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Fluid Boundaries of India’s Forests: Concessions and Conflicts in Joint Forest Management in Bihar and West Bengal, India

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1.1 Introduction

The paper looks into community forest management on (state-owned) forest lands\(^1\) in India. It examines the policy framework of Joint Forest Management (JFM) that has, in a radical breakaway from earlier policies that keeled on centralized, revenue orientated control of forests, promised several managerial and usufruct concessions to forest citizens. The paper endeavours to answer the extent to which decentralized forest management can be fostered in varying political environments with marked contrast in social capitals within the stakeholders. It compares forestry practices amongst the members of Forest Protection Committees (FPCs), an institution formed on JFM initiative, in two provinces in eastern India, Bihar\(^2\) and West Bengal. The paper examines, both formal and informal, functionalities that have found their ways into JFM-prompted forest management. Using a political ecology approach, the paper, examines features that mark out forestry practices at village level and recommends adjustments in institutional design of JFM, as well as in

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\(^1\) Of its total geographical area of 328.8 m ha, India has a forest area of 67.4 m ha. According to the Forest Department's statistics, however, the area of forests in 1978-79 stood at 74.8 m ha. (It is possible that area classified as forests by the Forest Departments has been considered under other categories by the Revenue Department or by the Ministry of Agriculture (Agarwal, 1985, p 6)). Out of the total forest area of 74.8 m ha, 52.1 per cent is declared reserved, about 31 per cent is protected, while 16.9 per cent is unclassed. Again, out of this, since independence, 95.7% is state owned. Joint Forest Management is proposed, mainly, on Protected Forests.

\(^2\) The southern districts of Bihar (including Ranchi where the research was conducted) formed, on November 15, 2000 a separate province, Jharkhand. The region has, however, been referred to as Bihar in this paper.
nature of interception that are made by various agencies (NGOs, *panchayats*) involved with rural development forestry$^3$.

Joint Forest Management resolution follows a history of contest between forest dependent user groups and the state. It itself, however, encompasses, in rhetoric at least, themes of participation, equity, decentralization and grassroot democracy. The impact of this new paradigm has been evident in several ways. Forest protection committees, as the paper demonstrates, are playing active roles in negotiating the transaction of forest usufruct within and outside their communities. This includes approval of indigenous extractive methods of a community and fulfillment of various forest-based needs, and even creation of ‘zones of exclusion’ where village forests become out of bounds for outsiders. Forest Protection Committees (FPCs) also assert themselves against the traditional village institution, the *panchayat* or the village council. While the Forest Department’s role in ‘policing and fencing off’ of forest has somewhat receded, they have not met villagers’ expectations of camaraderie and support. Instead, villagers carry *personalized* notions of participation, while managing forest in spirit of a ‘common’ property resource. The paper, however, argues that one cannot undermine the constraints that an over specialized institutions like FPCs face. At village level, a rigid dichotomization cannot be held between forestry and other rural development issues. It would be imperative, for an institution such as an FPC to address larger issues on social, educational and development lines in order to gain sustainability and legitimacy.

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$^3$ ‘Rural Development Forestry’ can be defined as an incremental addition of capacity and benefit to rural human welfare which is itself inextricably linked to environmental welfare. As a tool, it is used by the state for development of forest citizens or as a paradigm which works as an intermediary meeting point for the local people and the state (see Warren, 1995).
The first part of the paper introduces key political ecology themes and schools of thought vis-à-vis forest management in India. The recent participatory forest schemes are then discussed. The sections that follow discuss case studies, where Forest Protection Committees (FPCs) in states of Bihar and Bengal are examined to address areas that might reasonably be supposed to give life to village-based ecological institutions.

1.2 Third World Political Ecology

In the last two decades, research has examined extensively, if somewhat unevenly, the contextual sources of environmental change. Scholars from diverse academic and institutional backgrounds have examined links between environmental and political activities in parts of Asia, Africa and Latin America. The studies have further been combined with cultural-social interpretations. Correspondingly, a body of work that may be termed Third-World political ecology (Bryant et. al., 1997) has emerged.

A great part of research by political ecologists has focused on forest resources. These studies are often nation/area specific and have tended to examine state as against the actual user groups. The work includes that of Shepherd (1985, 1986, 1988, 1989), Nesmith (1991), Guha and Gadgil (1989, 1993, 1995), Vira (1995), Corbridge and Jewitt (1997), Mawdsley (1997), Muldavin (1996), and Nanang and Inoue (2000). In the process, many schools of thoughts have got established, and where, also, many stereotype views have been challenged. The concept of sustainable indigenous practices (as against scientific forestry) has been pushed forward (Guha and Gadgil, 1995; Sen, 1992), villagers’ priorities and problems have been elicited (Jodha, 1986; Agarwal, 1986; Ghai, 1995), and a gendered approach to rural environment and economic opportunities has
been made (Agarwal, 1994; Shiva, 1989; Kabeer, 1994, Nesmith, 1991). A common theme in many of the theses is the struggle that exists between the state and its people over control, use and management of forest land. Another definitive element has been the increasing concessions forest citizens have come to receive from the state over control of forest land, and the ways such participation have been institutionalized. This phenomenon has been documented extensively: greater participation of the peasants, in ‘farmers’ first’ (Chambers et al., 1989) model, has been elicited, role of women has been sought (Shiva, 1989, Nesmith, 1991), existence of heterogeneity in rural societies has been appreciated (Vira, 1992, Shepherd, 1988) and adjustments made by the Forest Department has both been commended (Poffenberger and McGean, 1996) and criticized (Kolavalli, 1995).

The paper, on its part, looks into discourses that have, got created, by design or involuntarily, between the state and forest citizens. It examines community-access to forest resources in Bihar and Bengal and argues that despite the state’s secure tenurial rights over forest land, the JFM resolution has given the populace, the tools they have begun to use not only for forestry but also for larger issues of livelihood and development. The next section provides the general theoretical and policy context of this research. The first part reviews the debates and literature on history of forest management in India. The following section introduces the participatory phase of Indian forestry that started taking shape from 1970s onwards. The case studies, that follow, further illustrate the points made in these sections.
2.1 Forestry in India: A Brief History

In its bid to 'manage' forest, the state often found itself in conflict with the forest-dependent rural communities (Jewitt 1996; Shepherd 1985; Guha 1989; Pathak, 1994). The ecological history debates have addressed questions as to which phase, the British (and post-independence) or pre-British, of forest management was more pertinent & just, and have brought available records under close scrutiny. However, arguments and conclusions vary greatly. A school of thought led by Ramchandra Guha has challenged the central premises of the imperial historians - that the colonisers saved the forests of South Asia from certain destruction by indigenous forest users (Guha, 1983). Guha proposed that during the mid 19th century three schools of thoughts had developed with regard to the future treatment of forests and forest land:

“the first, that of annexationist held out for nothing less that total state control over the forest areas. The second, that of he pragmatics, argued in favour of state management of ecologically sensitive and strategically valuable forests, allowing other areas to remain under communal systems of management. The third position (a mirror image of the first), the populists completely rejected state intervention, holding that tribals and peasants must exercise sovereign rights over woodland. (However), of the three, the annexationists triumphed” (Guha 1989).

Indeed, the corollary to Guha’s annexationist theory is that such forest-land acquisitions and alienating land-tenure arrangement (Shepherd 1985; Jewitt 1996) give forest-dependent communities a moral right to claim back their 'share' in natural resources.
Guha and (Madhav) Gadgil’s idea of the predatory state finds support in select statements of colonial foresters. Ribbentrop, for example, argued that scientific forestry under imperial aegis marked the end of a ‘war on the forests’ (Ribbentrop, 1900). Stebbing argued that rapacious private interests were brought under scientific supervision and control in the colonial period (Stebbing 1921). Guha in turn has held that the practices of colonial forestry were largely an outgrowth of the strategic and revenue needs of empire. Gadgil suggests that the period up to 1800 A.D., was a time of ‘equilibrium' between people and nature (Gadgil, 1985). The detractors of Guha & Gadgil, on the other hand, have tried to produce evidence from ancient Indian literature, however much incomplete, that forest practices could have been as harmful and imperialist in approach as in British India (Nesmith, 1991).

