

## **Institutional Interface and Participation in Local Forest Management in Uttarakhand<sup>1</sup>**

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### **Abstract:**

*The paper talks about the interface between institutions created for forest management and how this interface impacts on peoples' participation in the management of their forest resources. These institutions operating in the field of forest management are of two types - the government institutions which are instrumental in shaping policies and programmes related to forest management and actually implementing them; and the other set of institutions responsible for forest management comprising of local people and operating at the village level. These village institutions have a direct linkage with the higher order government institutions that form and supervise them. The paper by focussing on the interface, both supportive and problematic, between these institutions operating in the field of forest management in the Kumaon region of the newly created state of Uttarakhand in India, reveals the dynamics of participation at the local level.*

Forests have been an integral part of the lives of people in the Kumaon region of Uttarakhand. People are dependent on forests for a variety of reasons – fuel for cooking, fodder for the animals, timber for the construction of houses, medicinal herbs to cure ailments and forest products such as resin which have traditionally been a source of income for the people. Currently forest resources are managed by three types of local institutions which are formed, supervised and regulated by the higher order government institutions to function as participatory fora. The focal institution at the village level is the van panchayat (forest panchayat) which was created by the colonial administration to provide people with some autonomy to manage their local forests. People in the hills call van panchayats their traditional system of forest management. Whether a system introduced by the colonial administration can be called traditional can be a matter of doubt and debate. In this study van panchayats are considered traditional institutions because of the two essential elements of the organizing principles of the van panchayat - the nature of seeking representation from each hamlet called *tok* and the contribution of each household towards the protection of forests in the form of *mawasa* – a small monetary contribution - were retained from the earlier practices. This system still continues. However, in recent times with the introduction of the World Bank aided Joint

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Forest Management (JFM) project, the van panchayats have been converted into Village Forest Protection Committees (VFCs) for a period of four years. The third institution which is marginal to forest management, but central as a unit of local self-governance is the gram panchayat (village panchayat) and forms the third tier of the three tier system of governance mandated by the constitution of India . These local institutions have a body of elected representatives who constitute the executive committee and are responsible for the administrative management of funds, records and meetings. The executive committees are also the centers for decision-making and have control over the financial resources. The general body of the institution comprises the village as a whole and thus all the households are members of the local institutions. Both the executive committee as well as the general body of the village therefore, has to be the focus of analysis in any understanding of the nature of participatory spaces. The coexistence of a variety of institutions operating in a criss- cross fashion makes the situation infinitely complex and has important implications for participation.

The paper is divided into three sections. Section I talks about the history of forest management and the related institutional arrangements which came into existence with it. It touches three broad phases in the history of forest management- forests under the colonial period, state management of forests after independence, and the imbibing of participatory approaches to forest management in recent times. Section II discusses the power dynamics both between and within institutions and their consequent influence on the local institutional spaces. Section III explores the nature of participation promoted by various institutions.

## **1. Changing Perspectives On Forest Management And Institutional Changes.**

In earlier times much before the establishment of the colonial regime, forests were managed as common property resources by the people. Through a variety of social and cultural sanctions the hill people were made to combine their subsistence related dependency on nature with its conservation in a balanced way. By dedicating the hill tops to local deities people were made to venerate forests. Informal institutions of management were also in place to protect the forest - for instance in the patches of oak forests there were informal rules which prohibited the lopping off of leaves during summer months. These rules also specified the grass to be cut by each family which was determined according to each household's need. People who violated these rules were subjected to social sanctions and often were denied entry into the forest. People were asked to pay the king for the medicinal herbs and other forest produce which was commercially valuable, but as far as access to and use of the forests were concerned there was hardly any restriction imposed by the kings.

