

# WHITHER COMMON PROPERTIES – LEARNING FROM THE FIELD

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## ABSTRACT

This paper examines four case studies, both longitudinally over several years of development intervention and latitudinally across four villages in Udaipur district, southern Rajasthan, India, to explore the links between the health of Common Property Resources (CPRs) and community institutions and leadership. CPRs cover at least 15% of the landmass of India, with another approximately 25% of land under forest cover serving as additional uncounted CPRs and ecological buffers. CPRs represent a critical source of biomass in the form of fodder, fuel wood, timber, etc. for the livelihoods of the rural poor, while also maintaining the integrity of numerous important ecosystems. Aside from the economic and ecological importance of CPRs, we argue that their successful management can strengthen community solidarity among rural peoples by creating or revitalizing village-level institutions and local ecosystems. Vibrant leadership and village institutions in turn become a powerful tool for undertaking participatory development in other areas where trust, solidarity, and cooperation are necessary for success. In these cases, we examine the processes, successes, and failures of management of common properties like pastureland development and Joint Forest Management (JFM)<sup>4</sup>. The cases are examples from the ongoing programs of Seva Mandir, an Indian NGO with over 40 years of experience in grassroots participatory development among the tribal and village communities of Udaipur district.<sup>5</sup> Seva Mandir has worked to rehabilitate the commons over a period of 20 years on more than 13,000 hectares of community lands.

*Keywords – Common Property Resources (Cprs), Joint Forest Management (Jfm), Pastureland Development, Encroachments, Negotiation And Conflict Resolution, Land Reforms*

## INTRODUCTION

### ***Defining CPRs in the context of India***

Common property resources (CPRs)<sup>6</sup> represent one of the greatest strategic concerns for both the livelihoods of millions of India's poorest and most marginalized rural people, as well as the integrity of the country's ecosystems. CPRs provide India's rural poor with numerous use values such as animal fodder, firewood, non-timber forest products (NTFPs), and other goods, which help mitigate risk and alleviate poverty among the rural poor.

The large percentage and absolute number of Indians living in rural areas<sup>7</sup> and in a

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<sup>4</sup> A joint arrangement particular to India in which state-level forest departments work with local communities to manage and develop common forest areas. We further discuss the legal and policy basis of JFM below.

<sup>5</sup> For more information about Seva Mandir, see <<http://sevamandir.org/>>.

<sup>6</sup> Because this paper deals specifically with common property land resources, we use the terms "commons" and "common lands" interchangeably with "CPRs."

<sup>7</sup> According to the 2001 Census of India, 72.2% of India's population lived in rural areas, versus 27.8% (Office of The Registrar General & Census Commissioner 2010).

state of poverty<sup>8</sup>, along with the high percentage of farmers depending on low productivity, rainfed agriculture, create a situation in which millions of India's poorest rural people depend on the natural resource base that CPRs provide. The smallest landholders and landless people, who represent the most vulnerable of the rural poor in India, depend on common lands for their supplies of subsistence goods like thatching material, fuel wood, timber, fodder etc. This is even more pertinent of households with livestock holdings that are dependent upon common lands for grazing and fodder. Rich households obtain such goods either from their own lands or from the market, while the poorest members of villages must obtain these items from the commons.

CPRs cover a vast extent of India's landmass. According to the 54<sup>th</sup> round survey of the National Sample Survey Organisation (NSSO) for 1998, 15% of land area in India serves as CPRs (NSSO 1999:v). The forest department administers an additional 22.38% of India's land area, which provides an important source of livelihood, along with direct and buffering ecosystem services, to rural populations. The NSSO uses two categories, 1) *de jure* and 2) *de facto* CPRs, to recognize the use of the commons across different land management regimes in India. To define *de jure* common lands the NSSO states that, "a resource becomes common property only when the group of people who have the right to its collective use is well defined, and the rules that govern their use of it are set out clearly and followed universally. The category of *de facto* CPRs includes resources "such as revenue land not assigned to panchayat<sup>9</sup> or a community of the village, forest land, or even private land in use of the community by convention. All such land in practice used as common resources (including common use of private property confined to particular seasons) is treated as CPRs for data collection on benefits accruing to villagers even if they are located outside the boundary of the village" (NSSO 1999:8).

### ***Land-use legislation and CPRs in Indian public policy***

The varying jurisdictions of government agencies and the categories of land-use that they designate largely determine which CPRs are *de facto* or *de jure*. Jurisdiction, land-use category, and the precedence of different laws also create significant confusion and conflict over the status of CPRs. The laws carry provisions for custodianship of these lands, but there is a complete lack of trusteeship in development and management. The three categories of land-use relevant for these case studies are 1) pasturelands, 2) forestlands, and 3) other government-owned lands (Seva Mandir and the Department of Land Reforms, Ministry of Rural Development 2008).

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<sup>8</sup> World Bank data from 2005 estimates that 456 million Indians (41.6%) live on less than \$1.25 per day based on purchasing power parity (PPP) (World Bank 2005). The most recent data from the Planning Commission of India estimates that 301.7 million (27.5%) Indians live in poverty using a different methodology (Planning Commission of India 2007:1).

<sup>9</sup> Panchayat or gram panchayat is the village-level unit of government, the most local level of governance in India.

### *Pasturelands*

The Rajasthan Land Revenue Act allocates pastures and grazing lands to local panchayat bodies based on livestock population. The Forest Conservation Act (FCA) of 1980 restricts conversion of forestlands for non-forestry purposes, prohibiting the conversion of land to agriculture through encroachments, allotments, and diversion.

### *Forestlands*

The Forest Rights Act (FRA) of 2005 recognizes the livelihood usage of forestlands, even for individual uses. Seva Mandir and many other organisations opposed the FRA because the resultant land-use change could lead to long-term ecological damage. Many also feared that it would turn into a land distribution scheme. To date, implementation has been slow and complicated, with numerous filings for individual property rights and very few for community forest rights, while verification of livelihood use of the forests has been delegated to the village level forest rights committee (FRC).

### *Other government owned lands*

The Rajasthan Revenue Board is the relevant local authority. These lands are called Revenue Wastelands, which can be allotted to private citizens for cultivation or set aside as commons for gram panchayat management for a renewable 25-year term (Ballabh 2004:17). A sub-category of Revenue Wasteland is Barren and Uncultivable Land, which cannot be allotted. Finally, gram panchayats control Pasture Land, placed under their control by the Rajasthan Land Settlement Act of 1955. Government surveys change the designation of particular lands over a time through mutation<sup>10</sup>, although most land designation remains unchanged from the surveys and settlements completed 50-60 years ago.

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<sup>10</sup> This involves transfer of ownership from the revenue department records to the forest department records.

**Table 1: The classification of land and relevant information on jurisdiction in Rajasthan, India.**

Land Category and Department	Sub-Category	Definition	Status as CPR (Chopra 2001)	Source of Sanction for access (Chopra and Purnamita)	Kinds of Legislative Setup to deal with disputes
Forests	Reserved Protected Unclassified ( <i>Forest Department</i> )	Forests include all lands classed as forest under any legal enactment dealing with forests or administered as forests.	No  Partial  Yes	No Access  Partial user rights User rights by law	Indian Forest Act 1927, Forest Conservation Act 1980 The Forest Rights Act 2005 The Rajasthan Forest Act 1953
Not available for cultivation	Land under non-agricultural use  ( <i>Revenue</i> )	This category included all lands occupied by buildings, roads & railways or under water, e.g. rivers & canals, & other lands put to uses other than agricultural.	May be Included	No Access	Rajasthan Land Revenue Act that has provisions for allotment of the same for non-agriculture purposes
	Barren & unculturable land  ( <i>Revenue</i> )	This category covers all barren & unculturable lands, including mountains, deserts, etc. which cannot be brought under cultivation, except at a high cost, is classed as unculturable, whether such land is in isolated blocks or within cultivated holdings.	No	No access	These lands cannot be allotted
Other uncultivated land	Permanent pastures and other grazing land  ( <i>Panchayat</i> )	This category covers all grazing lands whether they are permanent pastures or meadows or not. Village commons and grazing lands are included under this category.	Yes	User rights by law	These lands were declared based on livestock holding original surveys and cannot be allotted. Encroachments on them are penalized under LR 91.

	Miscellaneous tree crops and groves.	This class includes all cultivable land, which is not included under the net area sown, but is put to some agricultural use.	No	Use Rights by Law	
	Culturable wasteland (Revenue)	This category includes all lands available for cultivation, whether taken up for cultivation or not, but not cultivated during the current year and the last 5 years or more in succession. Such lands may be either fallow or covered with shrubs and jungles, which are not put to any use.	Yes	Partial user rights by convention	Rajasthan Land Revenue Act that has provisions for allotment of the same for agriculture purposes.

**Table 2: Land development and rehabilitation policies in Rajasthan (Spaces for intervention in different land-use categories.)**

<b>Land Category and Department</b>	<b>Sub-Category</b>	<b>Kinds of Land Development and Rehabilitation Possibilities</b>	<b>Space for Development Interventions/ Seva Mandir's efforts</b>
Forests	Reserved Protected Unclassified (Forest Department)	Joint Forest Management (JFM)	JFM seeks to decentralize the process of managing forestland by creating Village Forest Protection and Management Committees (VFPMCs), which enters into an agreement with the local forest department. The Indian Comprehensive National Forest Policy of 1988 and the Joint Forest Management Guidelines of 1990 created the institutions and mechanisms of governance to carry out village-level management of forest areas. Thus, JFM places control of CPRs into the formal control of village level governance mechanisms for multiple purposes such as afforestation and reforestation, ecological protection, and sustainable harvesting of forest products by villagers. New schemes like the Aravali Afforestation Project (JICA funded), NREGS have enabled the forest department to take up project based interventions proactively in Rajasthan.

<i>Not available for cultivation</i>	Land under non-agricultural use  (Revenue)		No Development Budget
	Barren & unculturable land  (Revenue)		No Development Budget
<i>Other uncultivated land</i>	Permanent pastures & other grazing land  (Panchayat)	NREGS + Panchayat Funds	Pastureland are regulated by the revenue department, owned and managed by the panchayat. They can use their development funds to develop them. Under the new NREGS guidelines, development activities can be undertaken on them.
	Miscellaneous tree crops and groves.		
	Culturable wasteland  (Revenue)	NREGS	The Revenue Department is the custodian but there is no development budget as it is a non-plan department. Since most of these lands are liable to conversion and allotment, they can be easily under private use through encroachments even before that. If they are to be used for the community purposes like grazing, they have to be converted as pasturelands.