2.1.1 Forestry in Ancient and Medieval India

Records on control and management systems of forestry in ancient and medieval India are far from complete. Information about forests during this period is available from dotted sources such as Kautilya's Arthashashtra (321 BC), Indika by Megasthenes (305 BC), the inscriptions of Ashoka (273 BC to 236 BC), Akbar-nama (1650 AD) and so on. The dominant theory accounting for forestry practices in this period argues that the Aryans who migrated into India during the second millennium BC (Olivelle, 1993) fought with the indigenous population (now represented by the tribal-groups) then ‘living

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4 This argument was extended by the authors, in the context of independent India, to explain the ‘omnivorous’ urban population who, unethically, exploit natural resources, making ‘ecological refugees’ out of rural poor (Gadgil and Guha, 1995)
in the forest’, driving them to remote areas (Nesmith 1991, 47). The Aryans cleared the forests with their superior iron tools, and started organized agricultural and forestry practices. During the reign of Chandra Gupta Maurya (320 B.C., see appendix for a chronology on Indian forestry), there was a regular forest department administered by the Kupyadhyaksha (superintendent of forest), assisted by a number of Vanapals or the forest guards. Forests in the Mauryan Empire came under direct control of the sovereign, and both ownership and control on use was highly differentiated. Forests remained a major source of revenue in Gupta period (320 - 550 A.D.). There are records from the period that indicate that there was a collection of revenue for forest-use from the public (Nesmith, 1991).

There is little documentation on nature of forest management in medieval period inscriptions, though the inferences are that the Mughal-rule (1400 A.D.-) saw forest resources as pleasure objects. Extensive hunting (for sport) is recorded during the period. Although rulers, particularly Jehangir and Akbar, were fond of roadside trees and gardens, they are argued to have shown little interest in forest conservation, and extensive damage was done during wars with other ruling states.

The reason to sketch out the countenance of ancient and medieval forestry is to emphasize that forest practices could have been as harmful and imperialist in approach as

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5 Recent appraisal has, however, presented alternative views. Das, for example, contests the version of tribals being driven to forests and maintains that they were essentially agriculturists. (Das, 1992). The administrative category ‘tribe’ given by the colonial administration has obscured the fact that forest dwellers have been peasants for a long time (Pathak, 1994)

6 The forests were divided in three categories: a. Reserved forests (for kings’ hunting, the supply of elephants, and timber), b. Forests donated to eminent Brahmins, and c. Forests for the public.
in British-ruled India. More specifically, it seeks to indicate that the state, once finding a forest resource of value, has, through time, tried to exercise control over it. Secondly, as different groups contest for (albeit with different incentives) control, a hierarchy comes to exist both in use and in perception of forests. Hence, where state, for example, could pursue territorial and economic interests in forest terrains, the forest citizen utilized their immediacy to evolve their own set of practices to secure forest product for subsistence and household economy. The various ‘niches’ in this hierarchy is not always exclusive of each other, and indeed has resulted in the oft-cited contests between the state and the forest citizens. The meaning of participation, hence, would best be found in use of forest in manners that can serve to fulfill needs of a multiple set of users situated at various levels.

2.1.2 Colonial Forestry (1800 – 1947)

The newly established British administration in India was initially not alive to the need for careful husbanding of forest resources, and was under the impression that the forest wealth of India was inexhaustible. The British themselves were new to the ideas of scientific forestry, and had no developed forest organization in Britain (Agarwal, 1985). The first step in British Indian Forestry came in South India. In 1800, a commission was appointed to enquire into availability of teak in the Malabar Forests. In 1805, a Forest Committee was constituted to investigate the capacity of forests and the status of proprietary rights over them. Then in 1806, teak (Tectona grandis) was reserved as a royal right in parts of south India. Later, in 1855, Governor-general Dalhousie promulgated for the first time an outline for forest conservancy for the whole country called the 'Charter of the Indian Forests'. Following this, Deitrich Brandis was appointed
Superintendent of Forests in India in 1856. The Forest Department under him proceeded to transform the working of India's forests, from the initial practice of exploiting them to obtain supplies of timber, to treating them as a growing biological entity of much value, and handling them in accordance with the principles of scientific forestry.

In 1857, after the Indian mutiny\(^7\), India came under the direct rule of Britain. It was a turning point not only for the civil administration of the sub-continent but also for forest regimes. India was now to be ruled not only for trade interests, but also was taken over by a nation, which was obliged to have a greater control over the territories of her colony\(^8\). In his letter, dated 1st November 1864 to the Secretary of State for India, the Governor-General pointed out that the idea of allowing individual proprietary rights in forests must be abolished, as such rights might lead to the destruction of forests (Stebbing, 1921). However, local governments were allowed to control forest management and were to be only given with policy guidelines by the Government of India (Agarwal 1985). The first major Forest Act came into being in 1865. Under this Act, local governments were empowered to draft rules for law-enforcement in their respective regions. A revised Forest Act in 1878 provided for constitution of Reserved and Protected category forests. During this period (1880-1900) forest settlement, demarcation and survey of forest land

\(^7\) Or the First War of Indian Independence, as it is referred to by Indian historians.

\(^8\) It is this phase of colonial regime (1865 – 1947) that is particularly targeted by likes of Guha, Gadgil and others who see colonial forestry practices as an ecological watershed that disrupted the relationship of forest-based communities with the land (Guha 1983). Arguing for sustainable indigenous practices Guha reasoned that customary restraints on the use of trees had earlier ensured renewal, but colonial land control and commercialisation led to deforestation (Guha 1989, 29). Rangan, although agrees that between 1918 - 1947, the emphasis of forest management had an industrial focus, suggests, however, that it could achieve only limited success (because of famines, world wars, and nationalist movements) (Rangan, 1997 p 2139).
were actively in progress in various provinces\textsuperscript{9}. Later, following Dr. Voelcker's report (1897), the Government of India declared in its forest policy\textsuperscript{10}, that permanent cultivation should come before forestry, that the satisfaction of the needs of the local population at non-competitive rates, if not free, should over-ride all considerations of revenue, and that after the fulfillment of the above conditions, the realization of maximum revenue should be the guiding factor (Voelcker, 1897). Rapid progress was made in organized forestry in the years between 1925-47. There was a long history of working plans\textsuperscript{11} and forest-research spanning more than eighty years of 'scientific' management of Indian forests by the time India gained independence in 1947.

\textbf{2.1.3 Forest Management since Independence (1947- )}

The Indian Forest Act of 1927, which is modeled on the earlier act of 1878, still defines the legal framework for forest management in the country. Current issues of biodiversity, equity and customary rights do not find prominence in the legislation. With the abolition of \textit{Zamindari} in 1951 large tracts of private forest land were vested with the State, making the Forest Department, as Guha says, the “biggest landlord in the country” (Gadgil and Guha, 1995). The National Forest Policy of 1952 was strongly hinged on scientific forest management which drew largely from existing forestry practices in

\textsuperscript{9}Ribbentrop's book 'Forestry in British India' (1900) gives an account of the work that went in during the period.

\textsuperscript{10}The Forest Policy of 1894 established that expansion of agricultural cultivation was of greater importance than forest preservation, it stated, ‘wherever an effective demand for cultivable land exists and can only be supplied from forest areas, the land should ordinarily be relinquished without hesitation, even though that land may have been declared reserved forest under the Forest Act’. (NCHSE, Documentation on Forests and Rights - Volume II, in Vira, 1995)

\textsuperscript{11}Forest Working Plans are documents describing in detail the basic data on forests on which various forestry proposals, such as harvest, thinning, plantation, etc. are made. These recommendations are for a given period of time, usually ten years.
USSR and the USA. The practice was to encourage maximization of forest revenues and to give priority to agriculture and industry. The second five-year plan (1952-57), which had followed the National Forest Policy, however, also directed the States to aim to put 33% of their land under forest cover.

It is apparent that in the nineteenth century and right up to the 1970s, indigenous rights and access to forests were contested by state agencies claiming to act in the national interest. Many forest-dependent communities, tribal (adivasi) groups in particular, were stigmatized as forest-destroying communities. In the face of these contests (and rapid degradation of forest cover) there has been growing support in India for the idea of placing some 'power' back in the hands of the rural poor. Since the late 1970s a number of social forestry programmes have been developed and the emphasis of state forest policies has shifted from commercial forestry to that of meeting needs of the forest dependent population on a priority basis. The most recent of these programmes (1988-) has embraced a philosophy of Joint Forest Management (JFM).