It changed with the establishment of colonial administration in Kumaon. The forest management and institutional arrangements in British Kumaon not only restricted people's access to and use of the forest, it also brought into practice formal institutions to regulate them. The British administration's interest in the forest lay on two accounts -

supply of timber to build railway tracks and war ships and supply of fuel to the administrative centers in Nainital and Almorah and the cantonment town of Ranikhet. Between 1815 and 1917 with a variety of measures the British administration brought the forests under state control and large patches of forests were declared “reserved” under the 1878 Indian Forest Act. State control of the forests regulated and restricted the access to and use of forests by people and there was severe resistance against the measures taken up by the British administration. As a result, the British administration decided to grant some control to local people on the less commercially viable patches, albeit with rules and regulation made by the state. Thus the van panchayats (forest panchayats) – the local village institutions to manage the forests close to the villages were created in 1931 under the Kumaon panchayat forest rules of 1931 (amended in 1976 and further amended in 2001). The revenue department was given the responsibility of forming the van panchayat in a village, if one third of its residents put in an application for its formation. The forest department was given the responsibility of providing technical guidance to the van panchayat. This practice continues till date in Kumaon. The revenue department is responsible for selecting a date for the election of the panchayat members, inform the villagers and conduct the election. The panchayat members are elected in an open meeting and then they select the sarpanch from amongst themselves, who is the head of the van panchayat. Each hamlet called *tok* has at least one representative in the van panchayat. A van panchayat usually has five to nine members and is given the responsibility of plantation and regeneration of the forest, regulation of access to and the use of the panchayati forest, the appointment of a watch man for the protection of the forest and levying of fines on offenders. The van panchayat fund built out of the sale of forest products- timber, resin etc., are deposited with the deputy commissioner and can be spent only with his permission.

While until 1947, the chief motive for the state to extend its control over the forests and granting limited right to people was guided by the commercial exploitation of forests to serve the British administration, after independence the motive became revenue generation for the state. The state thus continued its control and a cadre of scientific foresters carrying the legacy of the British ways of managing the forest continued to administer the forests. The path to economic development which Indian leaders had planned turned forests into prime targets for scientific management and control. Thus a well developed bureaucratic model after the British administration took control of the forests.

Things began to change in the late 1980s when the state control over forest came under criticism, when it was realized that the alienation of the people from the forests has damaged forests in a significant way and that people need to be brought into the management of forest in a more active way. These shifts in forest management reflected the shift in the development discourse towards participatory ways of delivering development. This required changes in the institutional arrangement of forest management as well as the orientation of the forest bureaucracy. Instead of concentrating on the commercial worth of forests they are now required to emphasize on the subsistence needs of people and ecological considerations and instead of taking on the

entire responsibility for the management of forests they are required to share it with the people. This change was introduced with the World Bank aided Joint Forest Management (JFM) project in the Kumoan region in 1997. JFM reflected the element of community participation through the creation of village forest protection committees (VFCs) which are mandated to implement the project at the village level together with the forest department. Under JFM the existing van panchayats have been converted into VFCs for a period of four years during which the project is to be implemented. The van panchayats (turned into VFCs) are now given the responsibility of preparing the micro-plan for the work done under the project, taking steps to protect the forests, distributing forest products equitably, undertaking plantation and regeneration work. While the van panchayat fund still rests with the deputy commissioner, the financial resources coming under the JFM are to be utilized directly by the VFC. The sarpanch of the van panchayat and forest guard from the forest department are given the joint responsibility of utilizing the financial resources. Besides, the VFC is also required to build a village development fund (VDF) which is the village fund and can be utilized for purposes of village development including forest development. While JFM gives VFC the fund to implement the project, it also demands that people contribute to the cost of the project. It thus becomes the responsibility of the VFC to seek the peoples' contribution. Part of this contribution comes in the form of labor whereby people either contribute free labor and the wages are deposited in the fund, or they contribute part of their wage to the fund. Under JFM the van panchayats, in addition to the panchayati forests, are given the responsibility to manage patches of the reserve forest close to the village thus bringing, for the first time in the history of forest management, the state-controlled reserved forests under the joint management of the van panchayat and the forest department.