### ***Historical and geographic context of Udaipur District***

Udaipur district lies in southern Rajasthan, a state in northwest India characterized by mostly semi-arid and arid lands, although Udaipur district itself has a significant portion of forest cover (42 %). The Aravalli Ranges, an ancient range of mountains, characterizes South Rajasthan Udaipur geographically from the rest of Rajasthan. The Bhil people are the dominant local tribal community, with the tribal population standing at 37% of the district total. The original inhabitants of the region, probably ancestors of the Bhil, survived by hunting and gathering, later adopting a five-year swidden agricultural rotation called *walra* till the early part of the 19<sup>th</sup> century before they settled into agriculture in the undulating lands.

The conquest of the area by princely states, particularly the Rajput states, which ruled throughout the Mughal Empire and British Raj, formalized land settlement and pushed Bhils into the distant and inhospitable hills of the region. Thus, Bhil villages frequently surround larger multi-caste villages located on flatter, more fertile lands, which in turn once looked on the palaces, forts, and urban areas of cities such as Udaipur as the seat of power. Although not members of any caste, Bhil villagers were forced into asymmetrical relationships within the feudal system in which they paid tribute or trade in kind, providing goods such as firewood or pasturing of dry livestock in exchange for the first milk. These dynamics of power and settlement affected the surveying and

classification of land post-independence through the Rajasthan Forest Act, Rajasthan Land Tenure Act, Rajasthan Panchayat Act, and other laws, continue to play a large role in the politics and management of land in the district (Ballabh 2004:6-17).

### *Changing land-use patterns*

The historical pattern of land-use in southern Rajasthan has favoured more powerful, upper caste communities who cultivate better quality, flat agricultural lands. Conversely, Bhil and other marginalized communities have typically depended on fuel wood, fodder, and other forest products harvested from lands under the tenure of the government. Even within the tribal areas, the land use patterns became codified after independence by declaration of the well-forested uplands as forestlands, lowlands as agricultural land and intermediate and pastoral wastelands as commons. Claims of the various communities were settled during the surveys and settlements and the community gained use rights over forestlands were granted in the form of rights and concessions and access to the commons. Private lands were registered as individual properties capable of giving returns through agriculture on them, making them symbols of wealth and affluence.

At the same time, tribal communities began rearing small ruminants, creating greater need for fodder biomass from the upland forests and commons, along with crop residues. Most people kept at least a third of their land holding as *beed*, or fallow on privately owned land, to provide biomass for fodder and other uses. Livestock systems proved to be the most resilient support systems in times of drought ensuring 50% productivity when crop failure meant 10% of normal production. Such coping mechanisms meant that commons became important for sustaining the poor and the landless.

At the same time, private land under agriculture has undergone numerous iterative divisions, reducing productive. While it was previously common to rotate agriculture amongst the various *hasras* (a local term for the land parcels by the government), the effort is now towards bringing more land under cultivation. Agriculture has recently become incapable of supporting food security, thereby leading to loss of a sense of sufficiency of livelihoods from land-use and movement towards migration and unskilled labour by the community. In addition, crop residues tend to be insufficient to last more than one season. The community currently cannot afford to keep their existing beeds fallow despite poor land quality and have now started tilling them. Therefore villagers are now increasingly dependant upon commons, upon which encroachment also occurs.

### *Ecological and social functions of the commons*

Although these common lands have become severely limited in their ability to support rural livelihoods because of their degradation, and at the same time their health is also critical for the ecological services they render in upland areas like Udaipur. The present land-use pattern of the district shows more than 72 % of the total geographical area



under common lands and only 28% of land under (mainly rainfed) agriculture and 13 % of the total area is under some form of irrigation. Farming is thus essentially subsistence-oriented and the continuous process of upland degradation has affected the soil and water regime of agriculture fields situated downstream. The extremely fragile natural resource base and low availability of alternatives locally to supplement household incomes reinforce the vicious cycle of degradation.

### *Negative repercussions on the commons*

With the rise in both humans and livestock population, there has been mounting pressure on common lands, as private *beed* fallow lands have grown insufficient to meet biomass requirements. Forestlands have gradually become degraded due to the revenue-oriented policies of the forest department in the 1960s when the forest department gave the forests on contract for felling cycles and coupes. This coupled with the frequent droughts common to the region meant that the Aravallis were very soon devoid of vegetation cover in most parts.

The common pastures of villages also met the same fate of degradation. During revenue settlement, each village was allotted pastureland for grazing depending on the number of cattle. These lands are in the management of the panchayats now but most of them are in degraded state and also have encroachments. This has adversely affected the rural poor who have traditionally depended upon these pastures. Ecological, economic, and demographic pressure drove the local population to deforest and encroach upon forestlands. Common pasturelands also suffered similar plight and have increasingly been privatized and degraded principally because of poor governance.

### *Government policies*

Government has responded with policies through its line departments without communicating with other departments that are responsible for different categories of land, leading to a disjointed response.

The forest department followed a revenue-oriented policy dating from 1952. However, forest officials realized the failure of regeneration efforts and called upon the public to take part in a participatory afforestation programme called Joint Forest Management (as per the National Forest Policy 1988). The pasturelands in Rajasthan are governed by the Rajasthan Revenue Act. The development and management of the pasturelands is in the hands of the Panchayats while the Revenue Wastelands is managed by the revenue department. (See Tables 1 & 2). Government has attempted to commercialize subsistence agriculture on private land, although the lack of extension support and inputs has hampered the effort.

### *Seva Mandir's work in natural resource development*

Seva Mandir began work in afforestation on privately owned wasteland in 1986 under a grant from the National Wastelands Development Board. This project built on agricultural development, afforestation, and other efforts developed on a small scale in the 1970's.

Subsequently many models emerged to develop both private and public wastelands. By the end of the 1980's, afforestation became the single largest programme in Seva Mandir. However, despite the availability of resources and favorable policy innovations, common land development remained weak, with encroachment and privatization under corrupt and patronizing government officials a major factor.

Apart from the implications of encroachment in terms of community forestry, it also has much deeper implications in terms of community solidarity. Encroachments damage the social fabric of the community. Wealthier and more powerful villagers most often encroach on common lands, reducing the stake in community forestry for the other villagers. Further, the encroacher enters into an illegal agreement and illicit obligation with a powerful patron outside the village (for example, a lower-level state official), leading to a cycle of corruption on the part of both the individual and the official. As both the parties enter into an illegal agreement, legal action against the encroacher becomes complicated, as the enforcing authority is a complicit party or beneficiary of encroachment. Encroachers end up in a patron-client relationship wherein the government officials get into rent seeking behaviour and ultimately indulging in favouritism, helping a select few of the marginal lot in the village who pay them bribes.

Seva Mandir realized that people could not bargain collectively without bringing appropriate social changes. At the same time, village relations with the state were fraught with problems, while ties of community solidarity created through interventions on common lands strengthen the capacities of people for self-development and for demanding accountability from the state. Thereafter, Seva Mandir paid greater attention in building and strengthening the capacities of village institutions, while treating them as partners in the process of development rather than beneficiaries. From 2006 onward, more emphasis was placed on working in an integrated way on land and water resources development activities under watershed development and therefore work on common lands including forestlands also gained momentum as these more often comprise the upper reaches of the watershed.

Current work on lands focus on three critical areas: 1) Protecting and developing common pasturelands, 2) protecting and developing forestlands under the scheme of JFM, and 3) Supporting people-led initiatives to address issues of common property resources, and<sup>11</sup> 4) since 1998 a community-based organization in the form of a

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<sup>11</sup> Seva Mandir's NRD area also works in three other key areas: 1) watershed treatment of all categories of village lands, 2) agriculture, and livestock development, 3) water resource development, 4) afforestation on pasturelands and private wastelands and 5) income generation. All areas are indivisible and mutually reinforcing parts of development.

federation of forest protection committees called the Van Utthan Sangh has worked to motivate people regarding the importance of protecting forest resources.

Through the end of the year 2006-2007, Seva Mandir had treated 13,094 hectares of degraded common and private pasturelands. Moreover, in collaboration with the Village Forest Protection and Management Committees and the Forest Department, it has also protected and managed more than 1,800 hectares of land under the JFM program.

## **INTRODUCTION TO ALL CASE STUDIES**

The case studies in this paper present a wide range of experiences, from resolved and unresolved conflicts to productive cooperation, along with the cultural context, key stakeholders, and strategies employed by Seva Mandir. Recognizing that successful JFM and pastureland management frequently require institutional strengthening and significant experience, we offer these cases as instances from which we draw applicable lessons that civil society can apply to JFM and development of other common property resources in other regions of India, as well as in other national contexts where decentralized CPR management takes place.

### **1) Protecting and developing common Pasturelands**

- NAYAKHEDA
- BARAWA

### **2) Protecting and developing forestlands under Joint Forest Management**

- TALAI
- MADLA

In the following section, four case studies are discussed to analyse Seva Mandir's field level experiences in the development of the commons. The case studies will provide examples of situations where strong village institutions can lead to the sustainable management of the commons and enhanced community solidarity.

The case studies will explore the status of the commons in the chosen villages, problems faced with the development of the commons, initiatives taken by the village institutions to rectify these, other solutions devised, specific individuals that impacted the progress either positively or negatively, any unique features of the village case study and finally any benefits accruing from the development work. Of the case studies chosen the villages of Barawa and Nayakheda exhibit the experiences of Seva Mandir when facilitating the development of pastureland whilst the villages of Talai.

## **CASE STUDY 1: NAYAKHEDA**

### ***Summary***

When Seva Mandir began its involvement with Nayakheda village it was subject to exploitation and harassment by a powerful family within the village. Pastureland that is traditionally grazed by Bhilon ki Talai Village was found to be encroached and mismanaged. Likewise, there were encroachments on pastureland by Bhanwar Singh, the head of a family still following the feudal exploitative mindsets in the village. Simultaneously, Bhanwar Singh lost his influence gradually because of political struggles whilst other grassroots village leaders were focusing on capacity building exercises. Because of this, the villagers gradually built confidence and were empowered to take numerous steps to improve the management of commons in the village. The villagers were empowered to remove the encroachments and a collective action plan was created through the village institutions. When the village encountered opposition from the Singh family it was first Prem Singh, who is related to the family, and then the police that alleviated the situation. This acted to further increase confidence and cohesion within the village. Subsequently Bhanwar Singh's encroachment was removed and village land was put under watershed development.