3.1 Social Forestry

Following the Agricultural Commissions’ recommendations in 1976, forests that had remained under total control of the states became a concurrent subject. The government in New Delhi was to play central role in formulating policy guidelines and in coordinating forestry programmes. As the interests of the centre and the states do not necessarily coincide, the government in New Delhi could arguably take a long-term view (Vira, 1995). This arrangement, allows conservationists, international agencies and voluntary groups, despite their low numerical strength, to have considerable influence on
the direction of policy at the level of the centre\textsuperscript{12} (Guha, 1994). Also, state governments are subject to regional and local pressures, which may not be a factor for decision making at the center, it was argued (Vira, 1995).

In the 1970s members of the public were invited to raise forest on private land. By that time it was widely recognized that destruction of forests would not cease without obtaining participation from forest dependent communities. The nation had by then geared to address the subsistence and cultural dependence of its people. The period coincided with the social justice call of Prime minister, Indira Gandhi (5\textsuperscript{th} five year plan, see appendix). Reflecting the national rhetoric of social justice and equity, rural communities were to find increased (official) access to forest usufruct. Thus a shift, from pure regimes to shared regimes took place. India as a leader in social forestry (Warren 1995, 54)) took a series of participatory interventions: village woodlots, strip plantation (roadsides, alongside railways), farm forestry, agro-forestry, home gardens, urban forestry, fuelwood plantations, festival of trees (\textit{van mahotsava}), education camps, nurseries, and research & training.

However, a clear disjunction between the programmes’ intended goals and actual products emerged. While the targets of farm forestry (in many states), for example, were considerably over-achieved, those from community forestry were less successful. It were larger farmers who primarily took up farm forestry and adopted commercially viable species, such as eucalyptus (Vira 1995), for plantation. Villagers invariably had an

\textsuperscript{12} Guha argues that conservationists have an influence on forest policy which is completely out of proportion with their numbers, and suggests that this is because they share a similar social and educational background to important decision makers at the centre (ibid, 1994 p 2192).
incentive in income generation (Nesmith, 1991). Also, the project was alleged to have encouraged little participation from tribal population (ibid, 1991) and villagers were reluctant to make long-term investments (Shepherd, 1985). Vandana Shiva, the eco-feminist writer, has been vociferous against the programmes which she thought promoted mono-culture (Shiva, 1992, 1993), did not encourage involvement from women (Shiva, 1989) and from which particularly poor seasonal migrant labourers lost employment as tree planting is not a labour intensive occupation. Afforestation of wasteland to her, hence, was 'privatization' of the commons (ibid, 84). Social forestry found willing funding bodies in World Bank, USAID, DANIDA, ODA, SIDA, EEC, OECF13. These donors progressively attempted to influence the direction of policy especially in regeneration of degraded forest areas and for wildlife conservation (Vira, 1995). The international agencies came under attack for promoting a ‘top-down’ approach which the participatory programme was to do away with. They were alleged to have vested interest in country's corridors of power (Nesmith 1991, Shiva, 1989). Also, the forest bureaucracy was criticized for its inability to shake off power structures that are conditioned to emphasize policing, protection, and state production (Warren 1995). Also, the department represented a long history of protecting the interests of forest-dependent industries (Vira, 1995). These factors despite policies at the centre to give priority to fuelwood and subsistence needs of the village community, failed to marginalize the private commercial interest in the forests.

13 Projects worth Rs. 9940.44 million were initiated with external assistance in the period between 1981-82 and 1985 - 86 in fourteen states (Vira, 1995).
3.2 Joint Forest Management: The Current Paradigm

Notwithstanding the criticisms and failures that social forestry faced, the programmes succeeded in initiating the processes for participatory forest regimes, devolution of decisions (Baumann, 1997) and recognition of villagers’ subsistence needs (Poffenberger and McGean, 1996). In 1990, the Ministry of Forestry and Environment, in New Delhi advised the state governments to take up Joint Forest Management (JFM) (see Box 1).

**Box 1: Formal Framework of Joint Forest Management System in Bihar and West Bengal**

**Formation of Protection Committees**

Forest Protection Committees in West Bengal are constituted with membership coming from each of the households. An executive committee of six people is formed, two of whom are representatives from the village panchayat. The forester holds the position of Member Secretary. The Village Forest Protection and Management Committees (VFPMCs)\(^\text{14}\), in Bihar, are similarly made up of one member from each household. Again, an executive committee is established which is made of fifteen to eighteen people including the elected and defeated Mukhiya (the panchayat leader), the Sarpanch, the village religious leader, a local school teacher, four members from the schedule-caste/tribe and also, three to five women. The forester holds the position of Member Secretary to the Executive Board. The forest guard is a specially invited member, and is expected to attend committees’ monthly meetings.

**The Distribution of Harvest Proceeds Under JFM**

**West Bengal:** Once a Forest Protection Committee, has completed its mandatory 5 years of since formal registration, an area is to be identified by the Forest Department (FD) and notified to the Forest Development Corporation (FDC) for harvesting. The FDC then sanctions a loan to the FD which pays wages for the FPC members for carrying out the felling (who are entitled to be employed for the purpose), logging and transport to sale-depots.

Once the sale is done (through auction, tender, negotiations or to patron institutions like Coal India Limited, etc.), the cost of harvesting is subtracted from the gross sale value. Of this 25% is paid to the concerned Forest Protection Committee. Of the balance amount, now, 10% is deducted by the FDC as service charges. Of the remaining amount a further 10% is further deducted by the FDC as interest on working capital and establishment charge. The balance amount is then paid, as royalty, to the forest department.

**Bihar:** Here, the return-procedures in lieu for the protection and management of the forest are more complicated. The villagers are allowed to take fuelwood and minor forest produce. The members are also to receive a share of the final harvest (in addition to

\(^{14}\) The Forest Protection Committees are called by various names in different provinces of India.
periodic coupes and thinning) according to customary rights for timber as set out in Khattiayan part II. Any surplus timber then can be sold by the committee, either to local villagers or in the open market. The Village Forest Protection and Management Committee (VFPMC) is responsible for carrying out harvesting for which they are to get wages. Of the harvest produce 20% would belong to the Forest Department as its royalty. Of the remaining 80%, 30% would go to meet the bonafide domestic needs of the village\(^\text{15}\), while the other 50% would be put up for sale. The revenue from the sale would be divided into 3 equal parts. One part each would go for Village development, and for forest development, while the third part is to be paid in cash to each of the VFPMC member\(^\text{16}\).

Not surprisingly, Joint Forest Management systems could get attention both from the group (like Guha and Gadgil) that wishes to see in JFM, the chance of restoration of moral economy through increased tenurial and usufruct rights for the rural communities and exercise of 'sustainable' indigenous practices, and those (like Rangan) who, on the other hand, are keen to find solutions within existing institutions by way of 'pressuring states to intervene on behalf of marginalized communities, to ensure equitable access to the potential benefits of economic development’ (Rangan, 1996). Results from JFM have indeed been encouraging (Hobley, 1996). JFM is reported to be instilling new attitudes and behaviour in forest bureaucracy towards the villagers (Poffenberger, 1995, 1996), and vice versa. Many forest beat officers have reported that their primary incentive to encourage JFM is the vastly improved relations they have come to cultivate with the community. NGOs too have found themselves accommodated in the new regime (McGean, 1991), as an agent of change and promotion. Through group exercises,

\(^{15}\)Bonafide domestic need is the quantity of forest produce as ascertained by the Forest Department officials for an individual village under the requirement of Forest Settlement Order, and is maintained in village files, called ‘Khatiyan - II’.

\(^{16}\) It may be noted that there is negligible role played by the Bihar Forest Development Corporation Limited (A Govt. of Bihar Undertaking) in harvest and sale of forest timber. Unlike Bengal where FDC plays an important role in timber extraction and sale, in Bihar, timber, firewood and bamboo is sold through the State Trading wing of the Forest Department. However, the Non Timber Forest Products (sal seeds, harra, baidera, kusum, mahua seed, etc.) fall largely under the jurisdiction of Trifed, LAMPS and Bihar State Forest Development Corporation Limited.
discussions, meetings and monitoring they are to instill participatory practices both in members of Forest Protection Committees and the Forest Department officials.