## **II. Power And Participation**

A complex web of power relationships fills the institutional spaces for participation. These relations of power can be broadly categorized into four types

1. Between the state institutions that form, supervise and regulate the local institutions
2. Between the local institutions and the state institutions
3. Between local institutions with overlapping membership
4. Between the decision making body of the local institutions and the ordinary members (residents of the village).

1. The British administration for the first time established a horizontal relationship of power between the revenue department and forest department in matters related to local forest management by giving the former the power to form, supervise and regulate the van panchayats and the latter the power to provide technical guidance to the van panchayats. The relationship between the revenue department and the forest department, during the colonial period, serving primarily the colonial interest, did not become adversarial, but after independence their interests clashed as each of them tried to gain more power. The dimensions of power each department wielded in controlling the local

institution became a point of contention between the two departments – while the forest department was and is, in principle, in command of the forest, it sees the revenue department's powers relating to the van panchayat as merely an intrusion in its domain of responsibility and authority. Interestingly though, since in the history of state bureaucracy the civil administration is considered superior to the forest administration, the revenue department implicitly claims to be more powerful than the forest department in regulating the van panchayats. For instance, while the forest department may advise people about the plantation of a particular species or particular ways of protecting them, the van panchayats can not utilize the fund unless the deputy commissioner gives permission for the same. The horizontal clash (with an undertone of vertical power) then transmits to the local level and the local institutional space does get influenced and affected by this.

With the coming of JFM the institutional landscape for forest management has been altered in a significant way. At the higher level the forest department which earlier controlled only the reserved forest and was to provide only technical guidance to the van panchayats, now has a larger role to play in local forest management. As implementers of JFM, it has not only the power to distribute funds for the project it also has to supervise the work done by the van panchayats who have turned into VFCs under JFM. Entrusting the responsibility of the management of funds to the forest guard along with the sarpanch, who is the head of the van panchayat, has also allowed the forest department to intervene in matters of local management of forests. This has tilted the balance of power towards the forest department. At the higher levels of bureaucracy there is not much resentment against this shift but, at the lower rung the forest panchayat inspector, who is part of the revenue department and previously wielded a lot of power at the local level, and whose power has been substantially reduced under the new institutional arrangements, resents it. Whenever a suitable situation arises for the revenue department to exercise its power, it does take advantage of that. An incident illustrating this took place in the village Parwada where the levying of penalties on illegal encroachments by the VFC invited the wrath of the encroachers. In Parwarda the VFC excelled in the protection of forests. Ironically it is the strict impositions by the VFC on the defaulters and the encroachers that disturbed the established practices and upset a group of powerful people who could lobby with the revenue department to hold fresh elections on the grounds that the VFC had become corrupt. The election however, took place very secretly with only a handful of people attending it. Later this VFC was declared illegal on the grounds that it was held two days before the date specified by the deputy commissioner. The old VFC thus continued working but with stiff opposition from this group of powerful people.

2. Under the colonial administration local forest management was directly and in a relationship of power linked with the higher order state bureaucracy, who formed them, supervised their work and controlled finances. The institutional space which was earlier created by the people themselves in response to their needs was replaced by an institutional space which the state created for people partly in response to their need and partly to avoid confrontation with the people. The British administration also laid the foundation for a legal framework for participation of local forest management. The

ownership of the land which the van panchayats were given to manage remained with the revenue department, the people were merely to manage that land in order to fulfil their needs from these forest patches and not demand any further concessions to use the reserve forests. The space available for people to participate in the local forest thus became at once formal, legal and state-controlled and therefore subservient to the state. This continued unaltered even after the country gained independence and over the years the state institutions became more and more commanding in their attitude and repressive in their dealings with the people, of course with the exception of a few bureaucrats who could relate well with the local populace. The new approaches to participatory forest management and the joint forest management are attempts precisely to undo this relationship between the state and the people through a process – change in approach which requires the forest bureaucracy to change its institutional arrangement and attitude in favor of a partnership with people. The policy resolutions notwithstanding, not much change is visible at the local level. The foresters at the higher rung of the forest bureaucracy have adopted the rhetoric of participation quite successfully, but when it comes to resolving any dispute between the forest officials and the people, they find it difficult to remain unbiased and their response tilts in favor of people in their own department. The village Soan Gaon is a case where exactly what transpired between the forest guard and the higher forest officials is still not known, but the forest department withdrew the project from Soan Gaon on the grounds that the VFC members were not active and could not mobilize the people to solve their personal rivalries. The VFC members on the other hand put the blame on the forest department accusing it of hiding the faults of the forest guard, who taking advantage of the trust of the sarpanch embezzled huge sum of money from the project account.