This case study goes to illustrate how the development of community cohesion and capacity building enabled villagers from Nayakheda to overcome the dominant and exploitative local power structure, establish governance mechanisms on common lands and take ownership of development activities in the village, in particular watershed and pastureland development.

As a result of the works carried out in Nayakheda fodder and water availability has enhanced thereby augmenting livelihoods. The villages that surround Nayakheda, such as Barawa, also adopted similar strategies over a period of time.

### ***Village background***

The Nayakheda cluster comprising of the villages Ghodach and Usan is part of the Khamnor Panchayat in Rajsamand District, South Rajasthan. The village includes seven hamlets with 152 households. The village is inhabited by Rajput, Adivasi, Gayiri, Rebari, and Nai communities.

### ***Seva Mandir's involvement***

Seva Mandir began its association with Nayakheda in 1979. The strategy at that point of time involved decentralisation and focusing on identified clusters to create strong community-based organisations or institutions and influence the functioning of Panchayats. As a result, a number of programs were implemented in Nayakheda such as the Lab to Land program, well deepening, and a link road connecting the village to the main road.

These interventions continued into the 1980s but during this period Bhanwar Singh, a local leader, did not take well to Seva Mandir's involvement, which seemed to undermine his authority. At a night meeting he said there were no problems in the village and pacified other attendees of the meeting instructing them to go home. Bhanwar Singh belonged to a local Rajput family and was economically and politically powerful. According to villagers, Bhanwar Singh was a tyrant who underpaid and exploited workers at his mines and used a gang of strongmen to maintain his influence in the village.

Bhanwar Singh and his family were negative influences on the functioning of the Nayakheda cluster and this influence was enhanced by a strong nexus between the local landlord, officials and elected Panchayat representatives. However, there were also key players who played a critical and constructive role in the struggles of the cluster. These include Shivilal, a Seva Mandir supervisor of the Adult Education Program; Pannalal Rabari, the local ward panch who was inducted into Seva Mandir as a health paraworker, Prem Singh Devra, a forestry paraworker and Madhav Taylor, a Seva Mandir zonal worker.

### ***Development of commons – conflicts galore***

Seva Mandir started with its private wasteland development interventions involving 83 farmers in Nayakheda during a time of severe drought from 1986–1989. This led to enhanced fodder yields and provided labour for the poor families. Later on the focus graduated to work on collective activities such as regeneration of pooled wastelands and pasturelands. During the same time programs on health and institution building were also launched. These initiatives, along with the Adult Education programme, all created platforms for discussions focussing on more comprehensive land development schemes and collective action programmes.

In the same year, an assessment of the commons and reasons for their failure was carried out by Prem Sing Devra and the local Seva Mandir zonal team. It emerged that an area of 7 ha (that was traditionally used for grazing by villagers from Bhilon ki Talai) had been enclosed for development by the panchayat in the year 1988 without taking into account the grazing requirements of the community. Following a rumour that the panchayat would collect the proceeds and benefits, the enclosure walls were broken and the plot was opened for grazing. After two years of group building and institutional development exercises, two proposals were submitted in 1992 and two in 1993 to enclose and regenerate the area. It was agreed that the entire area would not be enclosed and 7 ha of land was to be left open for grazing. Eventually 35 ha of land were enclosed in four pieces according to the availability of pastureland in the village. In 1993 the Bhilon Ki Talai group proposed the regeneration of the plot that had been damaged earlier. The group obtained the necessary permission from the Panchayat and started work with the support of Seva Mandir. Disputes related to passage were resolved and finally the plot was completed and a watchman was appointed to protect the site.

While all this was happening in the village Bhanwar Singh was losing his position of

power. His personal disputes with another leader Sundarlal Sharma for the leadership of the local wing of the Congress Party took an ugly turn and ended up with him losing hold of the Panchayat due to his indictment in a criminal case.

Seva Mandir tried to strengthen leadership and develop a system of collective leadership across hamlets in order to evolve plans for comprehensive development. The plans that emerged included construction of a community centre, development of the pastureland and installation of a lift irrigation system. These efforts also resulted in the emergence of a united leadership of 30–35 people from all the hamlets.

In 1993, the community centre was completed and the foundations were laid for the lift irrigation system. However, the work on the lift irrigation faced problems when it brought the community up against Bhanwar Singh's family. Though the lift irrigation was completed, the following week Bhanwar Singh's family (his wife, Chandra Kunwar, and sons) closed the roads leading to the nearby village of Khandawali and walled off grazing lands and animal pathways. In response to this, representatives from the seven hamlets escorted the police to the site where cases were filed against them. The villagers united in breaking down the walls and obstructions. These events significantly boosted the community's confidence. This empowerment and the feeling of victory over the powerful family gave the community the motivation to remove old encroachments that had been made by Bhanwar Singh on the Valra pastureland. At night 150 villagers went to the site and removed the boundary walls built by Bhanwar Singh. The next day they decided to contribute labour to build a new fence around the plot. In 1996, with the help of Panchayat support, the community undertook plantation on the site and it continues to be under permanent protection.

Following the site's protection the plot has turned green and grass yields have increased. In turn the village fund has increased due to the funds from the sale of the grass. Based on these successes the community decided to extend the work to cover all lands in the village under the watershed development project. Local Seva Mandir officials held workshops and carried out a technical and social survey of the area. In 1994 plans were ready. The area was divided into two watershed units of 125 ha and 75 ha and the watershed treatment of the land owned by 22 farmers was carried out.

While this work was underway Bhanwar Singh was released from jail. In response to apprehension within the village the zonal and block team of Seva Mandir stayed on the site. Despite his presence the work was completed. As Nayakheda prospered the status of Bhanwar Singh declined further. Bhanwar Singh remained powerful and well connected but he no longer had the undisputed power he once had. Indeed, in early 1995 Shivilal was elected as Sarpanch in the Panchayat elections. In the process he overcame significant obstacles and favouritism for his Congress Party opponent. At this election, Bhanwar Singh was defeated when he ran for the post of Upsarpanch and had to settle for the position of panchayat member. Following the election some allies of Bhanwar Singh came to support Shivilal, and even some government officials, such as the local revenue inspector, became more cooperative after that.

In 1994, the government watershed department contacted the community and asked them to take up the remaining activities through their project. Upon review, the leadership found the work already done was incomplete and lacked quality. They decided that the work should be done with Seva Mandir's support alone. Between 1995–2000 all remaining lands were treated on a watershed basis, the open grazing of cattle was restricted, separate animal sheds were created in each household and an additional lift irrigation system was installed. Other development activities were initiated in the cluster with many of the activities that were initiated in Nayakheda being spread to other parts of the panchayat.

As per the recent developments, Bhanwar Singh expired and one of his five sons is the deputy headman of the village assembly. However, people now say that the relationship of the family with the rest of the village is on more equal terms.

### ***Findings and lessons learned***

#### ***Benefits of the comprehensive development work with commons as the focus***

- As a result of the watershed interventions carried out, a dry and semi-arid region has now been transformed into a place with increased water availability through a better water table and far less shortage of fodder even in drought years. Livelihoods are more secure, and the trend of alienation of common properties has apparently been arrested to some extent. The fact that the people have become more empowered and aware of their own capabilities to manage and develop their own resources. Agriculture production has improved, as have the agricultural techniques.
- The adjoining villages of Barawa and Kaylon ka Guda have adopted similar plans for land regeneration and the values adopted in the work have impacted not only the local Panchayat but also motivated the Panchayats of adjoining villages. The 'defeat' of the Rajput Bhanwar Singh family was a big driver in bringing the community together and driving them to take more action. Likewise, it is the focus on the village by Seva Mandir, in particular in the areas of strengthening leadership, developing a system of collective stake and creating a platform for collective action that enabled the village to come together and bring about management of the common property resources. Beginning from group and institution building these programmes provided environments in which villagers were able to build bonds and trust amongst villagers developed. In turn these environments were used to indulge in the development dialogue and in time the discussions evolved to focus on more comprehensive development schemes.

## **CASE STUDY 2: BARAWA**

### ***Summary***

Barawa is a multi-caste village with an uneven distribution of assets. This case study follows events within Barawa during the development and renewal of 29.1 hectares of community pastureland. The main threats to pastureland in Barawa Village have included encroachment, loss of vegetation cover, and the control of a few families of the Rebari caste. Pastureland in good condition in the 1950's began to show signs of degradation by the 1980's because of excess biomass withdrawal, ultimately becoming a barren patch devoid of vegetation. The regeneration and management of the pastureland by the community has removed these potential threats. The area is fully enclosed, and the community acknowledges and manages the threat of encroachment. The vegetation cover of the land has improved to the extent that there is an assured yield of grass and an increase in fodder availability. Moreover, there is a system in place to ensure that all households are able to get equal benefits from the land, regardless of caste. Before the community came together to protect the pastureland, Rebaris collectively controlled a majority of land in the most productive part of the village. The tribal farmers were not allowed to bring animals to the pastureland for grazing despite having the smallest landholdings. Today there is equal access for everyone.

The process of regenerating a common land, deciding upon contribution norms, and ensuring equal benefits to everyone has created a mechanism in Barawa for people to come together and form a truly empowered village institution. As a result of the development of community pasturelands the vegetation cover has improved, fodder availability has increased and yields of grass have become more secure. The benefits have extended to the entire area of the village, with the initiation of a watershed development program with the aid of Seva Mandir in 1997.

### ***Village Background***

Barawa Village is part of the Nathdwara tehsil of Rajsamand district, South Rajasthan. It is located 38km from Udaipur District. The village is comprised of four hamlets: Rebariyon-ki-Dhani, Purana Bhilwara, Gaon and Naya Bhilwara. Barawa is a multi-caste village of Rebaris (traditional camel herders), Bhils, and Rajputs. The Rajputs are the main caste living in the village. The village covers an area of 338km. It is surrounded by hills and has an irregular terrain. The precipitation in the region is 522.71mm, giving the area a classification of arid to semi-arid.

Agriculture and livestock rearing are the main sources of livelihood in the village and are practiced by almost all households. There are no landless families in the village however the average landholding is small, particularly in the case of the Bhils. Individual landholdings consist of *beed* (private wasteland for grazing) and *khet* (agricultural fields). In general the Rebaris have more land in more productive, flatter areas of the village while the Bhils have less land, which is on unproductive steeper land. As with the landholdings, the livestock composition varies with caste.



### ***Seva Mandir's involvement***

Seva Mandir has been affiliated with Barawa village since 1975. Over this time, the village has undertaken afforestation (*minichak* and pastureland development), watershed development (soil & water conservation structures and land levelling), health education, non-formal education programme, watershed plus activities (construction of water tanks, cattle sheds and lavatory) and water resource development efforts (construction of water harvesting structures, *nalis* and *pucca* structures on wells).