There have been several shifts in management of forests by the state and these, in turn, have been reflected in attitudes adopted by the user groups. The people, in the current setup, have come to view the state, NGOs and grassroot organizations (panchayats, for example) as bodies they can use to bring development in their community. The solution to equitable use of forests is not to isolate forest citizens in realm of some imagined sustainable practices but to chart out on what sorts of institutional links and relationships (Rangan, 1997) could be established between the rural communities and other institutions to enrich this dialogue.

The paper contends that while many predicaments arising from forest conflicts between state and people have been successfully attempted at, the state not only has to take a more imaginative approach to include the practices that flourish informally at FPC level, but also reach out to intervene in various facets of rural development forestry. The findings here constantly are pointers to the peoples’ desire to involve the state (and other institutions) for development and access to market and available funds, as against leaving out the state in such processes (see Box 2, for an extension of this discussion).

17 Authors like Pouchepedass (1995) and Rangarajan (1996) strengthen the view that forest practices have kept changing over time.
Garrett Hardin popularized the resonant phrase of ‘the tragedy of commons’ while arguing that though society is composed of rational individuals attempting to maximize their own good, this rationality is individual and fundamentally at the expense of other individuals (Hardin, 1968). It is recognized now that Hardin was prompted to write not so much by the misuse of common lands, but by population growth rates (in response to Ehrlich’s apocalyptic book: The Population Bomb). In fact, Hardin had overlooked exchange relationships, ‘where the best for an individual is deemed by that individual to depend upon the forbearance of others towards him in return for his towards them’ (Shepherd, 1988). A more recent management approach comes from Ostrom and others who have proposed privatization of CPRs, and the decision making in such systems (Ostrom 1990). However, four difficulties can be cited while proposing to exclude state as a key player in forests management in India. First, the commercial implications for the state would be immense. The government owned forest land covers nearly one fifth of the nation’s total land area, and privatization of the entire estate would mean loss of substantial revenue, and also governance (politically, economically, spiritually) over lives of its citizenry. Also, management by private bodies might not necessarily serve the same set of priorities that are established by the state through the Ministry and the Forest Department. Secondly, loss of control over forest resources and land would also erode one of the key ways through which statehood is defined and imposed, i.e. through territorialization of resource rich areas in ‘the interest of the nation’. Often these resource rich lands have been used by the state in asserting control in politically and socially turbulent regions (Jharkhand in Bihar (Corbridge, 1986), northern districts in Uttar Pradesh and West Bengal, for example). Indeed, the first two factors would make it tricky for the state to relinquish the absolute tenurial rights it has come to acquire (or inherit) over forest lands. Third (and on the other hand), privatization in Ostrom’s thesis does not appreciate the heterogeneity of the user groups and variations of their dependence on forest resources. For example, most of the rural communities are farmers by occupation, and although many depend considerably on forests for meeting subsistence needs (Jodha, 1986), the majority of their investment (in terms of time and money) is in farming-related occupations. Hence their incentive to accept private management systems with ‘hired sets of arbitrators’ (Ostrom, 1990) will be of lower priority and be one too expensive. JFM activities, for example, are dependent on the expected levels and variations in the marginal profit to labour from JFM, and alternative enterprises that may be available (Naik, 1997). Forest, as a CPR, contributes significantly in household economy. It, nevertheless, remains negotiable if better non-forestry alternatives become available, either temporarily or permanently, to rural population. Fourth, although private regimes may eliminate competition, they would for optimal harvesting require that the ‘rate of returns from holding a resource stock must equal the rate of return available on alternative investments, given by the rate of interest’ (Hotelling rule, in Vira, 1995b). However, though this may be an economically efficient rate of exploitation of the resource, it need have no relationship with the biologically sustainable rate of use. Extinction of the resource may well be economically optimal (Vira, 1995b).
4.1 Research Methodology

The paper compares the States of Bihar and West Bengal, sharing contiguous boundary and similar socio-cultural environment and forest ecology. It examines the characteristics that mark forest activities (extraction, consumption, protection) among forest citizens in Bihar and Bengal. The hypotheses that are tested include that the Forest Protection Committee, a key stakeholder in JFM, will be motivated to invest time and other household resources to meet the mandatory demands of JFM (forest-guard duties, monitoring, attendance in meetings, forest works, etc.) over a number of years in anticipation of sharing the usufruct gains associated with afforestation and other forest management schemes; that the age old conflict over establishment of rights over forest resources would be amicably resolved (now that government recognizes the claims of villagers, the villagers would in turn recognize the jurisdiction of forest land boundaries); and finally, that the 'equity' rhetoric would be served. JFM would aid the local community in various village development works, and in increasing their income.

The means I have depended on include literature-review and archival analysis. Theories and archives provide the background to which case-studies are directed, and against which the results from the case-studies have been tested. The research looks into positions taken by ecological institutions in the JFM set up. The field work included interviews, group discussion, attending meetings, participation-observation, observational techniques and secondary data collection (official documents/ progress reports). Interview methods were mostly semi-structured and open-ended. Research carried out in one State was mirrored in another.
5.1 Joint Forest Management in Bihar and West Bengal: Report from Case-Studies

This section examines the theoretical premises that have been established earlier. This is achieved by providing a geographical setting to the research and by discussing case studies from Bihar and West Bengal. After a brief note on the institutional history in these two States, the section spells out formal aspects of the Joint Forest Management systems in each of the provinces, and, then, examines the activities that mark the actual boundaries to perceptions and practices in local forests.

![Figure 1. Location of Study Area](image)

Figure 1. Location of Study Area
5.2 West Bengal and Bihar: At Odds on Village-Level Governance

During most of the British rule, Bihar remained a part of the Bengal Presidency and, until the partition of Bengal in 1912, was governed from Calcutta. In 1912, Bihar and Orissa together formed a separate Governor’s province. In 1936, prompted by the Re-organization of State Act, the five British districts of Orissa formed still another province. In 1947, after Independence, Bengal was further partitioned into east and west, the former becoming a part of the newly formed Pakistan (Blair, 1969)\(^{18}\).

The left coalition Government of West Bengal has been progressive and committed to land reforms and other social programmes to empower poor rural communities (see Dréze and Sen 1997 for a critique, also, Lieten, 1992). Starting in 1977, share croppers and land-less persons were given 99-year lease (*pattas*) on lands that were vested with the State, soon after independence, after the Land Ceiling Act. In 1979, the State Government vigorously implemented 'Operation Barga'\(^ {19}\). These programmes resulted in provision of land to the landless, and tenurial security to share-croppers and small land holders. Also, *Panchayati-Raj* (village level governance) was strengthened during the period (Williams, 1997). The members of *Panchayat* were encouraged to participate in decision-making and overall management of rural development.

\(^{18}\) During this period, Seraikela (400 sq. miles) and Kharsawan (153 sq. miles) were made, on merger of princely states with the Indian Union, a part of Singhbhum district in south Bihar. In 1956, as part of the Linguistic Reorganization of Indian States (States Re-organisation Act, 1956), some 733 sq. miles of Purnea district and 2407 square miles of Manbhum district were transferred to West Bengal. In the process, a small part of Manbhum was attached to Singhbhum district and the rest of the non-transformed portion was made into a new Dhanbad district (Blair, 1969 p 26). Since 1956 and until 2000, there had been no change in territorial jurisdiction in these two states.

\(^{19}\) Under this programme, the *bargadars* (share croppers) had their names recorded in revenue records by officials of the Revenue Department. By March 1989, 1.255 million acres of land had been declared surplus under the Land Ceiling Act, of which 0.835 million acres had been redistributed to around 1.7 million beneficiaries at an average rate of 0.49 acre per beneficiary.
The strings of achievements that Bengal attained within rural infrastructure not only instilled confidence in the bureaucratic set-up in general, but also complemented grassroots level institutions which could then deal effectively with the initiatives being provided by the foresters. The Forest Department to its credit took many innovative steps. West Bengal Forest Department issued a number of facilitating resolutions to foster participatory environment. In 1980, the State Government's 'New Directives on Forest Management' gave privileges and concessions to tribal population living in vicinity of forests. Later, complementing the success of Arabari experiment, forest department issued orders in 1987 to share 25 per cent of the net return on harvest of Sal poles with the participating communities. Also, a new scheme titled 'Economic Rehabilitation of Fringe Population' was drawn up through which various development schemes were taken up in the forest fringes to generate income for people through forestry based activities. Other socially beneficial measures such as drinking water supply, construction of earthen dams and minor irrigation projects were planned.