3. The spaces available to people for participation in local forest management get further affected by the presence of other institutions at the local level. Following the 73<sup>rd</sup> Constitutional Amendment in 1993, there is a lot of emphasis in current times to make the gram panchayat an effective unit of local governance. Gram panchayat (village panchayat) which is a body of elected representatives entrusted with the responsibility of local governance is the lowest level of a three-tier system of governance mandated by the constitution of India. In this three tier system, at the village level there is the gram panchayat, at the block level there is the panchayat samiti, and at the district level there is the zilla panchayat. In the current system of management of forests the gram pradhan, who is the head of the gram panchayat, is entitled to distribute the forest produce which people in each village are traditionally entitled to from the reserve forest. While no administrative or functional relationship is established between the van panchayat and gram panchayat at the village level, at the block level, the range level spearhead team constituted under JFM has two representatives from the gram panchayat. Similarly the district level spearhead team has the representation of the zilla panchayat. The '*block pramukh*', who as the head of the second tier of the three tier system of governance, has the supervisory power to approve the work of VFCs as satisfactory for them to get further funds from the forest department. The revised van panchayat rules have provision for an advisory committee headed by the chairman of the zilla panchayat entrusted with the responsibility of reviewing the working of the van panchayat, issuing

guidelines regarding the involvement of panchayati forests, helping the forest panchayat to arrange funds from various sources, and assisting the van panchayats in discharging their duties.

In reality however, these administrative linkages do not result in any functional synchronization of the activities of the institutions at the local level. Though the gram pradhan is considered a higher authority in comparison to the sarpanch in matters related to the development of the village, when it comes to forest related issues the sarpanch gains more authority. Earlier however, there was an attitude of neutrality between the gram panchayat and van panchayat, but JFM has altered that and filled it with rivalry, competition and conflict. It was found that particularly after JFM was introduced in the villages and huge amounts of money came to the van panchayats through the project, an antipathy developed between the van panchayat and the gram panchayat. The sarpanch, who was a non-entity in the village before JFM came, has suddenly become powerful. At some places this has given rise to a lot of jealousy, competition and even malice. Members of gram panchayats in villages opine that they should have been given the responsibility of implementing the project. This rivalry has created factionalism in the village that gets transferred to the spaces created for participation. This has happened in the village Bannan where the gram pradhan felt inferior to the sarpanch who began handling huge amounts of money coming through the JFM thus getting all the attention and respect in the village. The gram pradhan lodged a complaint with the block administration against the sarpanch who she alleged was misappropriating funds. Following this the forest department stopped funding the project activities for a while and renewed it only after it was found that the complaint was more a result of malice than any real misappropriation of funds. Another serious consequence of rivalry between the gram panchayat and VFC is the growth of factionalism in the village. This gives rise to feeding wrong information, suspicion, attempt to subvert work, thus obstructing any meaningful participation of people in forest management. There are panchayat representatives at the block and district level spearhead teams formed under JFM, but since the spearhead teams have remained largely cosmetic and have not been integrated with the forest management at the local level, mere representation from the gram panchayat at the block and district level does not forge linkage between the gram panchayat and VFC. On the contrary, the power dynamics between them restrict the local institutional space for forest management. The sarpanchs in some villages have lodged complaints against the block pramukh, the supervisory authority in matters related to the work done under JFM, who demanded a commission in the JFM fund given to the VFC and in the event of being refused certified the work of the VFCs as unsatisfactory.