Barawa village has developed 29.1 ha of community pastureland with the help of Seva Mandir. Work on the pastureland began in 1988-89. Up to 50 years ago, the pastureland was well stocked with trees such as *khair* and *roonjia*. The pastureland was open to camel grazing and the major cause of degradation was the felling of the trees. By the early 1980's pastureland was severely degraded and the open free range grazing by all the communities had resulted in worsening the degradation. The reasons for degradation have been attributed to overexploitation by the Bhil community as well as the hidden motives of encroachment by the Rebari community.

In 1987 following a period of drought, villagers felt the full effects of the degradation of the pasturelands, as they had to either buy grass from outside or sell off their animals. Due to this when a group of Rebaris created a temporary fence around parts of the pastureland with the view to encroach on the land the villagers wished to stop the encroachments and regenerate the land. In particular, the pastureland was critical for the Bhil households who owned very little private pastureland; on average they had 1.3 bighas compared to an average 7.1 bighas for Rebaris and 5 bighas for Rajputs.<sup>12</sup>

Motivated by the benefits of community pastures developed by Seva Mandir in the Ghodan Cluster, the villagers decided to take up the pastureland development work in their village. The first challenge the villagers faced was getting permission from the Panchayat to submit a proposal to Seva Mandir. Barawa is part of the Nedach Panchayat, which administers the pastureland. The relationship between the two is volatile as they support different political parties. Conflicts between the two have surfaced regularly, especially in relation to the pastureland. The Nedach Panchayat was hoping to gain personally from this work by siphoning money from a major international financial institution involved in the work, so when the people from Barawa approached the sarpanch he refused to grant lease. He then attempted to take up similar work through a project that the panchayat had received from the state government. In order to create acceptance of the situation in the village the sarpanch created a rift between two Rebari factions. The group that had intended to encroach on the pastureland were supportive of the sarpanch while the opposing group felt it was a move by the panchayat to wrest away control of the pastureland.

The Rebari group in opposition to the plans of the panchayat was led by three senior leaders: Sanwal Ba (senior), Sanwal Ba (junior) and Jawan Ji. These three men were

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<sup>12</sup> In Rajasthani usage, there are approximately five bighas in a hectare.

instrumental in gaining the lease for the pastureland and thus the development of the area. They organised a meeting in the village to inform other villagers of the situation. As a result of a hunger strike among the three leaders and mounting pressure from other villagers the panchayat gave the villagers lease over the land for five years in 87-88. When the lease legally expired in 1992 the villagers did not apply to renew it and the panchayat has not requested a renewal of the lease. This is partly due to continuing tensions between Barawa and the Panchayat leadership and also due to the strength of the village leadership, which has stopped the panchayat from interfering with the management of the pastureland.

Once the lease was issued, work on the pastureland began in 1988-89. Seva Mandir facilitated the formation of a village Samuh (a village leadership institution), which included representatives from all the castes residing in the village. Samuh meetings were organised regularly and Seva Mandir staff participated in the meetings. The work carried out on the pastureland included building a boundary wall, soil and moisture conservation and plantation. At the time of planting, attention was given to multipurpose and fast growing species such as *neem*, *babool*, *runjhia*, *khakhra*, *khair*, *imli*, and *ber*.

The next major issue faced by the village was deciding what proportion of the pastureland should be enclosed against open grazing. The Samuh decided to enclose 120 out of the 150 *bighas* available. Some land was kept open because of factionalism and because some of the Bhils wanted the remaining 30 *bighas* to be kept for open grazing. This decision to compromise was made to satisfy all villagers and create consensus. This was also agreeable to a particular group of Rebaris who initially opposed the work on the pastureland and who wanted to encroach upon the left over lands. By the mid-1990's, the benefits of the regenerated area of pastureland were visible while the remaining 30 *bighas* open to grazing were still lying barren and were being encroached upon by a group of Rebari families. Ultimately the village group approached Seva Mandir and the remaining 30 *bighas* was enclosed and treated in 1996-97.

After allowing regeneration for four years the pastureland was first harvested in 1994. The set of rules on how to manage and share the benefits of the pastureland was mutually agreed upon by the samuh. Since then the pastureland is harvested on a regular basis. The harvesting of the pastureland is carried out over three days. The dates are usually decided in the village meeting when the village group decides that the grass is at harvest stage. To ensure a reasonably equal distribution of benefits one member per household is allowed into the pastureland to cut grass while other family members are allowed to carry it back. All families receive up to 300 bundles of grass every year. In exchange for the fodder, each household deposits a pre-set amount of money into the village fund. Since 1989, a guard has been in place to ensure no one cuts the grass without prior permission. The guard makes two rounds daily and is paid 2kg of grain (wheat/maize) per annum by each household in the village.

When the benefits of the pastureland became evident to the community it was decided to extend work to the entire area of the village by developing all kinds of land –

agricultural and wasteland. Seva Mandir was approached for support. This was the initiation of the watershed development programme under which 338ha of land was treated. In addition to the improved pasturelands and higher biomass productivity, Barawa saw many benefits as spin-offs from the institutional development and watershed activities resulting in overall economic development of the village. Due to the increased area under the watershed, more area was available for agriculture. The village became more open to taking risks for innovations such as the cultivation of vegetables like *dhaniya* and tomatoes. As the position of women in the village improved, general access to microfinance was possible, and therefore the women's group decided to buy better and more productive livestock, making dairying an income generating activity for them. Access to other basic services like health and education also improved.

In the year 2009, the villagers wanted to renew the No-Objection certificates (NOCs) from the panchayats to enable Seva Mandir to work on the pasturelands in the neighbouring villages of Tantela. This inspired the Barawa group that also wanted to renew its NOCs that had expired long back. The villagers also went and met Shri Bharat Singh the minister of Panchayati Raj in Jaipur who was very appreciative of their efforts. Today the villagers are thinking of building up a pastureland management cluster and federating all the villages involved in successful management of these pastures.

### ***Findings and lessons learned***

- The process of regenerating the common pastureland in Barawa has resulted in a variety of benefits. In terms of physical assets the vegetation cover of the land has improved to the extent that there is an assured yield of grass and an increase in fodder availability. The social cohesion also motivated the community and the leadership (Sanwalba) to refuse the World Bank supported watershed project (as they knew about the irregularities that government work brings with it) and instead proposed a similar programme to Seva Mandir. This led to the initiation of an integrated water shed programme supported by SM in 1997.
- Through the process of regeneration, deciding on contribution norms and ensuring the best mechanism for equal distribution of benefits amongst the community villagers have come together. Thus in terms of community cohesion it has acted as a mechanism for people in the community to unite and form an empowered village institution. The participation of people has increased in the Samuh meetings and all participants have been able to voice their concerns regardless of caste.

The power of the village institutions that were developed in Barawa is reflected in the way that Nedach Panchayat has not got involved with management and not requested the renewal of the lease while previously they were prepared to go against the village and refuse the lease. When the lease had been given, the village took care when making decisions and considered all viewpoints. When deciding what proportion of the pastureland to enclose the potential encroachers were taken into consideration but likewise when the threat of encroachments was thought to be strong the village was quick to enclose the areas to prevent this.

### CASE STUDY 3: TALAI

#### Introduction

Talai village is located 61 km South West of Udaipur, and 11 km from the Jhadol Tehsil of Udaipur district, Rajasthan and comes under the Chandwas Panchayat. The village is divided into twelve hamlets (called *phala* in the local language): Bangda *phala*, Damar Ka *phala*, Barbat *phala*, Mandal *phala*, Navadhar *phala*, Kalighati *phala*, Bor wala ghar *phala*, Palar *phala* and Jogan Ghati *phala*, Kalabhata *phala*, Bijan mata *phala*, Kapayadara *phala*.

The total forestland around Talai is 374 Ha which consists of dense, open and degraded. According to the forest management unit, the Talai forest is located between the two hill ranges of Kotmal and Nandvel reserve forests.

Talai is a middle size tribal village in terms of population; around 896 people live in Talai, distributed on nearly 240 households within the village. The population is fairly homogeneous in terms of its people, with the vast majority belonging to the Bhil tribals, a scheduled tribe.

#### Development work in Talai

Year	Interventions Made
1982	<ul style="list-style-type: none"><li>• An adult literacy center was set up,</li></ul>
1983	<ul style="list-style-type: none"><li>• The following year three more centers were created</li></ul>
1988-93	<ul style="list-style-type: none"><li>• <i>Mini chaks</i> with 80 beneficiaries - soil and moisture conservation, plantation and protection activities were performed on 86.52 ha of individual as well as private pooled land</li></ul>
1989	<ul style="list-style-type: none"><li>• Community cent<sup>13</sup>er at Joganghati <i>phalla</i> constructed</li></ul>
1992	<ul style="list-style-type: none"><li>• The <i>Mahila Mandal</i> was formed, which has since formed their own savings groups, purchased a pump for lift irrigation, and undertaken income generation activities like dairy and pisciculture.</li></ul>
1994	<ul style="list-style-type: none"><li>• 16 ha. of community pastureland in Joganghati was naturally regenerated by building a protection wall and a small amount of plantation activity. Following plantation, the <i>charnot</i> was protected through the <i>suiya</i> system.</li></ul>
1995	<ul style="list-style-type: none"><li>• Anicut constructed.</li></ul>
1997	<ul style="list-style-type: none"><li>• Two lift irrigation wells dug</li></ul>
2006	<ul style="list-style-type: none"><li>• The womens' SHG at Talai started a dairy in 2005 which has been successfully functioning. The group has been linked up with the Saras Dairy processing unit such that milk is collected daily from the village itself.</li><li>• Pisciculture by the SHG in the government constructed <i>anicut</i> situated at the village, the first harvest of which was due in the summer of 2006. The group hopes to meet the requirements of the villagers first and any excess fish production would be sold to neighbouring villages or at the local market.</li></ul>

Source: Abbi, P & S Chopra. Talai: A Case Study. Seva Mandir.

<sup>13</sup> Abbi, P & S Chopra. Talai: A Case Study. Seva Mandir.

Apart from this other interventions include health and education interventions through paraworkers. Till recently there were five Seva Mandir paraworkers in Talai - a Home Remedy Worker(HRW), a trained Traditional Birth Attendant (TBA), a Jan Shikshan Nilayam (village library as Post Literacy centres) worker, a Forestry paraworker and a CBCS (Community Based Convergent Services) worker who runs the Women's Self-help group. The TBA and CBCS worker were women and the other paraworkers were men.