__20 Origin and Facilitation of PFM in West Bengal__

The origin of PFM lies, arguably, in an experiment that was started in early seventies by a forest officer in Arabari, Midnapore Forest Division in south-west Bengal. He involved forest-fringe communities in management of degraded Sal (Shorea robusta) forests, which had reduced to bushy conditions due to over-exploitation (GOWB 1995). They were, for their co-operation to be paid 25% of revenue from timber-sale. The encouraging result prompted the government to form a statutory body called 'Bhumi Sanskar Sthayee Samiti' (or Land society) in 1985. This was to involve members from the Forest department and from the panchayat. One of the duties of this body was to identify beneficiaries from among the scheduled castes and scheduled tribes who could benefit from plantations created under social forestry project, and from Integrated Tribal Development Programme (IRDP). Later, in 1986 the Bhumi Sanskar Sthayee Samiti was renamed as 'Ban-O-Bhumi Sanskar Sthayee Samiti' (Forest & Land Society), also called as BOBS. Thus the society from now on was to include forest matters as well on its agenda.

In 1986 the Forest Department, under the Rural Landless Employment Guarantee Programme (RLEGP) scheme, also agreed to share 50 per cent of the usufruct from the plantations raised by it on vested wastelands and other public lands. The Panchayat Samitee was made responsible for protection of these plantations (FD memo no. 1925 dated 24.4.86). Another order issued with respect to plantations raised under Rehabilitation of Degraded Forests programme of social forestry project, specified that 25 per cent of the usufruct will be distributed to local people as selected by BOBS (FD memo no. 2379 dated 11.6.86). Also the strip plantations created by forest department under social forestry project were handed over to Panchayats for maintenance and protection. The Panchayats were given authority to identify poor people, who will get usufructary benefits from these plantations (FD memo no. 2914 dated 22.7.86).
In Bihar, by contrast, the lands that were vested with the State could not effectively be re-distributed to the landless. *Panchayats* were often dominated by prominent villagers from the caste-Hindu population. The introduction of *Panchayati-Raj* (made redundant in Bihar now, by the High Court, because of over-due elections), also coincided with breakdown of many traditional systems of administration among the tribals (such as *parha*, Jewitt, 1995). The Forest Department, responding to participatory rhetoric in the nation, started Social Forestry projects in the 1980s. The programme was ‘in operation’ until 1990\(^\text{21}\). The results, however, were unconvincing. The survival rate of the farm forestry plantations (funded by Swedish International Development Agency (SIDA)), for example, was as low as 20 per cent (Kumar, 1996). Joint Forest Management was officially announced in 1990 in Bihar. The forest bureaucracy, however, has been unable to shake off the power structure that are conditioned to emphasize policing and protection. The department is further plagued by both structural constraints, like insufficient number of staff, lack of funds, and constitutional bottle-necks (for example, the working plans that enable harvest of forests have not been sanctioned in the State for past several years).

Despite a strong contrast, particularly in policy implementation and institutional history, many commonalities are found in use and perception of forests at community level in both Bihar and Bengal\(^\text{22}\). The framework of JFM, in its institutional design, for example, is similar in both the states. Also, while the state has eased its grip over forests, it has not let

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\(^{21}\)In Bengal, by contrast, Social Forestry Projects, funded by World bank, were extended for three more years, up to 1993 (Nesmith 1991).

\(^{22}\)It is not to imply that West Bengal has done considerably better than Bihar in overall development. The statistics show that West Bengal and Bihar (along with Orissa) have the highest concentration of people living below the poverty line (Sengupta and Gazdar, 1997). While the population living in urban areas in Bengal is at par with the rest of the India its industrial output has been has gone down from 23 per cent of India’s total in 1960 – 61 to under 7 per cent, and that too with little diversification, by the end of the eightees (ibid, p130).
the tenurial-right over the forest land slip and almost all management decisions, including formation and annulment of committees, are taken by the Forest Department. The following sections test a number of obligations, prescribed as part of Joint Forest Management, to see how participatory rhetoric has filtered through and found place among forest citizens.

5.3 Setting of the Study-Areas

The southern part of Bihar and the adjoining south-western parts of Bengal not only are more forested (with high community dependence) but also contain the largest extent of protected-type of State forests, where Joint Forest Management arrangement is, principally, sought to be instituted. Also, the population make up in south Bihar and south-west Bengal is mix of caste Hindu and tribals with pockets of Muslim residents. The case study in West Bengal refers to Gopegarh Forest Beat in Midnapore East Forest Division, and mainly, to Bhagwati Chowk village. Chowk is a small village with 37 households made-up of a near uniform population and is next to a relatively large patch of forest. In Bihar, the research was carried out in Annagarha Beat, in Ranchi East Forest Division (see tables below). The paper focuses mainly on Ober village (with 200 acres of forest land and as many households). In both the areas, tropical deciduous forest forms the major forest type, with Sal (Shorea robusta) as the dominant tree species. Some of the area, however, have extensive Eucalyptus plantation, a reminder of social forestry plantation schemes.
Table 1: Forest Protection Committees in Gopegarh Beat, Midnapore, West Bengal

<table>
<thead>
<tr>
<th>Forest Protection Committee</th>
<th>Area of Forest</th>
<th>Number of Beneficiaries</th>
<th>Forest Make up</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amratoli &amp; Phulpahari</td>
<td>240 hectares</td>
<td>246</td>
<td>Plantation forests (mainly Eucalyptus)</td>
</tr>
<tr>
<td>Bhagwati Chowk</td>
<td>150.8 hectares</td>
<td>37</td>
<td>Sal Plantation</td>
</tr>
</tbody>
</table>

Table 2: Villager Forest Protection and Management Committees (VFPMCs) in Annagarha Beat, Ranchi, Bihar

<table>
<thead>
<tr>
<th>Area of Forest</th>
<th>Number of Beneficiaries</th>
<th>Forest Make up</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maheshpur</td>
<td>172 hectares</td>
<td>1232 Sal Plantation</td>
</tr>
<tr>
<td>Ower</td>
<td>200 acres</td>
<td>200 Sal</td>
</tr>
<tr>
<td>Nawagarh</td>
<td>172.76 hectares</td>
<td>1226 Sal</td>
</tr>
</tbody>
</table>

5.4 Social Capital: Leadership, Reciprocity, and Institutional Support

The section locates the two regions in the wider socio-political setting of their respective States. It examines issues on dependency on forest, leadership, and involvement of other institution such as NGO and panchayats. It is argued that while Forest Committees have been able to assert themselves in presence of other institutions, they, as over specialized bodies, often lack the sturdiness to withstand influences (often, detrimental) from these bodies.
5.4.1 The Case of Bihar

The forests in Annagarha had belonged to the landlords and were vested in the State soon after the Indian independence. The landlord was from the tribal Munda community from the village of Nawagarh. After independence, he was elected to head the panchayat in the area. Being the centre of local governance, the Munda community of Nawagarh has been able to have access to development works (roads, culvert, tube wells, school, for example) and institutional support (police, post-office, information network) more effectively than the neighbouring Ober village. The Bediyas that make up Ober village (which is within the jurisdiction of Nawagarh panchayat), on the other hand, have often found themselves in isolation when it has come to their relationship with state’s machinery. Vis-à-vis the forest, their memory is of progressive assertion of rights by the state, monopolizing the forest land and its resources. The Bediyas of Ober are principally agriculturartists with small per capita land holdings. The dependency on forests is in vital areas such as fuelwood, poles of Sal trees (for construction of houses and ploughs), and also as a source of food in drought conditions. Resultantly, they have as a matter of routine taken out usufruct from the adjacent forest and remained in contest with the patrolling staff of the Forest Department. The participatory paradigm, particularly after the JFM, which asks of the villages to form committees have resulted in forums from which individuals have tried to legitimize indigenous perception of rights over the forests and their own forest practices.

The residents of Ober were guided by the community’s religious headman, Puran Mahto. This traditional leadership was, however, challenged by a resident of the neeche toli (the part of village that lies in a basin), Lahru Bediya who, since 1976, involved himself in
‘social service’. A secondary school pass out, he left a lower rank government job, to work for village welfare. Interestingly, forest was an issue he addressed from the beginning. The year 1976-77 was a time when mass scale forest felling was taken up by the State. This was often carried out with the help of private contractors. The period exposed the villagers to commercial value of timber, and eroded the ‘logic of conservation’ which Forest Department had until now advocated to these people. They too got into the practice of an indiscriminate felling and would often collaborate with contractors. Forest had acquired an open access resource image: one which could provide the people with a source of quick revenue with little accountability.