4. The local institutional space in itself is a locus of power and can patronize actors who enjoy the decision making power. The actors who are in the decision making positions in the van panchayat, VFC or gram panchayat are also close allies of the state. The power of the state is transmitted to them and through them to the space. The power to manage finances, write reports, maintain accounts, organize meetings, distribute work among people are the ways through which this power is manifested. Often it is a closed door meeting where decisions are taken, or they are taken earlier with the forest guard, range

officer or divisional forest officer and later approved in the village meeting. The sarpanch or the influential members of the van panchayat try to do the maximum amount of work related to plantation in their own *toks* so that people there can get the benefit. As the *toks* are geographically separated and located at a far distance from each other, in most cases it is not possible for people from one *tok* to go and work in another *tok*. . The spaces of power within the institutional spaces thus have the potential to keep the ordinary people marginalised or even push them outside the purview of decision making, perpetuate discrimination, and patronize a version of participation which is diametrically opposite to what the new institutional spaces are created for.

### **III. Varieties of Participation**

There is not enough evidence about the limits to participation during the regime of the native kings - the kings certainly levied cess on certain commercially viable products, but on the whole people were free to move in the forests and use forest products. Since forests were in abundance and there was no pressure from population on the forest we can assume that people enjoyed unlimited freedom over the forest produce. The colonial state, by turning forests into commercially a viable resource, restricted the engagement of people in the management of forest resources. As I mentioned earlier, the nature of participation was given a formal, legal and institutional shape when the British administration recognized certain rights of people over forests and constituted van panchayats. Participation of people thereafter was confined to voting in the elections of the van panchayat and abiding by the rules which governed the panchayati forest. The van panchayat took care to protect the forest from illegal encroachment and grazing, distributed the benefits from the forests to people and levied fines on the offenders. Participation thus remained confined to prescribed responsibilities. In this system of management of forests, women seldom participated either as voters or as members of the panchayat committee; they seldom attended the panchayat meetings. Many van panchayats over the years became defunct due to lack of funds (the restrictions imposed on utilization of the funds deposited with the deputy commissioner), lack of interest from the revenue department and forest department, and village conflicts which went unresolved. With the coming of JFM the van panchayats got a new lease of life and were activated and empowered in a variety of ways. I have already mentioned these but, how participation actually takes places in these new institutional spaces is discussed below:

#### **Participation as Employment**

One of the objectives of the JFM is to encourage communities to take a decisive role in forest management, not only based on a concern for the environment but also for food security and employment. The JFM, following the general pattern of development projects, also gives emphasis on the contribution of people towards the project in the form of labour whereby a certain percentage of their wage goes to the revolving fund. This is done to bring a sense of ownership of the project among the people. However, in an economic setting where means of gainful employment are few, participation of the

poor in the forest management under JFM has become synonymous with employment. Employment opportunities in the project work such as plantation, check-dam construction etc., are much sought after by poor people. In all the villages where the study was undertaken people overwhelmingly cited the period of project work as the actual time when a large number of them attended meetings more regularly than at any other time.

Given the economic reality of poor sections of the population, this does help them, but their sense of involvement like their employment in the project remains temporary. Hence, once the project is completed, there is no involvement of the people. Their consciousness regarding conservation of natural resources therefore does not translate into action. Since their involvement in the project and their understanding of the role of the VFC remain inadequate, their sense of ownership of the project lasts till there is employment. This is evident in the thin presence in meetings after the project work is completed and ??check the disagreement between the VFC and people regarding the utilisation of the village development fund. In fact, and ironically so, a large number of people whose contribution has gone to build the village fund are not even aware that a portion of their wage is kept in the fund.