### ***Private Pooled pasturelands***

This programme was Seva Mandir's first land based intervention at Talai and was initiated in 1988, as a part of the drought relief project. Today, there exist 7 chaks in all at Talai and they involve 80 households as stakeholders from 6-7 hamlets.

As for the condition of the private pasture land, they seem to be reasonably well protected in general, though they are variations in status of different chaks and within chaks<sup>14</sup>.

The benefits of this intervention are multiple. The *minichaks* (pooled privatelands) are primarily developed as a source of fodder in the short term and tree plantations in the long run. The productivity of grass ranges from 350 - 1000 *poolas* (bundles) per *bigha*, depending on the soil type, protection, age of the pasture land, etc. This effectively means an approximately 50% increase in production from the pre-development chak condition. This grass provides an important supplement to the households' fodder requirement. Where the share of the land is large, the grass availability from it significantly reduces the need to buy fodder or to cut fodder from the forest. The forest, however, remains important as a place for grazing livestock.

These private pasture lands, along with the availability of private wastelands as sources of fodder, have also helped some families have a grass surplus that adds on to the household income. Reports indicates that, the agricultural land enclosed in these pastures have shown an increase of 50-100% in the productivity of kharif crops like maize, rice, etc. owing to the soil and water conservation procedures, protection from animals and encroachments. With regard to the management of the chaks, the individual stakeholders are responsible for any repair in the boundary adjoining their land. There is, however, no community level penalty system which enforces this or penalise any one in case of free grazing in the chak.

### ***Common Pasturelands***

In the mid-90s, the villagers of Talai showed strong social cohesion in the relation to protecting their *charnot*. Community level negotiations put adequate pressure on the few encroachers who were inside the proposed boundary of the *charnot* and were thus persuaded to move out.

Prior to the development work done on the pastureland a few encroachments was present inside the proposed area, but these were removed through village level negotiations. The reasons given by people for the ease with which these

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<sup>14</sup> Of the 6 chaks studied in Talai 4 are well protected and 2 are unsuccessful.

encroachments was removed include: the encroachments being relatively new, the poor quality of the land, which was not really being used for agriculture; the extremely low likelihood of regularization<sup>15</sup> of an encroachment on charnot land<sup>16</sup> and the more direct control of the Panchayat and villagers over *charnot* land as compared to government land.

Around 2004, there was an operational management system for the chaks<sup>17</sup>, according to which

- Anyone who wishes to cut grass can do so for a fee of Rs.10 per datri (sickle). Grass is cut once a year after the monsoon on a date decided by the samuh (group) leadership and announced in samuh meetings.
- For protection of the pastureland, a watchman was been hired during the summer months from 2002 till 2004/05. The watchman was being paid out of the GVK. Prior to this, a *suiya* system of rotational protection was in.<sup>18</sup>
- In case the chak boundary breaks, it is repaired through *shramdan* (voluntary labour). The boundary has broken 3-4 times per year on average, and has been repaired each time.
- Finally, there is also a system of penalties if livestock gets into the chak.

This interest the village of Talai showed towards protecting their common land, led to Seva Mandir proposing a JFM program concerning the village forest land. A Forest Protection Committee (FPC) was formed in the village in 1995 and registered the following in February year. It has 281 members. A women's sub-advisory committee with 6 members was also formed. Re-election of the FPC executive committee took place in 2005 following the requirements of the JFM Rules<sup>19</sup>.

### ***Joint Forest Management***

The village if Talai has three JFM sites, created in 1999 (I), 2002 (II) and 2005 (III). At present the local forest Protection Committee is not functioning properly and is suffering for political factionalism within the village. The political conflict in Talai started around 2004 and the community is mainly divided over the issues of farming land, encroachments and grazing opportunities.

The Talai JFM site I is located on the fairly flat land and lower parts of the hills was

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<sup>15</sup> Regularisation is the process by which an encroachee is given legal ownership of the land encroached by him.

<sup>16</sup> The procedure for the regularisation is easier, and the likelihood of regularisation much greater, on Revenue land as compared to charnot land.

<sup>17</sup> (Abbi, P & S Chopra. Talai: A Case Study. Seva Mandir)

<sup>18</sup> One person goes and gives a watch over the chak for an entire day, after which the responsibility would pass on to someone from another household and so on. However, this broke down after a year as some people failed to go when it was their turn, or went for only part of the day, so that there were incidents of animals straying into the chak and causing damage to saplings.

<sup>19</sup> JFM Regulation requires that the FPC executive committee should be re-elected after a period of 10 years.

selected at Bharbat *phala* in 1999 and plantation activity was carried out on 50 ha of land. The area of site I is dominated by poor vegetation and only a sparse tree coverage. The Talai II JFM site is in Palan Pipla *phala* and work was started in 2002. Site III is located on the upper parts of the hills above site I, in the upper reaches of Bharbat *phala*, and was enclosed in 2005. The existence of anicuts and the Mansi-Vakal rivers also ensured the availability of water, which in turn, has made plantation of medicinal plants possible in this JFM site.

The general terrain of site III is very steep, with fairly dense and good tree coverage. Talai site II is located around 10km away from the other two sites, and has a completely different topography.

In the early stages of the JFM program in Talai the village there was some resistance to the implementation of the JFM, this was mostly due to inadequate information and awareness within the hamlets and people living in the village periphery. There were also a few encroachments on the proposed sites for protection which was mostly for grazing of cattle and gathering of fodder.

### ***Problems with the Sites***

The resistance from the encroachers to the JFM and thereby in effect removing their encroachments was mainly due to the prospect of regularization of the land by the government. Although the divide in the village was not purely along NGO lines, as some associated with another right based organisation called “*Ankur*”, those who don’t have on-site encroachments, were in favour of the JFM program. While some people working for Seva Mandir, mainly health workers, were among the encroachers and thereby against the JFM program, as they would stand to lose their land.

The social conflict in Talai and institutional aspects was further complicated by the construction of the Mansi Vakal dam in 2005. The site is located on a small island surrounded by water; this is due to the construction of the dam, Mansi Vakal, built in 2005 by the government to support the demand for water for the city of Udaipur. The construction of the Mansi Vakal flooded a large area of forest land and in effect the JFM site II was turned into an artificial island, with around 30 households on it. This more or less forced the people to use the plantation site for grazing as no other land was available. This has given more political effect to the group demanding more land for agriculture and grazing and has made the removal of the encroachments more difficult, it has even increased the amount of encroachments on the sites.

### ***Present Status of the JFM sites (28/08/2010)***<sup>20</sup>

The general condition of Talai I moved today is moving towards degradation due to a lot of cattle grazing and encroachments. The overall condition of site II is severely degraded and looks very barren. There are practically no trees left on the site and the grass coverage is in very poor condition. The boundary wall protecting the site is only of average condition but the wall at site II is in effect irrelevant since a systematic encroachment has been ongoing for the last 2-3 years, due to the forest land being flooded. All of the current encroachments on site II is relative new and most of them are no more than years old and was all done with the support for the new community leader

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<sup>20</sup> Fieldwork by Henrik Rasumussen

and done after the flooding probably because of motivation after the Forest Rights Act 2005. A significant amount of the protected forest land in this site got submerged under the Mansi-Vakal dam water because of which the passage for cattle from this *phala* to the forest had been cut off and the site became inaccessible from all sides.

Currently there is eight encroachers on Talai site I & III and currently five encroachers on the site II, none of these are conducting farming on the sites and are only being used for grazing of cattle and for gathering fuel wood, fodder and medicinal plants. There is only very little actual social pressure on the encroachers to vacate the land given the political influence from the community leader supporting the demand for more land.

The FPC is plagued by an internal political conflict, which has been ongoing for around seven years. The village is split into two groups, with one in support of the old community leader and the second in support of the new leader. The change in leadership has led to the factionalism within the village over the issue of encroachments.

#### *Encroachments as a problem with the land use in the village*

Apart from this, people feel that the process of encroachment is governed basically by a "first come, first served" principle - anybody can encroach if they take the initiative to do so. Once somebody has encroached on a piece of land, they signal this by either doing some stone fencing of the area, or ploughing it, or sowing crops like Til or Mustard. The tendency to first encroach on revenue land and later forest land could also be due to the relative ease of regularization of the former.

The process of encroachment is individualized and competitive with monitoring of the process by traditional or present leadership both falling short. However, this may also depend on the category<sup>21</sup> of land being encroached - for instance, one of the village leaders said that while the people could regulate encroachments on charnot land, which belong to the Panchayat and thus is under their control, they could not do so on forest land where such regulation is the responsibility of the Forest Department. The attempts to control encroachments on forest land could be countervailed by the tendency of Forest officials to encourage encroachments for the illegal rents they earn. The comparison between the relative ease with which encroachments from the common pastureland were removed and the inability to reach an understanding about encroachments in the JFM case may be noteworthy in this respect.

#### **Conclusion**

There is need for social greater cohesion, as it has been an important factor in the construction of pooled private lands as well as common pastureland, and it would seem that it is a precondition for the successful work on any development work on common land, especially while dealing with complex issues like encroachments. A strong community will be much more efficient in removing encroachments through social

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<sup>21</sup> Three main categories of public land are legally distinguished - charnot or common pastureland which is legally under the ownership and control of the Panchayat, and over which all villagers of the panchayat have rights; Revenue land, which is owned by the Revenue department, over which people do not have legal rights and forest land, which owned by the forest department and over which people may be given some user rights.



pressure, thereby also avoiding the time consuming efforts of different law agencies.

At a later stage, for continued maintenance and management of the common land, a higher degree of social cohesion is needed since the opportunity costs of the time and effort invested are higher, while the personal stake involved is lower, in relation to a private asset. From the information at disposal, it would seem that at least the required level of cohesion was and is being displayed, at least, with respect to the pastureland development earlier on. The removal of encroachers and the present state of the chak indicates that this is the case, or at least was, four to five years ago.

Apart from this the village followed a model of integrated development that is evident from the varied kinds of interventions on various land categories like the Private Wastelands, Pasturelands and various other natural resources like Water Resource Development and Income generation activities like Pisciculture, Musli Cultivation etc. Interventions in access to basic services like Health and Education (adult education and non-formal education later on also served) to improve the village's institutional strength that led to kickstarting of Joint Forest Management Initiatives one after the other so much so that the neighboring villages like Dhadawali also got motivated to start JFM (125 Hectares). It is also clear that, while the cohesion displayed has contributed towards the success of the pastureland and JFM III, village leadership like Narayanji and Jeevaba have also played a very significant role in both the successful creation and the present failures (JFM I & II) observed during the last few years.