It was during this open-access attitude, that Lahru Bediya closed ranks with like minded people and delineate forest boundaries that would be out of bounds for outsiders – in effect, marking out an area in forest, called as the rakhat (or the protected land), which would be under the management of the residents of Ober. The first major fight that Lahru Bediya took up with the outsiders was in 1981. The villagers from the neighbouring Bediya village of Sringeri would regularly fell timber in the forests of Ober khas toli. The fight that he took up was, although against the wishes of the headman Mahto, resolved in his favour both by the government official at Sringeri and the Munda headman at the Nawagarh village-council. By 1984, Lahru had demarcated the forest boundary of Ober and initiated the practice of keeping a log-book that would record minutes from discussion during various meetings. The records demonstrate that the new forum evolved with time to make decisions on issues ranging from getting consensus within the village.

23 Demarcation was done by clearing, in a straight line, the shrubs and bushes on two sides of the forests. While the toli itself was infront of the demarcated forest, the Paina hills in the back formed the other natural boundary to the resource.
on benefits of the forests and need to protect *rakhat* forest, to one that would stop and fine the outsiders who enter into their forests. With increased acceptance in the community the forum became active in other social areas as well. Within a year’s time the meetings would decide on social and moral issues of the Ober *khas* community. By 1992, Lahru had challenged the leadership of the religious head man, Puran Mahto on grounds of Mahto’s inability in bringing in development in the village, he proposed the name of Balsu Bediya as the new Mahto of the village. There are evidences that suggest that successes (and failures) of Lahru’s initiatives have spatial connotations. First, it was easy to organize support on the defense of a forest that was in immediate environments. Second, he could provide in himself a proximate alternative to leadership - the other alternative being the *panchayat* members of the Nawagarh village. Third, the organization of the support that Lahru enjoyed shows a spatial pattern. Lahru, a resident of *neechetoli* always enjoyed a loyal following from his own *toli*. The Mahto leadership, on the other hand, in *uppatoli* stood strong against Lahru’s resistance, and it took 3 years for the new Mahto, who is from Lahru’s *toli*, to replace the old one.

As the community wrested out the control over forests from the neighbouring villages, Lahru provided a leadership that could not only ensure equitable access to forest but also pull in various aspects of livelihood and development on the forest platform. Indeed, the latter would prove to be a keener incentive for the community to join hands. The vulnerability of the leadership of Lahru was exposed when, in October 1987, Lahru

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24 Additionally, there is a general respect for the forest patch next to an individual's agricultural land, called *jote*. The forest land next to *jote* is protected by the owner of that field and is usually kept as a resource that could be used at a time when forest usufruct is unavailable from elsewhere or from the *rakhat*, the community forest.
Bediya was away for a week to a nearby town, he was to find, on his return, that most of the community rakhat-forest has been cut down by the villagers. In his absence the residents could neither resist the outsiders nor their own temptation to strike down the forest for quick revenue. They after a gap of five years of protection wanted returns of their labour and patience. They viewed Lahru’s attitude towards the forest as autocratic and one that was dictated by personal agenda. Lahru Bediya had little option but to lay dormant for two years. In the same year, an NGO called Ram Krishna Mission, which had been operating in a few nearby villages on rural development, got involved with Ober khas toli. This external force with more potent incentives was to challenge and marginalize Lahru’s leadership even more.

The NGO is involved on issues of tribal development mainly through mobilization of government and private funds, and institutionalizing norms like training, meetings, gift of labour for development schemes, pooling in funds etc. in the villages. In Ober it has opened a clubhouse, and incidentally taken two youths to head the organizations’ activities in the village. Though the NGO-sponsored forum primarily focuses on the issues of health, agriculture, and education, the increasing membership has brought the forestry issues into their purview. The new leadership, located in upar toli of the village, has, in turn, taken a populist approach vis-à-vis the forests. It, for example, does not demand forest guard duties of its members, and asks a nominal fee of Rupees 5 for each pole a member extracts from the forest. The final test on claims to leadership came when in 1993, the village was formally registered under the JFM arrangement and Lahru was made the secretary. However, with the lack of support from the forest department Lahru was left a leader only on papers. The recent input of lift irrigation by the NGO came as
the last straw. The staunchest of the supporters in order to benefit from irrigation scheme have migrated and joined the loyalties of the NGO-run club membership.

The case of Ober demonstrates that villagers supported local management of forest. Lahru who could provide the leadership was able to challenge the traditional leader and was encouraged to expand his constitution to cover development issues. While, the onset of JFM, should have helped Lahru retain this leadership, villagers instead shifted their loyalty to the young leaders who were supported by a more responsive NGO. While, JFM makes it easier for the villagers to secure forest patches to meet their requirements, they clearly favour a situation where this security can be enlarged to other areas of rural life.

5.4.2 The Case of West Bengal

Bhagwati Chowk village, in Gopegarh Forest Beat in Midnapore East Forest Division, has a near uniform population make up, and is next to a relatively larger patch of forest. Poltu Singh has been the leader and spokesperson for the successful FPC since inception. Various features typical for Bengal mark the area. Many of the villagers live on land they got through left government’s land re-distribution schemes. Poltu Singh has been a leader with Panchayat and much of his confidence comes from his familiarity with bureaucracy. However, currently the panchayat is under the schedule list and the council leader is a woman from schedule caste from the neighbouring village of Amratoli. Poltu Singh, however, remains a leader of his village FPC and his ‘patch’ of Gopegarh forest. The FPC, however, is less radical than Ober in Bihar. A ‘successful’ FPC in terms of good forest cover and with several instances of harvest and usufruct distribution, the committee is, in general, disinterested in forest activities on a day to day basis. It is active only
during the official get together with Forest Department officials and infrequent committee meetings. The FPC has, however, created an ‘exclusion zone’ (similar to Ober) in the forest that lie under their jurisdiction, and takes up occasional fights with infiltrators from neighbouring village, often with villagers from same panchayat. It has often served as a platform to work in forestry micro-plans (when funds were available from the Forest Department) and with NGOs\(^{25}\).

There are, however, zones of anomaly in the region. The neighbouring villages of Amratoli and Phulpahari (see Table 1) form another FPC and share a large block of forest. While Amratoli is in same Panchayat as Bhagwati Chowk, Phulpahari belongs to another panchayat. The population make-up is diverse and so are the forestry practices and dependency. The caste-Hindu settlements are better off than the rest of the population, and their women folk do not go to forest for collection of fuelwood\(^{26}\). The political factions are apparent, and forestry is often compromised for political gains. The entire forest, for example, was cut down during the panchayat election in 1998.

5.4.3 Discussion
The above sections suggest that associations, norms of reciprocity and attitude towards trust are dynamic in nature, and choices are made in such a manner as to maximize the benefits to individuals. Once the common goals are within sight, the community builds on

\(^{25}\) The impact that NGOs have had on rural development forestry is beyond the scope of this paper. It is, nonetheless, worth mentioning that an NGO that could provide support in various areas of rural development were accepted more by the community than those who, for example, worked only to promote JFM activities.

\(^{26}\) A similar case is seen in the economically better-off population, albeit made up largely of muslims, of Maheshpur village, that lives not far from Ober in Bihar.
the existing social capital and makes adjustments to capitalize on the incentives. It seizes upon the new opportunities and does not mind risk breaking established conventions.

It also indicates the regulatory constraints of the system. A successful and popular village level forum cannot overspecialize in one issue such as forestry alone. A rigid dichotomization cannot be held, for example, between forestry and other rural development issues. Also, a populist agenda, as is common with new organizations such as NGO-club in Ober, may, in order to attract membership, harm the common pool resources like forests. Left to them, village institutions would, while seizing on the most attractive incentive, tend to compromise on old obligations, thus making the system inherently unstable. While in case of Bihar, on an NGO’s involvement the villagers switch loyalty to capitalize on the opportunities for development, in Bengal *panchayat* leaders barter away forest timber in exchange for votes in an election. What is, however, unmistakable is that despite a marginal nature of FPCs (as compared to the established FD, *panchayats*, NGOs), these Forest Protection Committees often function to create a power-base and legitimacy of their own. The legitimacy that the FPC commands in Bhagwati Chowk is, for example, unambiguous. Poltu Singh despite his not being a council leader remains the leader in the eyes of Gopegarh villagers because of his formal control over a vital resource.
5.5 Informal Niche in JFM Arrangement

The section deals with informal activities that find support in JFM’s participatory atmosphere. Through time, the Indian State has exercised a near total control over its forest-land and forest citizens. The current participatory paradigm of sharing revenue and forest-usufruct through Joint Forest Management places this control (and polity) in an ambiguous position. The section argues that while the state still maintains a strong hold over both tenure and forest land practices, the new arrangement has made inroads for unprecedented concessions that allow rural people greater control over the village and protected (community) forests.

