department will be able to afforest land and use it exclusively for industrial species that are of no use to the people. Already a large number of usufruct-oriented trees have been replaced by monocultures of teak eucalyptus and pines. This contradiction seems to have been caused by the fact that the decision makers are conversant with the industrial interests but not sufficiently in touch with the rural locals.

Further the policy reflects two things. First, the tendency of the Government to have exclusive monopoly rights to management and ownership over forest lands both reserve and non-reserve. Secondly, there seems to be a lack of trust in people whose forest related activities they implicitly consider as being destructive. Hence while stating the need to involve them in environmental regeneration the decision makers find it necessary to preserve forest from the people by restricting grazing, collection of MFP, shifting cultivation etc. The policy expresses the concern for ecology but read with other provisions and the Act, it appears that environment is being used as a new excuse to keep people out of forests, just as “vital industrial needs” were considered enough of a justification to deny legitimate aspirations of the poor in the past. (Femandes, 1989) By denying to the people any role in forest management and share in forest produce it reduces the concept of participation to a mere rhetoric. however, today JFM strategy is in operation in all the states except U P, Assam, Nagaland and Manipur but contents vary from state to state Timber sharing basis is- fuel wood in Bihar, timber for subsistence use in Orissa, upto 60 percent of net
commercial timber revenues to participating communities in Rajasthan. Likewise management units also differ—panchayats in Orissa, Village Development Committees in Bihar and Forest Protection Committees registered under Indian Societies Act in Haryana and Rajasthan, National resolution states that participating communities should be involved for a decade with option to renew the management agreements. Some common features of National and State notifications are:\(^25\)

1. all resolutions provide user groups with usufructs rights only Land is not to be allocated or leased;
2. resolutions generally recommend village level committees as functional management groups;
3. village level groups are to operate under the supervision of forest department officials;
4. in most resolutions the tenurial period for usufructs rights is not mentioned, and
5. most of the resolutions limit community management and benefits to degraded forest lands.

**Some Unique Features Of States Notification Are:**

Unique Features of JFM Orders in States of India In the Government Resolutions issued to JFM by various states apart from the regular clauses/guidelines, a few orders have incorporated some unique clauses. This not only reflects the intention and seriousness of the particular state but also facilitates the implementation of the programme in a better manner.\(^26\)

**Karnataka Orders**

I. In the JFM order of Karnataka, Joint Forest Planning and Management (JFPM) is also applicable.
• to non-forest government wastelands under the control of the Revenue Department like C and D class lands and transferred for the purpose of JFPM to Forest Department.
• To roadside and canal sides and foreshore of tank.

II. The Joint Forest Management plan (i.e. the proposal for the planning, management, development, protection etc. of the degraded area) will be effective for a period of 10 years. If the plan is accepted, it shall replace the existing management / Working plans.

Kerala Orders

VSS operation fund has been constituted, where the cost of investment in planting, soil and water conservation measures and contribution of protection of forest zone from Kerala FD will be deposited. The selection of Site will be on a watershed basis.

Uttar Pradesh Rules

The order explicitly mentions that a village committee shall be deemed to be a forest officer. Provision for constitution of range committee and divisional committee.

Orissa Orders

All the village woodlots and social forestry block protection raised under the SIDA assisted social forestry project between 1984-1994 after being notified as village forests, will also come under the purview of JFM scheme.

Gujarat Orders

a. Community can take up afforestation on wastelands.
b. The voluntary organisation with the village community can be involved in the disposal of final produce.

c. The village community will do the planning regarding the use of benefits to the committee. The benefits are proportional to the period of membership.

d. The Principal Chief Conservator of Forests has issued the circular for the inclusion of forest lands in the micro-watershed under the Scheme of Watershed Development Haryana Orders.

Resources like water, grass for fodder, bhabbar for rope making/sale, bamboo for basket making, timber, Katha, firewood, fruit and other forest produce have been recognised as catalysts for lying the villages interest with improved management. Accordingly the minimum number of 10-15 households with common rights or interests in resource can form HRMS.

**Andhra Pradesh Orders**

1. It provides for 100 % share to VSS members in respect of all forest produce.

2. In case of Bamboo and Timber, 50% of the revenue obtained from the VSS area would be utilised for implementation of microplan this provision ensures sustainable management of forests irrespective of the fund availability from Government in future.

3. The VSS members would also be getting 50% of the net revenue realised from sale of Beedi Leaf collected from the VSS area. For the 1999 BL season about 1600 VSS would be getting Rs.7 Crores from this source, which is an annual affair in Telangana region) This amount would be used for implementing the microplan
4. The VSS members also get 25% of the Compounding Fees collected from forest offenders in respect of forest offences booked with their assistance.