The factionalism within the village started around 2003 and it is still ongoing. It is displayed on many levels of management within Talai and the major social event, such as the dam construction or the association with the JFM program, acts more as a platform for this political struggle to unfold upon.

## **CASE STUDY 4: MADLA**

### ***Summary***

Madla village represents a successful case of negotiating village CPR conflicts through building village institutions, building consensus, and promoting CPRs as part of a holistic land management regime that incorporates Joint Forest Management (JFM) and Watershed development, among other initiatives. Madla has a strong history of protecting CPRs in collaboration with Seva Mandir beginning in the early 1990's. By the late 1990's, Seva Mandir and Madla residents formed a forest protection committee (FPC) to formalize the protection of forestlands. From the early 2000's to the present, villagers have worked to resolve issues of encroachment from Madla as well as neighboring Upli Sigri. Initiatives led to significant success in resolving issues encroachment on forestland. This case study focuses on efforts to control both external as well as intra-village issues of encroachment. Local politics, the involvement of NGOs with countervailing agendas, and uncertainty regarding village boundaries all play important roles in shaping events. This case also demonstrates the value of negotiation and incentives for removing encroachment, as well as the value of using JFM plantation work and watershed development to consolidate gains in CPR development.

### ***Village background***

Madla is a tribal village of 300 households located 64 kilometers from the city of Udaipur. The terrain is hilly and undulating with homesteads following a subsistence-based hill farming system, located far apart on hilltops. Rain-fed agriculture for subsistence is the main local livelihood of villagers, who plant maize in the monsoon season and paddy on the moist depressions. Villagers undertake four to six months of seasonal migration for wage labor in Udaipur or nearby Gujarat state. A paved road leading into the village and a regular bus route departing early morning and returning late evening facilitates daily migration. Only a handful of houses have electricity. Two flour mills and three small grocery stores represent the majority of commerce within Madla.

The village traces its origin to seven founding families of different tribal clans from Gujarat. In addition, several families who migrated from Upli Sigri have settled in the area in recent generations. The village still considers these migrants to be from Upli Sigri, even though they are official residents of Madla.

Madla consists of 884 hectares, of which 56.56 ha are classified as forestland (to which Madla villagers have usufruct rights), 241.08 ha are revenue lands, and 214.32 ha as private holdings. None of the land is designated as *charnot*, or village pastureland.

### ***Seva Mandir's involvement***

Seva Mandir considers its relationship with Madla Village strong, with successful intervention beginning in 1981 with an adult education program. Plantation work on private landholdings and the construction of a community centre followed in 1986. Seva Mandir also operates six non-formal education centres. Village-level paraworkers trained by Seva Mandir work in health education, reproductive health, forestry, and education. These programs showed significant success, which Seva Mandir workers credit with creating the institutional capacity, trust, and overall relationships necessary to address issues of the commons.

### ***Commons management—competing interests, community institutions, and holistic development***

Village efforts to manage forestlands began from 1991 to 1996 when the *samuh*, a village leadership group formed with Seva Mandir, collected fines for illegal grazing and logging. Villagers also made efforts to control cattle grazing on forestlands. After the issuing of the JFM order 1991, Seva Mandir worked with villagers to form a dedicated Forest Protection Committee (FPC), which also involved women's participation through a women's sub advisory committee. Villagers also sprinkled *kesar* to allow the forest to regenerate naturally.<sup>22</sup>

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<sup>22</sup> The villagers bring saffron from a temple in Kherwara, which is considered sacred. Trees are no longer

In 2001, forty villagers independently attempted to force 12 encroachers on forestland to vacate. However, encroachers from Upli Sigri questioned the location of the village boundary, an issue that leads to significant confusion in village land disputes. Villagers requested meetings with local forest department officials to clarify boundaries, and in June 2002, about 100 villagers from Madla and Upli Sigri attended a meeting where forest department officials demarcated the boundary with stone markers. Forest department officials also compared and matched the maps for both villages. The 12 encroachers vacated by the end of 2002, although other villagers conceded the guarantee that they could harvest their last crop. Finally, the encroachers relented and were compensated for their cooperation through the construction of an anicut to provide cattle drinking water close to their hamlet. Such concessions represent important gestures that create good will in village relationships, a successful local bargaining tool to create buy-in among all stakeholders.

Following the removal of encroachment, the FPC prepared work on JFM plantation work with the collaboration of Seva Mandir. During its involvement in Madla, Seva Mandir had assisted in watershed management, such as anicuts, or check dams, and other measures that improved water availability for livestock increased the productivity of agriculture. Seva Mandir agreed to a plan at the end of 2002 to construct a new water-harvesting structure for the drinking needs of livestock. Both the JFM and water resource development projects serve as incentives for cooperation and rewards for vacating encroachments.

The problem of encroachment in the case of Madla contains several important lessons regarding local politics. Interests from local NGOs and communist party members, falsely assured villagers that they could encroach on forestlands and get lands allocated to themselves. These entities favor the privatization of land, which they view as a populist and pro-poor measure, in contrast with Seva Mandir's approach to protection and development of the commons. These vested interests can hinder the management of the commons. Government officials at the forest department also proved to be important stakeholders.

The subtleties of village geography can represent an important driving factor in disputes over the commons. In this case, Madla's forestland lies across a river from the rest of the village land. Thus, encroachers assumed that the rest of the village would not object to encroachment on this less accessible parcel of common land.

Recent years have also seen a crisis arise over open grazing land in Upli Sigri and Madla villages. Madla villagers encroached and gained private title to all open grazing land several decades ago leaving them with limited pasture. In addition a new JFM project in Upli Sigri started in 2006 with another NGO, the Foundation for Ecological Security (FES), along with a separate enclosure for regeneration in the village has brought about a shortage of grazing land. Thus, the two villages are struggling to balance land-use. This has caused some encroachment on the Madla JFM land, along

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cut from this "social fencing" area.

with related inter-village conflicts. Efforts toward altering dependency on sheep and goats (which cannot feed from stalls and thus must graze open land) through alternative income generation could lead to progress in reducing the stress currently placed on the land.

### ***Findings and lessons learned***

- Village geography and uncertainties regarding boundaries cause significant issues in removing encroachment and developing CPRs. In this case, encroachers thought that land separated by a river would be less desirable as a CPR to other villagers. Moreover, contested boundary areas allow villagers who live near common lands to encroach, adding to their holdings. Unresponsive or collusive government officials can then become gatekeepers who can prevent progress on commons disputes.
- Institutional pressure represents a powerful mechanism to convince encroachers to vacate land. However, this case shows that the development of JFM and watershed projects can also be important bargaining chips to incentivize encroachers to vacate. In this way, encroachers join the village consensus that CPRs are vital resources, making them stakeholders rather than alienated members of the community who could create political opposition to CPR development in the future. Using natural resource development projects, such as the anicut installed in this case study, demonstrated the value of providing benefits to all members of the community, even if this may appear at first to reward violations of natural resource use norms.
- JFM and watershed development projects also help to assure that encroachment does not reoccur after the first time that encroachers vacate. With villagers united after the removal of encroachment, CPR development interventions should consolidate this unity into a strong initiative to proactively develop forests or other common lands. Thus, protection and development of natural resources become mutually supportive efforts with a real chance for sustainability.
- Political actors, government officials, and civil society organizations frequently compete to promote the land-use policy that favors their self-interest. CPR development is only one way of managing land, and it requires a critical mass of local stakeholders willing to cooperate toward a common interest. Gaining such a critical mass requires sustained institutional development. Even in a favorable environment, the consensus building process around the benefits of CPRs is a lengthy process, although private land and watershed development can lay the groundwork for action in favor of the commons by building trust and improving livelihoods.
- While institutions represent a critically important force in sustainable management of the commons, leadership development greatly strengthens village governability. One individual, Dhularam, who has been highly involved in the *samuh* has gone on to hold the office of village sarpanch. In villages where traditional patterns of inequality remain strong, along with a tendency toward conflict avoidance and indifference, individual leaders can set the agenda. Dhularam is one of many villagers who have strengthened Seva Mandir's efforts,

while at the same time developing potential as a leader for future initiatives. While not highly emphasized in this case study, individuals advanced the collaborative efforts of Seva Mandir and village institutions in intangible and indispensable ways.

- CPRs must take into account the livelihood strategies of different actors, as well as all of the land-use needs of villagers. Two NGOs, Seva Mandir and FES, are working on JFM in the adjoining villages of Upli Sigri and Madla, creating conditions in which the multiple competing interests of villagers are in conflict with the current natural resource base. Both NGOs, along with the institutions of each village, must continue to work closely to provide a sustainable, just outcome.

## **ISSUES CRITICAL TO THE SUCCESS OF JFM AS A MANAGEMENT SYSTEM**

### ***Community leadership***

The idea behind community management of the JFM is formed both out of necessity and out of ideology. History has shown that sustainable conservation programs need to have consideration for livelihoods of the forest dwelling communities. This requires changes in the policy towards the forest dwelling people and their relations with the forest resources. This makes the institutions of tribal and other forest dwelling people critical to success in the JFM program and more generally in the sustainable forest regeneration and utilization. The other reason for the local management is both the creation of a sense of ownership of the forest within the village and the hope for replicability in terms of management of other commons. If the village is successful in managing the local FPC then cooperation can be transferred to other decision-making forums in the village, thereby creating a more holistic development process from an economic and a human capital point of view. Development will be in the form of increased returns from the forest and pastureland resources, less dependence on wage labour in the cities and a strengthening of civil society and institutions within the village area.

### ***Role of the communities and its impact on the JFM program***

Much of the fieldwork, focused on the JFM program, shows a widespread problem with encroachments upon common land and reveals a very complex problem area. The problem with encroachments has many aspects and must be investigated through a more holistic approach. The complexities of community mismanagement and failure in the JFM program relates to:

- User rights
- Disputes over land records
- Encroachment & grazing management
- Leadership problems
- Ambiguous state land policies
- Indifference from law enforcement officials
- Social apathy

### ***Traditional vs. legal user rights:***

The traditional rights are referring to usufruct rights employed by the communities being in close proximity to the forest resources. The legal rights are given to the village from the forest department during the forest settlement process. This has become a related issue because only the people who are part of the JFM program are given the usufruct rights.