The FPCs, as a part of the JFM agreement, in return for protection and management of ‘protected’ forest would, apart from access to fuelwood, share a percentage of cash with the state on sale of timber. A range of concessions allowing collection of fuelwood and minor forest produce have existed (pre-dating the current participatory forestry) in both the States, though the relation between the Forest Department and citizens has been one of constant confrontation and suspicion. Bihar, traditionally, has enjoyed more rights over forest use than Bengal. There is no fee payable, in Bihar, for fuelwood collection or livestock-grazing, for example. The tribal population has also been entitled to a share of timber on occasional harvests. There is, however, no provision (including the JFM scenario) in either of the states to allow felling of trees other than those announced.

27 In an effort to locate the informal practices, it is important to note that these activities are termed informal only when seen against the norms and rules that are laid out in the Joint Forest Management agreement. Many practices are not only essential to villagers’ day to day’s needs but have been in practice (noticed or disguised, contested or informally recognised) for a long period of time.

28 For livestock grazing, there has been, in Bengal, an obligation to pay a fee, the amount of which was fixed in pre-independence period. The amount is so nominal that collection-cost would easily exceed the actual revenue.
through government-circulars (sanctioned through official ‘working plans’) and carried out at the initiative of the Forest Department. The use of forest, nevertheless, is not limited to what is prescribed within the JFM agreement; villagers regularly extract logs of wood from protected forest for construction of houses and agricultural tools.

The forest bureaucracy is now no longer seen as a foe against whom village communities must unite against, often turning forest land into 'open access resources'. Instead, villagers are identifying more solidly with isolated forest patches that lie under the jurisdiction of village Forest Protection Committees. Forest lands are now demarcated and governed, for management purposes (protection, regeneration, harvesting, even silvicultural decisions), by these committees. The committees often decide on the exclusion of neighbouring village-communities from use of 'their' forests. To 'catch and punish the erring population' frequently forms the basis of protection of forests and to establish norms onto villagers from outside and even within the community itself.

A series of new incentives and power-relations have been created because of participatory policies in the realm of natural resource management. Encroachment of forest land, for example, for agriculture and less so for homestead purposes is not uncommon. Understandably, while many of the encroachments have existed before JFM got implanted, with the current management practice, the Forest Department finds it difficult to wrest the land out of these villagers. The encroachment is mainly by people who have leverage within the village community, and are often active members of committee. Finally, in more extreme cases, defaulters have used the insularity derived from powers and legitimacy of the new committee, to sell timber for commercial purposes. The
participatory schemes have somewhat also resulted in limiting both the spheres of influence and activities of the forest department. The policing, for example, is now restricted to ‘non-negotiated’ territories, areas that are not put under a village’s jurisdiction: roads, forest-corridors, reserved-category forests and haat, the local-markets (where forest-usufruct is bartered). While in Bihar, the petty officers still patrol forest in uniforms, they enter villages only on being reported or in instances of outright felling of timber. The villagers enjoy a situation where they can, by showing accountability to community-forums, get away with practices that are not allowed within the JFM framework\textsuperscript{29}. Another factor which is common in both the states is the initiation of protection of forest by communities well before the state sponsored participatory policies took shape (often around 1985, encouraged by Social Forestry). The villagers vividly remember the hardships they have faced on many occasions due to unrestrained felling (often by the State through planned coupe-felling), and there is a constant reminder, that unless some manner of restraint is kept, forests will then turn yet again into Open Access Resource. While the State do not provide the FPCs with any regulatory powers, many of the norms have been imposed through practice such as extracting fines from the defaulters.

\textbf{5.5.1 Indigenous Forestry: Perceptions & Methods}

The working methods employed in informal activities and transactions are not hard to ascertain. Since the onset of participatory schemes, there has been decrease in policing and violent confrontations between villagers and forest officials. This marked withdrawal

\textsuperscript{29} It should be noted that many of the informal activities are known to and even (unofficially) recognised by the Forest Department.
of forest department staff from actual resource area has prompted many inherent, albeit veiled, activities to come to the fore. JFM-led village-forums often ‘regulate’ these practices, without adhering to the boundaries (marking out concessions & rights) that the management agreement has prescribed.

A key way the FPCs have laboured to protect local forest, is through creation of ‘zones of exclusion’. The forest that lie under a village’s jurisdiction are marked ‘out of bounds’ for people outside their community, and, if violated, fights are taken up with infiltrators from neighbouring villages. Again, the boundary that constitute these zones is not always that have been delineated by the FD. In Bihar, for example, the villagers, depending on their perception, mark out territories in forest-land, as their rakhat, or an area that is under protection, to exclude outsiders. Within the community setting, however, runs a noteworthy egalitarianism: not only they maintain a understanding of a universal need of extracting fuelwood (usually of fallen twigs, branches, of green shrubs, and at times of live trees, branches) but there also exists a consent, in principle at least, for extraction of timber for meeting essential needs like construction and repair of houses and for agriculture. These activities generally need a ‘clearance’ within the forum or carry understanding of the local leader. In Bhagwati Chowk, for example, it suffices to have the understanding of Poltu Singh (though many others would be informed). In Ober, the NGO-run club authorizes extraction of trees for a small donation.

30 The forest areas that have been put under jurisdiction of a protection committee are often a matter of dispute. In Bengal, villages next to Bhagwati Chowk, for example, have contested artificial demarcation of forest boundary by the Forest Department, as it does not agree with their original area of influence and activity.
The villagers own reading into Joint Forest Management systems is, at best, vague, and their activities, in the assumed participatory atmosphere, are instead informed through their own interpretations. They, though, are aware of the committees’ responsibilities to protect forests (chiefly, from ‘others’) through guard-duties (and self-restrain), the nature of rights they are to have in return is uncertain. It is commonly understood that forest is not open to indiscriminate logging, but would, however, provide for the fuel and timber to cover basic needs. The practices are grounded on strong notions that forest belongs to the entire village community, and while rights on its land-tenures rest with the government, the villagers can not be alienated from their day to day use, ‘the sircar, after all, can not take forests away’, the villages reason. In their interaction with the Forest Department, the villagers frequently report of disappointment. They complain of not being rewarded in instances when they reported defaulters to the department, nor have they received material-support to aid them guard forest. Importantly, Forest Department seen as a part of the ‘government’, is expected to bring in development projects, while this is seldom the case. Another requirement of the JFM agreement, that villagers would replace the Forest Department with provision of guarding duties, flagged after initial bouts of enthusiasm.

Finally, the principal way JFM departed from previous participatory initiatives, by promising cash returns to FPC members, has produced mixed results. In Bhagwati Chowk with 37 households and nearly 150 hectares of forest under the FPC’s jurisdiction, the two annual harvests that were carried out by the FD have fetched each of the households with significant amount of cash. This has rarely been the case in other situations. Amratoli, the neigbouring FPC with 240 hectares of forest and 246 households
has a much lower forest/household ratio and cash return on harvest is hardly an incentive for them to institutionalize JFM practices. Bihar, on the other hand has yet to carry out its first harvest under JFM agreement. Here, and in instances where the cash-incentive is not sufficient, the reason for involvement lies more in the actual control of the resource and also in access, this newly found base provides, to stronger institutions.