5. At least 50% of the General Body of VSS shall comprise of Women with one-third reservation for women being made in the Managing Committee which is the decision making body.

6. The implementation of the JFM programme would be done in accordance with a site-specific local microplan prepared. Further all the funds needed would be provided only through a joint account system the joint account being in the name of the chairperson of the VSS and the Section Officer concerned, who is the Secretary of the VSS.

**Madhya Pradesh Orders**

The Principal Chief Conservator of Forests has issued the circular for inclusion of forest lands under “Rajiv Gandhi Catchment Area Development Programme” In Madhya Pradesh, the existing working plan will be replaced by the micro-management plan. This micro-management plan will be for a duration of ten years.

**Maharashatra Orders**

Presently NGOs could be included in the joint forest management only as catalyst and they were not allowed to actually implement Watershed Development Programmes in forest areas. Now, Government of Maharashtra has sanctioned implementation of Indo-German Watershed Development Programme (being implemented through NGOs) in forest areas through the Forest Protection Committees (FPC).

However, inspite of some policy level contradiction and ground level difficulties there were some significant achievements were made by different states, in respect to adaptation of JFM policy, implementation,
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However, in spite of some policy level contradiction and ground level difficulties there were some significant achievements were made by different states, in respect to adaptation of JFM policy, implementation,
and formation of VSS. By 2000-2001 the JFM activities in different states are as follows:

Table 3.1

Area Under Joint Forest Management

<table>
<thead>
<tr>
<th>State/UT</th>
<th>Date of Notification</th>
<th>No. of JFM Committees</th>
<th>Area under JFM (00ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andhra Pradesh</td>
<td>28.09.92</td>
<td>6575</td>
<td>1632.19</td>
</tr>
<tr>
<td>Arunachal Pradesh</td>
<td>03.10.97</td>
<td>10</td>
<td>5.29</td>
</tr>
<tr>
<td>Assam</td>
<td>10.11.98</td>
<td>101</td>
<td>3.06</td>
</tr>
<tr>
<td>Bihar</td>
<td>08.11.90</td>
<td>1675</td>
<td>935.08</td>
</tr>
<tr>
<td>Gujarat</td>
<td>13.03.91</td>
<td>706</td>
<td>91.07</td>
</tr>
<tr>
<td>Haryana</td>
<td>13.06.90</td>
<td>350</td>
<td>60.73</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>12.05.93</td>
<td>203</td>
<td>62.00</td>
</tr>
<tr>
<td>Jammu and Kashmir</td>
<td>19.03.92</td>
<td>1599</td>
<td>79.27</td>
</tr>
<tr>
<td>Karnataka</td>
<td>12.04.93</td>
<td>1212</td>
<td>12.80</td>
</tr>
<tr>
<td>Kerala</td>
<td>16.01.98</td>
<td>21</td>
<td>4.00</td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>10.12.91</td>
<td>12038</td>
<td>5800.00</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>16.03.92</td>
<td>502</td>
<td>94.73</td>
</tr>
<tr>
<td>Mizoram</td>
<td>18.09.98</td>
<td>103</td>
<td>5.87</td>
</tr>
<tr>
<td>Nagaland</td>
<td>05.03.97</td>
<td>55</td>
<td>0.65</td>
</tr>
<tr>
<td>Orissa</td>
<td>3.08.88</td>
<td>3704</td>
<td>419.31</td>
</tr>
<tr>
<td>Punjab</td>
<td>14.07.93</td>
<td>89</td>
<td>38.99</td>
</tr>
<tr>
<td>State</td>
<td>Date</td>
<td>Projects</td>
<td>Amount (in Rs)</td>
</tr>
<tr>
<td>--------------</td>
<td>------------</td>
<td>----------</td>
<td>----------------</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>16.03.91</td>
<td>2705</td>
<td>235.63</td>
</tr>
<tr>
<td>Sikkim</td>
<td>26.06.98</td>
<td>98</td>
<td>2.19</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>08.08.97</td>
<td>599</td>
<td>224.38</td>
</tr>
<tr>
<td>Tripura</td>
<td>20.12.91</td>
<td>157</td>
<td>16.23</td>
</tr>
<tr>
<td>Uttar Pradesh</td>
<td>30.08.97</td>
<td>197</td>
<td>34.59</td>
</tr>
<tr>
<td>West Bengal</td>
<td>12.08.97</td>
<td>3431</td>
<td>490.58</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>36130</strong></td>
</tr>
</tbody>
</table>