This has created inter-village conflicts in the past and can lead to new conflicts with the expansion of the JFM program. If a village traditionally has been using the forest resources from a specific patch of forest, they are in a sense, being deprived of this right when the forest area is being enclosed for a JFM site, and they are not registered as legal users. An example of this can be seen the case study of Kojon Ka Guda, where only one village was represented in the protection committee and thereby as having legal rights to the resources, even though three villages had traditionally been using the forest (Bhise and Vyas 2008). The issue was solved by the villagers themselves by creating a list of representatives from all three villages and reconstituting the FPC, although it took seven years to resolve this problem.

### ***Dispute over land records***

Most of the forest blocks in Rajasthan consist of four or five villages, though the boundaries between the village commons and forest areas are shown in the village maps and land records, it is very difficult to demarcate the rights and concessions on the forest blocks. Even forest department officials are sometimes unaware of these boundaries (Bhise and Vyas 2008:2). This has become a main reason for inter-village conflicts when usufruct rights are given to the forest block. There are many cases where conflicts has occurred in JFM sites due to boundary disputes between two villages, and the result is often a further deterioration of the protected forest land. When the forest boundary is not clear, it is very difficult for villagers to exercise social pressure on encroachers to evict them, especially if the encroachers are aligned with local leaders.

The need of the hour is resolution of land disputes arising out of the same to enable the mutual management of the shared forest resources. In addition, there must be cooperation between the village communities that share the forest block, in order to regulate usage and the enable community based management of the JFM sites.

### ***Encroachments***

Encroachments are done for many reasons and have become a major problem within most JFM sites. Part of the reason is the demographic growth and the demand for more land to provide fodder, timber and other forest resources to uphold the livelihood of the households. Other reasons are less kind to the ear, such as greed, prestige and influence.

One of the main reasons for the degradation and failure of JFM is attributed to encroachments as a widespread problem on forest lands. Although there are problems at the end of the community, the poor implementation of the existing provision in the law did not help the matters either. The administrative body is far too remote to be effective and in many cases not interested in raising their voice against influential encroachers and removing them from the common land (Bhise 2004:xxi).

The enactment of laws like the forest rights act 2006 went one step further and encouraged the members of the community to further continue the malpractice. In fact, most of the encroachers often are well off and influential households in the village.

In many cases, the community does not deal with the problems of encroachment nor are there rarely any steps towards the development of the commons, until an external agency, in the form of an NGO, facilitates the negotiations, even though they are fully aware of the situation. This apathy shows the disempowerment of the formal institutions, like the *panchayats* and the forest protection committees, in dealing with the protection and conservation of the common land, despite being the legal custodians. This might be because of either the collusion with the state level functionaries or the powerful people in the village not respecting the norms. Social apathy or spectatorship can also be a result of the pre-knowledge of the ineffective law agency, as mentioned above. This invites, so to speak, less influential households to encroach as well, hiding behind the large and powerful trespassers.

Apart from the implications of encroachment in terms of community forestry, it also has much deeper implications in terms of community solidarity. Encroachments damage the social fabric of the community. Wealthier and more powerful villagers most often carry them out, and hence the stake in community forestry for the other villagers is reduced. Further, the encroacher, whether large or small, enters into an illegal agreement and illicit obligation with a powerful patron outside the village (for example, a lower-level state official), leading to a cycle of corruption on the part of both the individual and the official. As both the parties enter into an illegal agreement, legal action against the encroacher becomes complicated, as the enforcing authority is a complicit party or beneficiary of encroachment. While the authorities follow a lax attitude towards the encroachers and allow them to carry on with it and somewhere down the road the encroachers also end up getting in a patron-client relationship wherein the government officials get into rent seeking behaviour and ultimately indulging in favouritism in terms of helping a select few of the marginal lot in the village who pay them bribes.

The problem of encroachment cannot be dealt with only through enforcement of law. Seva Mandir through its experience has found negotiation and persuasion by the institution in exchange for larger good as a way out. Also if an influential trespasser is persuaded, be it through legal action or social pressure, to leave the encroachment often others follow suit.

### ***Grazing management***

The enclosure of land for a JFM site can lead to problems with grazing, if the planning

is not done keeping in view the needs of the community . Most villagers are significantly dependant on the forest area for their livestock grazing , thereby creation of closures through a JFM can sometimes create a conflict if care is not taken to take into account the grazing requirements of particular hamlets. (Bhise and Vyas 2008:3). Also livestock tend to require space to walk and therefore even though the area is very degraded due to continues grazing, the villagers continue to let their cattle in, mostly due to lack of alternatives. This is also partly due to the rapid growth in human and cattle population, thereby straining the commons further in meeting the needs for fodder, fuel wood and timber. Unregulated grazing beyond the sustainable capacity of the commons will severely damage the regeneration chances if any.

The JFM site II, at Talai, is an example of this. The site has been cut off from the rest of the area because of the construction of the mansi vakal dam in 2005, thereby marooning around 40 households on the island of site II. Even though there are no agricultural encroachments on site II, it is severely degraded due to grazing. As a result the site has no trees left, very little natural growth and the grass cover in a very poor state, but because of the flooded area, there is no real alternative for grazing. The site has been overgrazed and has no real chance of regeneration, unless the grazing stops and real alternatives are presented to the villagers.

### ***Leadership problems***

Problems with the local leadership, in relation to the JFM program, are an issue of many forms, e.g. leadership problems in relation to misuse of power, re-election in the FPC, and political interference in the JFM program.

Misuse of power has been seen in cases where, a local village leader, appointed to form the FPC in his village and thereby oversee the implementation of the JFM program, takes advantage of his position and influences to advance his or her personal interests. In other cases of leadership or institutional problems, there have been issues of foresters and rangers, from the forest department, not according due recognition to the new leader. After an election in a FPC, which is due to be held every two years, the forest officials still stood by the old leader to further their patron-client relationship. A deeper investigation of the problem revealed that the root of the problem was political factionalism within the village, of who would have more representatives in the FPC and thereby have a say in the distribution of labor and other benefits that come through the schemes for the village. (Bhise and Vyas 2008:5).

The village of Talai has been plagued by internal political conflict for the last eight to ten years, where the community has been divided into two groups, one in support of the old leader and the other in favor of the new leader. The local FPC have not been able to hold meeting of the whole village in the last few years.(Poonam Abbi, Case Study on Talai). As a result, the management has fallen into dispute and the three JFM sites that are under the management of the Talai FPC are degraded due to uninhibited grazing and encroachments.



### ***Ambivalent state land policies***

The government has had a dual land policy while dealing with encroachments. While on one hand it has provisions of regularizing the encroached land through acts like the forest rights act 2005 and by periodically postponing the cut-off date for the regularization of encroachments. This has in effect acted as an open invitation to further encroachment. The paradox being that, while law-abiding citizens are deprived of the usufruct rights and access to the common land, law-breaking trespassers are being rewarded through the government regularization of land. The Forest Department, Government of Rajasthan has been following a policy of recognizing encroachments on the forestland to the landless and the forest conservation act has a provision that only recognizes pre-1980 encroachments (for forest lands), but recently the legislations like the forest rights act 2005 have meant that now the cut-off date for the regularizations is 2005. The contradicting orders from the government, with the privatization of encroachments on one hand and a discourse in favor of community forestry on the other, tend to disrupt the common property institutions and weaken the local institutional management. In the village of Shyampura, trespassers who gave up their encroachments in 1991 have still kept an option open for reclaiming the land if the government gives an order for their regularization, thereby threatening the present JFM in this area (Bhise 2004:xxxiv).

### ***Ineffectiveness from the law enforcement agencies***

The unwillingness by the different law enforcement officers has a great negative impact on the ability of the villagers to successfully evict encroachers from the common land. When the villagers bring a case to the local police office, it will be extremely demoralizing for the community momentum if the head of the office is supporting, or influenced by, the local political power. This happened in the village of Talai, where the villagers went to the district police to complain about the encroachments and the community leader, who was in support of the trespassers. The district police allegedly supported the same political party as the community leader and did not react to the complaints. When the villagers complained to the forest department there was no reaction as well. This will both decrease local trust in the law enforcement agencies, as well as, hamper future community mobilization, with the pre-knowledge (or mute sympathy) of influence or lack of reaction.

### ***Other related issues***

- It is essential to establish a village- or institutional norm for the successful management and sharing of the common properties and to establish a form of ownership and conservation mindset. In the absence of a strong social norm in favor of protection and conservation, all efforts of community mobilization will be in vain, because of the continued encroachment and illicit grazing on already degraded

common land.

- It is necessary to give external facilitator/supporting agency to the village communities when they bring a case to a law enforcement agency, thereby giving more power to the case and argument presented by the villagers, thereby supporting the issue with an external agent that cannot easily be discouraged, plus the possibility of revealing a relationship between law agency and problem, may it be leadership or encroachment.

## **FINDINGS: PASTURELAND COMMONS**

### ***Need for capacity building initiatives***

Seva Mandir had a presence in both villages for a number of years before pasturelands development initiatives. During this time, Seva Mandir worked on programs to build capacity and institutions, which contributed to the development of relationships among villages, built community cohesion, and resolved conflicts. Whilst these activities were not directly relevant to common property or pastureland development, they meant that when villagers felt they wanted to address issues in the village, they felt empowered to do so. The necessary institutional structures and relationships were there to ensure that the actions that were taken were effective.

### ***Development of private property resources and individual wastelands***

Physical work began on privately owned village land after Seva Mandir had already had a strong presence in other areas of village life. When villagers saw the success of these works, they were more receptive to the idea of work applied to the commons. This was the case in Nayakheda.

### ***Consensus based decision-making and transfer of responsibility***

As an organisation Seva Mandir works to bring consensus based development as decentralisation and create capabilities in the institutions at the village level for villagers to service their own development needs, as was done in Barawa and Nayakheda. In the case studies, communities were responsible for negotiating with the encroachers and seeking permission from the panchayat for working on the same. It was once these things were achieved that Seva Mandir became involved with the development of community pasturelands. Similarly, it has been important for the village institutions to take responsibility for management once pastureland regeneration is complete. In many cases they have devised ways to patrol the pasturelands by taking turns (*suiya* system). In other cases they have made arrangement for payment of the guard either directly through the village development fund or through the interest accrued from it.

### ***Access and local ecological issues***

Different social groups will tend to be stakeholders in pasturelands. In South Rajasthan this means that tribal Bhils or the poorest members of communities will be interested

parties in maintaining common lands for fuel wood and fodder etc. Moreover, members of the Rabari caste are historically livestock herders, so they will compete with other groups for differing interests in pastureland management. Social, cultural, and environmental factors interact in unique ways to create groups with heterogeneous interests. The challenge in creating consensus for protection and development of CPRs is recognizing and negotiating these different interests. The issues of access to pastureland also tend to differ. Issues of patrolling, enforcing fines, opening for harvest, and many other practical issues of management must consider traditional ecological knowledge, the whole variety of usufruct values, and the equitable distribution of resources. These factors differ significantly among pasturelands and other types of common lands, as well as among different types of pasturelands themselves.