5.6 Gender Divide in Community Forestry
Division of labour in extraction of forest usufruct is sharp. Majority of fuelwood extraction is carried out, often on a daily basis, by women members of the household. Forest in some ways is their exclusive work-zone, so much so that men find it socially awkward to scrounge forest-floors. The role inter-changes when men have to cut trees for timber, for construction of houses and agricultural implements. Despite woman foraying into forest more frequently, the control that men exercise over forestry practices is unmistakable. Men think they can always stop women if they go haywire. A usual explanation by women, for extraction of wood, is, ‘pooch kar late hain, we ask before we bring forest usufruct’. The case changes slightly in Bengal, where effeminated men do, at times, collect fuelwood and even barter them in markets in the nearby township. Despite a less profound role in forest usufruct collection, men (as, also, shown in her thesis by Sarah Jewitt, and quite in contradiction to Vandana Shiva’s eco-feminist principles) demonstrate considerable knowledge of time, species and pathways that regulate choices, in forest, on part of their womenfolk. While forest provides women with a zenana womb, where they socialize with other female members of community, it remains an ‘alien’ quarter where familiarity is seldom past a point, never beyond a time: what with herds of
elephants, and one respondent even saying ‘a small tiger’ that are present in forests. Women rarely venture out on their own\textsuperscript{31}.

6.1 Conclusion

The paper joins recent scholarship that has provided arguments to weaken the dramatization of indigenous customs, and have instead called for the Indian state to engage in forest politics in more constructive ways. Joint Forest Management has facilitated several point-of-entires for green-development institutions to intercept on behalf of forest citizens. The village forest committees, too, have taken up forest management in a coalesce that combines their indigenous manners to provisions that exist within the JFM framework. While forest department has helped creating the very space where such autogenous activities have prospered, they often have not been able to keep up with villagers’ expectations on participation. A similar camaraderie is expected by the community also from other institutions such as panchayat and NGOs where villagers seek assistance on forestry issues and even otherwise. Villagers have demonstrated expectations for multi-sectoral and integrated rural development agenda to be included in institutions’ work-plan.

Creation of ‘zones of exclusion’, to exclude outsiders, is one of the visible results in forests where communities assert their management interests. However, the universalization of ‘committee-formation’ to manage state forests has not worked out in way that might have been expected. While small FPCs, with members having high

\textsuperscript{31} We can, perhaps, evoke here the pristine masculine image of forests that used to provide refuge to bandits, tax-evaders and warring clans in \textit{heydays}, leaving the remote government with little option and patience but to ‘clear the forest’ away.
incentive in saving forest, have performed well, those who have little dependence on forest are less keen to invest their time in JFM schemes. Also, by itself a small unit such as an FPC hangs in a political vacuum. Communication, feedback, and directions that may emerge from larger institutional bodies are essential for sustained rural development forestry efforts.

The paper addressed arbitration over forests, both within formal framework of JFM and through *autogenous* activities by rural communities. The history of the participatory paradigm warns us of disjunction between the goals set out by the planners and the actual product. While Joint Forest Management has addressed many criticisms that the social forestry had faced, the state would do well to approach the current informal practices among villagers with sympathy and make needed adjustments in its institutional design. Until such accommodations are made, villagers would remain determined to play ‘hide and seek’ in forest land. Despite an increased understanding and substantive concessions that forest citizens have come to have from the state, forest remains a territory that needs to be secured on a per diem basis.
Bibliography


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Appendix

Keynotes on Indian Forestry

Table 1: Ancient Indian Forestry History

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 BC</td>
<td>Aryans clear forests for agriculture and settlement.</td>
</tr>
<tr>
<td>320 BC</td>
<td>Chandragupta Maurya (Mauya Dynasty) announces tax remission for clearing forest.</td>
</tr>
<tr>
<td>269 - 232 BC</td>
<td>Ashoka's period (Maurya Dynasty): Vanpals (guards) appointed to enforce forest rule, and to obtain elephants for the emperor's army.</td>
</tr>
<tr>
<td>320 - 550 AD</td>
<td>Gupta Dynasty; Aryans push adivasis into 'remote' areas.</td>
</tr>
</tbody>
</table>

Table 2: Summary of Colonial, National and State Forest Acts, Resolution, Policies and Orders

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1806</td>
<td>Royalty rights over teak proclaimed in south India. Prohibition of unauthorized felling in Madras Presidency.</td>
</tr>
<tr>
<td>1846</td>
<td>First forest service established in Bombay Presidency. In 1870 the forest service is separated from the revenue department. This service is not truly effective until 1920.</td>
</tr>
<tr>
<td>1855</td>
<td>Dalhousie's memorandum on forest conservancy.</td>
</tr>
<tr>
<td>1864</td>
<td>IFS formed under GOI; Brandis appointed first Inspector General of Forests.</td>
</tr>
<tr>
<td>1865</td>
<td>Government Forests Act. Allows demarcation and survey of forests</td>
</tr>
<tr>
<td>1878</td>
<td>Forests Act of 1878 (revision of 1865 Act) Provides for the constitution of reserved and protected forests, following a period of forest settlements that would determine 'rights' and 'privileges'. Forests officers gain greater power.</td>
</tr>
<tr>
<td>1884</td>
<td>Establishment of Working plans branch of IFS.</td>
</tr>
<tr>
<td>1891</td>
<td>Provincial Forest Service established to recruit officers within India.</td>
</tr>
<tr>
<td>1894</td>
<td>Forest Policy of 1894. Declares public benefit as objective of the administration of public forest, with forest managed for commercial benefit. Agriculture given preference over forestry in terms of land (Circular 22 - F).</td>
</tr>
<tr>
<td>1920</td>
<td>IFS officers taken from the Indian community.</td>
</tr>
<tr>
<td>1921</td>
<td>Forestry transferred to the provinces (state).</td>
</tr>
<tr>
<td>1927</td>
<td>India Forest Act. Classifies forests into Reserved, Protected, unclassified and village forests; in reserved forests any act not specifically permitted or authorised is an offence; in protected forest no act not specifically prohibited is an offence.</td>
</tr>
</tbody>
</table>
Table 3: Summary of National Forest Acts, Policies and Orders

<table>
<thead>
<tr>
<th>Year</th>
<th>Act/Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1951</td>
<td>Zamindari Abolition Act. Adds large areas of forest to forest land.</td>
</tr>
<tr>
<td>1952</td>
<td>National Forest Policy: Introduces concepts of balanced land use, protection of environment, need for establishing plantations, need to increase grazing and wood product availability, need to maintain sustainable timber flow, and need to maximize forest revenues. Classification of forest into protection, national, village and tree-lands. Re-enforcement of State monopoly rights in national interest, in support of agriculture, industry, etc.</td>
</tr>
<tr>
<td>1966</td>
<td>Reconstitution of IFS.</td>
</tr>
<tr>
<td>1973</td>
<td>Wildlife Protection Act. Provides for protection of certain species those without valid game license within forest areas, N. Parks and sanctuaries.</td>
</tr>
<tr>
<td>1973</td>
<td>Acquisition of Private Forest Act. Provides for compensatory transfer of mismanaged private forests to government.</td>
</tr>
<tr>
<td>1974</td>
<td>Private contractors in forests are discouraged. Forest Development Corporation comes into inception and takes up logging and selling timber on behalf of the States.</td>
</tr>
<tr>
<td>1976</td>
<td>Agriculture commission recommendations. Forest becomes a concurrent subject.</td>
</tr>
<tr>
<td>1980</td>
<td>Forest Conservation Act. provides for protection of forest tracts, so that no forest area can be diverted for any purpose other than forestry without prior concurrence with GOI.</td>
</tr>
<tr>
<td>1988</td>
<td>National Forest policy (see five year plan).</td>
</tr>
</tbody>
</table>

Table 4: Forestry in India’s Five Year Plans

<table>
<thead>
<tr>
<th>Five year</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2nd plan 1952 – 1957</td>
<td>1/3rd. of the country should be forested (modelled on USSR, USA)</td>
</tr>
<tr>
<td>3rd plan (1961 - 1966)</td>
<td>Clearly identifies role of community and sponsored tree growing programmes</td>
</tr>
<tr>
<td>4th plan (1969 - 1974)</td>
<td>Plantation of quick growing species (Eucalyptus) and vigilance on illegal activities</td>
</tr>
<tr>
<td>5th plan (1974 - 79)</td>
<td>'Social justice’ call by Indira Gandhi, onset of Social forestry.</td>
</tr>
<tr>
<td>6th plan (1980 - 85)</td>
<td>Detailed plans on forestry drawn up. Peoples' forestry and importance given to tribal community.</td>
</tr>
<tr>
<td>7th plan (1985 - 90)</td>
<td>Emphasis clearly shifts from commercial forestry to social forestry. The seventh plan coincides with the Forest Policy, 1988.</td>
</tr>
</tbody>
</table>
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