### **Participation as Representation**

As I mentioned earlier the representation of women was almost absent in the van panchayat. The lower castes, because of their inhabiting a separate hamlet/ *tok*, got elected so that a minimum of one person from the lower castes was present in each van panchayat. How effective is their representation is again a debatable issue - it would vary from village to village. In a village Deeni with a predominately lower caste population, their representation remains substantial as also their participation. In other villages particularly following JFM guidelines lower castes have got a chance to get representation in the VFC. However, the structure of the VFC is such that other members do not match the power of the sarpanch. And the sarpanch with all his/ her powers remains subservient to the government.

Where women (limited though such cases are) have been linked in a sustained and integrated manner with the project as in the villages Saladi and Deeni, new leadership has emerged in the village. This new found confidence is visible in many ways – in organizing meetings, in articulating issues, in dealing with the project authorities. The involvement of women has enhanced the quality of participation. The space that had hitherto been denied to women has become more open and participatory, though it also remains restrictive given the work load on women who are primarily responsible for the collection of fuel, fodder and drinking water on a daily basis.

### **Projectisation of Participation**

With the introduction of JFM, participation has been “projectised to a large extent, even though the policy resolutions and the forest officials emphasize that JFM is an approach and not a project. There are predetermined objectives, standardized procedures, specified

ways to involve people, and a lot more emphasis on output which makes the institutions both at the state and village level speed up the process without particularly bothering about the consequences.

If we treat participation as a process we can not limit it to a specific time period. Nonetheless, the project has a time cycle, and much of the participation does get influenced by that. While the process of getting people to organise, participate, build institutions and enhance the quality of the space for participation takes time, the project does need to be implemented in its due course. This incongruence between social process and project duration reflects in the lopsided development of the space- though representation is sought the capacity of the weaker sections are not built to participate in the meetings, there is inadequate understanding among people regarding the role of local institutions, people's involvement does not go beyond employment in the project and contribution of labour, the conflicts are not resolved because the project has to achieve the target rather than meddle in village conflicts.

Another consequence of the project driven forest management is that the accountability of the state as well as the local institutions formed under the project remains towards the project rather than towards people. Meeting project targets becomes more important than seeking meaningful participation.

One of the major issues in project initiated participation is negating the "willingness to manage" forests in favour of the "technical expertise to manage" it. In the recent versions of participatory management, the management of the fund, account keeping and above all understanding the complexities of the project such as JFM require people who have the technical expertise to be the managers of the project.

### **Outside Spaces Promoting Participation**

It is found that where people are integrated in a positive way into a space which was available to them prior to the opening of the institutional space, the nature of their participation in the institutional space has been enhanced. Participation, particularly of women, has been enhanced in those villages where spaces created either by an NGO in the form of Van Suraksha Samitis (which are women's collectives formed by an NGO, Central Himalayan Rural Action Group, to engage women in the management of local forests) or government in the form of Mahila Mangal Dal ( which are women's collectives formed by the government to engage women in developmental work), have mobilised women's participation much before the JFM was introduced in the villages. This has helped in spreading awareness and fostering a spirit of engagement in women. This already created space for social and participatory engagement, made it easy for VFCs to seek wider participation in the village. It is interesting to note that these spaces always remained outside the institutional spaces created exclusively for the purpose of forest management, even when they in many instances worked in collaboration.

## **Conclusions**

An exploration of various institutions operating in the field of local forest management reveals the tensions and conflicts between them, but at the same time it also reveals the elaboration and expansion of participation, howsoever limited it may appear, in the new institutions. We thus find VFC creating and opening up spaces for participation through many ways- formation of village based institutions responsible for planning and implementation of programmes of forest management, joint sharing of finances by the government department and village institutions and creation of minimum and necessary conditions for the inclusion of the marginalized and weaker sections in decision making at the local level. At the same time we also see how participation gets severely limited due to the lack of co-ordination among various institutions, cutting out a larger role by the forest department for itself through the control mechanisms of planning and inflow of finances, involvement of large number of people as laborers in the forest conservation, incongruence between fixed project duration and time required to build sustainable village institutions, inadequate representation of the weaker sections from the village in the decision making and lack of clarity regarding the accountability of these institutions to people.