### ***Relations with the local self-governing body (panchayat)***

Working on pastureland directly with panchayats can prove to be a challenge. If a hamlet or a revenue village supports a different political party from that of the panchayat, or if local personal or political conflicts exist, a general lack of governability can hamper pastureland development. This was the case in Barawa where the Nedach panchayat in control of the pastureland supported a different political party which led to conflict and tensions between the two. In this way, Panchayat pastureland depends more on elected political will, whereas the will of bureaucratic officials in the forest department control access to forestland CPR initiatives. Because pastureland falls under control of panchayats rather than any government agency, encroachment can suggest a greater degree of local-level institutional breakdown. In contrast with forestlands, encroachment requires that the forest department become involved to evict encroachers (unless a JFM agreement gives this power to a village FPC). However, panchayats have a longstanding control of pasturelands, which encroachers must bypass. On the other hand, weak institutions or a hand in glove relationship might mean that encroachment becomes easier for certain sections of the village.

### ***Leadership development***

Seva Mandir trains a number of village-based professionals called paraworkers that are capable of serving the needs of the community. These individuals have a long-term stake in the community partly because of the financial support, but this also makes them accountable to the village. Such Seva Mandir paraworkers attain leadership roles, which are vital in the process of change. One such example is in Nayakheda where one individual, Shivilal, developed from a position of forestry paraworker to the village Sarpanch, overcoming well-funded opposition in the process. His training and previous exposure to the particular development constraints of the village ensured that he had the skills and incentives to best serve the village in an equitable manner.

### ***Replicability***

One thing to note from the case studies is that during the process of developing the community pastureland the successes and benefits of one activity usually feed into the

next one. When one issue was overcome in the villages it gave the community encouragement and enthusiasm to continue to the next issue or decision-making process. Likewise, when villagers saw benefits, this gave them the incentives to continue with the programs and begin new initiatives.

## CONCLUSIONS AND IMPLICATIONS FOR THE GLOBAL COMMONS

Given the above problems we would like to relate them to the finding of the Sub-group VI on Common Property Resources of the “Committee on State Agrarian Relations And The Unfinished Task Of Land Reforms” that Seva Mandir was convening.

**Problems With Commons<sup>23</sup>** - As understood from the above mentioned committee's work, we have tried relating the national level problems to the local level problems as seen in the micro level case studies. In this section we can safely conclude about the following as the major common problems that confront the CPRs today and we also try to map the responses to the same by Seva Mandir.

Problems as quoted	Issues as seen in the Case Studies	Responses by Seva Mandir
<u>Shrinkage in De Jure CPRs</u> : “The size of CPR land has been declining over the years. There has been a steady decrease in all kinds of common lands – pastures, village forests, ponds, or even burial grounds. The major reasons attributed to the same is <u>Encroachments or (Diversion of public lands like Revenue wastelands, Pasturelands and forestlands for agricultural and non-agriculture use by members of the community)</u> - Substantial area under CPR land has been encroached and privatized. Encroachments have been since long attributed to landlessness owing to population increase though most of the time it is resource rich who are found to be possessing the land. As on date the exact status of the availability of CPRs on ground and for which access is open for the community is variable and unascertainable due to heavy encroachments on the same. Data on encroachments have never been properly collected for most of the public land categories. This hazy picture has led to Patron Client Relationships	Barawa,	Institution Building, Conflict Resolution and Negotiation with potential encroachers when defining access to pastureland to mitigate the threat of Privatisation.
	Nayakheda	Institution building, Leadership to convince the powerful encroachers, Conflict resolution and negotiations
	Madla	Negotiation and Conflict Resolution as well as provision of incentives for the encroaching families

<sup>23</sup> Extracts from the Report of Sub-Group VI on the Committee on State Agrarian Relations and the unfinished task of Land Reforms pp 5-6 Executive Summary.

amongst the government officials and people further leading to more encroachments. The lackadaisical behavior of the revenue department in monitoring any encroachment and failure to vacate the existing encroachments has also contributed to the same. “	Talai,	Negotiation and Conflict Resolution Forest lands were not compensated for by the government.
<u>Shrinkage in de facto CPRs:</u> “The physical status (qualitatively) of CPR land is highly degraded. This has been a result of various factors, principle amongst them being the abuse of the commons by the influential, conflicting policies of the government, improper upkeep or no institutional arrangements, fuzziness in boundaries and records and lack of finances for regeneration (once degraded). “	Barawa,	Pastureland and Watershed Development.
	Nayakheda	Watershed development
	Madla	Forest Land Rehabilitation , Plantation and Protection under JFM
	Talai,	
<u>Boundary Disputes on Common lands/Forest lands as Commons</u> – “Incomplete surveys and unresolved disputes between forest and revenue records have led to insecure estimates and tenures.”	Madla	Conflict Resolution
<u>Failure of institutional arrangements:</u> Over-exploitation of CPR definitely points to poor-upkeep of these resources. This points to the fact that traditional institutions have either weakened or disappeared and have failed to enforce norms. Role of new Local institutions like Panchayats,	Nayakheda	Highlighting inequitable management of Panchayat Land. Capacity Building of Alternate leadership.

FPCs has been insufficient in the management and development of CPRs leading to their ultimate degeneration.	Barawa	Rabaris and Bhil community failing to come together and manage their pasturelands. Panchayat in charge of pastureland wanted to develop the pasturelands and benefit from kickbacks/Corruption themselves. Conflict between formal and informal village institutions. Negotiation with the Village Institutions and capacity building of the leadership.
	Talai	Factionism addressed through institution building and integrated development model.
	Madla	Intervillage disputes addressed through integrated development model.
<u>Dual Responsibility of the Revenue Department - The custodian and enforcer of land:</u> "The custodian and enforcer in case of revenue land is the same body. Given the immense workload at local level, need has been felt to delink these two roles.	Nayakheda	Following election, former Seva worker (shivlal) managed to get government officials on board.

District and even state officials felt that they were not always able to stand up to political pressures. Also, revenue department has never been interested in productivity, being too remote to manage and with lack of funds to develop it and therefore their major role becomes more of a record keeper rather than that of developer. The complex nature of land administration is to the disadvantage of the rural poor. To further aggravate the situation is the inconsistencies in land records. This situation and the power of the bottom level functionaries makes land administration more prone to corruption. Moreover, lack of staff and financial resources contributes to the poor structure of land administration."	Barawa -	NA
<u><i>Absence of a long-term land perspective:</i></u> A long-term perspective towards land seems to be missing both at the government and community levels. This shows a clear absence of a strategy for land use planning. At the same time, such perspective is not propagated by bureaucrats too.	Barawa	Planning for Grazing management and for keeping into view the varying interests of the various communities for fuel-wood, fodder and grazing. Development of Commons and keeping track of their productivity. Social Fencing, Development of Different categories of land like the private lands, pooled private lands etc to meet up the requirements for the fodder and provide alternatives. Also alternate income generation activities like Pisciculture, dairying etc.
	Nayakheda	
	Talai	

## LITERATURE CITED

Abbi, Poonam. A Study Of Impact Of Social Capital And Contextual Factors On Success Of Development Interventions, Seva Mandir, Udaipur

- Bakshi, Aparajita and V.K. Ramachandran. 2008. *Studying Village Economies in India: A Colloquium on Methodology*. Foundation for Agrarian Studies, Salt Lake, Kolkata, India.
- Ballabh, Pankaj, ed. 2004. *Land, Community, and Governance*. Udaipur: Seva Mandir.
- Bhise, S.N., ed. 2004. *Decolonizing the Commons*. Udaipur, India: Seva Mandir.
- Bhise, S.N. and Vyas, Vivek. Conflicts in Joint Forest Management. 2008. *In Global Environment: Problems and Policies Volume 3*. K.R. Gupta, Maria Anna Jankowska, Klaus Bosselman, and Prasentjit Maiti, eds. New Delhi: Atlantic Publishers.
- Center for Environment and Social Concerns. 2008. *Sustainability of Village Institutions Promoted by NGOs: Case Studies on the Village Institutions Promoted by Seva Mandir, Natural Resources Management & Livelihoods*. Ahmedabad, India: Center for Environment and Social Concerns.
- Chopra, Kanchan. 2001. *Wastelands and Common Property Land Resources*. Seminar 498: Wastelands. Accessed November 20, 2010 <<http://www.india-seminar.com/2001/499/499%20kanchan%20chopra.htm>>.
- Chopra, Kanchan and Purnamita Dasgupta. 2002. *Common Pool Resources in India: Evidence, Significance and New Management Initiatives*. New Delhi: Institute of Economic Growth.
- Jain, N., R. Jindal, P. Kashwan, P. Negi, M. Vardhan. *Silvipasture management case studies by Seva Mandir*. Udaipur, India: Seva Mandir.
- Jodha, Narpat S. 1990. "Rural Common Property Resources: Contributions and Crisis." Paper presented at the Foundation Day Lecture of the Society for the Promotion of Wasteland Development, New Delhi, May 16, 1990.
- Office of the Registrar General & Census Commissioner. 2010. "Rural-Urban Distribution." Accessed October 21, 2010, [http://censusindia.gov.in/Census\\_Data\\_2001/India\\_at\\_glance/rural.aspx](http://censusindia.gov.in/Census_Data_2001/India_at_glance/rural.aspx).
- National Sample Survey Organisation. 1999. "Common Property Resources in India." NSS 54<sup>th</sup> Round January 1998-June 1998. Report No. 452(54/31/4). New Delhi: National Sample Survey Organisation - Department of Statistics and Programme Implementation, Government of India.
- Planning Commission of India. 2007. "Poverty Statistics for 2004-2005." Accessed October 20, 2010, <http://www.planningcommission.gov.in/news/prmar07.pdf>.



Seva Mandir and the Indian Department of Land Reforms. 2008. "Report of the Committee on State Agrarian Relations and the unfinished task of land reforms, sub-group VI."

World Bank 2005. "New Global Poverty Estimates – What it means for India. Accessed October 20, 2010,  
<http://www.worldbank.org.in/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/INDIAEXTN/0,,contentMDK:21880725~pagePK:141137~piPK:141127~theSitePK:295584,00.html>.