Source: JFM, Ministry of Environment and Forests, Government of India, New Delhi, 1996

The working of JFM schemes in several parts of the country is being closely monitored and reported upon, but it is too early for any conclusive evaluation of the initiative. So far there have been mixed reactions. For example JFM is highly successful in West Bengal, but in Parlakhamundi division in Orissa villagers are reluctant to allow afforestation on the village commons as they would have to walk further to graze their cattle (Pathak, 1994). The peasants of Mathwad have been repeatedly petitioning against afforestation. When a plot of forest land affecting the neighboring villages of Bhitara, Sakharia, Khudar, Sirkhari and Anjanwada was to be put under protection, the villagers pleaded against it. Therefore we will have to wait before reaching any conclusion.

Meanwhile the government in order to carry forward the philosophy started a scheme called "Association of Scheduled Tribes and Rural Poor in Regeneration of degraded forest.

The scheme was started in 1992-93 on pilot basis with 37 projects in nine states, namely Andhra Pradesh, Bihar, Gujarat, Maharashtra,
Rajasthan, Orissa, West Bengal, Madhya Pradesh, and Karnataka (Performance Budget, 1998-99).

Another project "Formulation of National Forestry Action Programme" has been signed with UNDP and FAO in June 1993 as one of the many strategies to operationalize the National Forest Policy 1988. The objective of the project is preparation of "National Forestry Action Programme" and long term, medium term and short term perspective plans as well as identification and quantification of investment and technical assistance proposal for financial assistance in line with the Forest Policy 1988. Implementation of this plan is assumed to contribute to sustainable development and use of forest resources (Ninth Five-Year Plan 1997-2002 and Annual Plan 1997-98).

Whether one particular strategy succeeds or fails is dependent on various factors, one thing is a fact that forest cover is not increasing, it is actually decreasing and to reach the policy objective of one-third area of the total land area under the forests, and to meet people's socio economical need effectively, we will have to make some serious efforts, and What is required is not merely implementation of the present policy. It is crucial to create a new people-oriented alternative to deal with specific local based needs and problems. There is no doubt however that these local institutions do have limitation created by the resolutions, which do not grant them an autonomous status. Due to loopholes in the legal framework, which are, abstract and confusing further complicates the process. Despite all these what is required is to strengthen the community-based institutions by encouraging peoples' participation. The alternatives in favour of the marginalised have to emerge from the people themselves.

However, going beyond the policy prescriptions of the state, in actual terms the success or failure of states effort to preserve forest and
afforestation land is also dependent on the nature of relationship that exists between forest dwellers and the forest.

**REFERENCE**

1 See Govt. of India, Forest Policy Resolution, 1952, New Delhi.

2 Even in 1981-82, 94.8% of the total forest area was state owned privately. For details see Desai (1991)*.


6 For details see First & Second Five Years Plans.

7 GOI, Third Five-Year Plan, Planning Commission, New Delhi*.

8 Afforestation was mainly mono-culture plantation of fast growing commercially valuable species like- Eucalyptus and Tropical Pine. For details see Ramchandra Guha (1983), pp.193.

9 Inserted by the constitution (42nd Amendment) Act 1976, 5.57 (w.e.f. 3-1-1970 as 17A) in concurrent list.


11 This represents a little over 5% of the forest area, it may be argued that this is not a large amount. However, this rate of diversion is significant gives that Forest Policy 1952 proposed to increase the area under forests.
The conservationist's position is argued by Matthai, Report of the thai Committee on Forest.

Their proposed alternative strategy is clearly outlined by A. Agarwal S. Narain (1989) Towards Green Villages: A Strategy for environmentally-sound and participatory rural development, Center for nce & Environment, New Delhi.

The explanatory notes to CFONE claim that the chapter on villages is to be read as confronting to the participatory emphasis of the S Forest Policy. R. Guha, Forest Debate and Draft Forest Act, p.2195.

This process is described by Matthai who comments that the slow pace policy reform "is a sad commentary on the dilatory way in which such important subject has been handled by Govt.", Matthai, op.cif, p.152.


23 Involvement of Village Communities & VAs in Regeneration of Degraded Forests, Shri Mahesh Prasad, then Secretary (Environment and Forests), Government of India, wrote on 1 June 1990 (No.6.21/89/89-F.P.)


25 http://www.iifm.org/databank/jfm/unique.html

26 Ibid.

27 Some preliminary analysis and field experience may be formed in D. Arora (1994).

28 Pathak (1994) has argued that forest dwellers have been peasants for long. For details see Pathy, J. (1984). *Tribal Peasantry: Dynamics of Development*, New Delhi: Inter- India Publication.