

# Conflicts in Joint Forest Management

## Cases from South Rajasthan

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Joint forest management (JFM) is arguably the most important step that has been taken up since independence for improving management and governance of forests in India. Efforts have been made to promote 'joint' management of forests by the forest department (FD) and the communities. While a lot of thinking has gone into the nuances of the theory and practice of JFM, a lot more work needs to be done. Conflicts and conflict resolution arrangements in the JFM framework is one such area where there is urgent need to pay a great deal of attention. This article aims at bringing out some of the major areas of conflict in the arena of joint forest management based on the experience of the author while working with Seva Mandir, Udaipur on implementation of JFM projects and participating in inter-agency discussions over the issue of JFM in the South Rajasthan districts of Udaipur and Rajsamand.

JFM was seen as a panacea for all the maladies affecting the health of forests and its poor dependents. Unfortunately, though, such was the euphoria generated by JFM that not much attention has been given to specific measures to actively work out conflict resolution mechanisms in JFM.

Anybody seriously involved with the issues concerning community-forest relation would know that communities always had serious stakes in the management and upkeep of the forest resources - especially in areas that have been marginalized from mainstream development. Hence, it was only natural that anything that affected the community-forest interaction would be contested in many ways. On the other hand, allowing increased participation of communities in forest management would hurt vested interests. Here, we take a cursory look at some serious conflicts that have been witnessed so far and some that may be in the offing in the near

future. This article seeks to find answers to some major questions thrown up by JFM in its present format.

### **Which patch of forest to protect?**

While JFM had initially been allowed by the FD only in degraded forest areas, subsequently, some of the states also included good forest areas under the ambit of JFM. Before that, it was common to hear practitioners asking if the communities had to actively pursue degradation of forests before they could become eligible for participating in JFM. It has been observed that in addition to the present state of the concerned forest patch, communities also take into consideration several other factors (like the threat perception as a result of neighbouring villages eying the forest land for encroachments) before deciding to protect a particular forest patch through JFM. However, such factors do not seem to fit into the scheme of things for forest department officials. People of Mohan Dungri village of Udaipur district got a taste of this when senior forest department officials visited the village amid great fanfare only to reject their demand for allotting a particular patch of forest and suggested another site. Needless to say, having put in huge efforts in brining the forest department people to the village, neither the villagers nor the NGO could say no to the proposed alternative site even if it was riddled with a number of problems. Taking up JFM on this alternate patch of forestland led to several conflicts between the village and the neighbouring hamlet that had been using a pathway passing through this site.

There is one more angle to this issue. Statistical analysis taken up as part of studies conducted in Udaipur under Ecological Economics Research Network (EERN) suggested that the patches of forests allotted to the communities working in tandem with NGOs were invariably

much more degraded compared to the sites where the FD itself was instrumental in motivating the communities without any NGO playing the role of intermediary. In this scenario the question arises: who should decide on the patch of forest that is to be protected?

### **Whose forest is this?**

Boundary conflicts between neighbouring villages/communities are the most commonly cited conflicts in JFM. This can be attributed to poor implementation of land settlement and demarcation of forest boundaries. It is not uncommon to see the same piece of land placed in different categories in the records of various government departments concerned with the management of land e.g. Revenue department, *Devasthan* department, FD and local government bodies like Panchayats etc. With the settlement and demarcation of village boundaries in disarray, such issues can proliferate into very complicated affairs. This was illustrated in case of the Kojon Ka Guda (KKG) JFM, one of the most complicated cases of conflicts in JFM involving three neighbouring villages. The JFM project had to be stalled for more than seven years before the communities could sort out their differences. The issue was triggered when the FD maintained that only one of the three villages had 'rights and concessions' in the concerned forest patch while the other two neighbouring villages also staked claims for equal rights in the forest. Ego tussles among the three villages did not make things any easier. The ensuing process showed how complicated the business of forest management could get. The process of deciding on who had the customary rights to a particular patch of forest saw an exploration of the lineage record dating back to a number of generations, reading land records that dated back to the British times and calling for a traditional Jati Panchayat.

### **How are the rights defined?**

JFM is an attempt towards formalizing access and management systems for forest areas that were freely accessed by several villages for deriving a plethora of benefits. But such formalisation invariably runs into problems, as

it is almost impossible to decide on the genuineness of the rights, concessions and usage being practiced by these neighbouring villages. Since the complex and elaborate customary use patterns are seldom mapped and addressed adequately before a patch of forest is brought under the ambit of JFM, it upsets some villages/hamlets or communities. Since forest protection and management systems definitely involve one of the fencing practices (stone wall, vegetative fencing or social fencing in some cases), they disrupt number of non-consumptive usage like using forestland for passage.

In case of the Mohan Dungri village, after the forest bordering another neighbouring hamlet Thurkudi was fenced off by constructing a stone boundary wall, it was damaged repeatedly. Only after long deliberations and fact-finding was it realised that the households located close to the boundary wall had to get their cattle through the forest area to the source of water. This was so mixed-up with a lot of other issues of customary usage of forest enjoyed by the people of neighbouring hamlets that it proved too complicated to be handled by the Forest Protection Committee (FPC).

Although the idea of honouring customary rights sounds very interesting, it has serious implications on the ground. There can't be any predefined criteria or checklist of possible customary rights, the validity of which depend on a complicated set of factors that could include resource use, availability of resources with various stakeholders and their general socio-economic status. For example, herdsmen from western Rajasthan migrate all the way to the Malwa plateau of Madhya Pradesh when faced with annual dry season scarcity of well-stocked grazing grounds in their own region. This migration has been in practice for the last several generations but with the introduction of JFM and protected area management in large areas in southern and southeast Rajasthan, the routes of the migrating herdsmen have been severely disrupted and availability of free grazing space significantly reduced. In the context of differential regional development and its impact

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on communities, how could one neglect the rights to passage of these herdsmen and their herds? Could our regeneration and management plans account for such resource use rights?

Similarly, in case of villages that do not have any forest in their close proximity, the people are left high and dry when the forest areas they had been using for extracting basic requirements like fuel wood, leaf fodder etc., are enclosed. The village of Ramaj in Girwa Block of Udaipur district is an interesting case. The people of the village used to access the forest area known as Magret forest, located at a distance of about six kilometres from their village. Prior to 1996, the FD employees protected the Magret forest. People visiting the forest for collecting firewood or wood for making agricultural implements had to bribe the cattle guard appointed by the FD. The forest of Magret was brought under JFM in 1996. Nobody then thought of Ramaj that was dependent entirely on the Magret forest for its fuel wood and small timber requirements. It only meant that now, it was the FPC /guard appointed by the committee who had to be bribed by Ramaj people to get an entry into the forest for collecting dry and dead firewood.

In this case, one might debate whether JFM arrangements should have honoured their 'customary rights', especially considering the fact that this was the only forest patch the people of Ramaj could access?

**FD, NGO and Communities: Who does what?**

There are three major players in the arena of JFM, viz. FD, Communities and the NGOs. The role played by different NGOs involved in JFM also varies from a mere facilitation of the process to actually working with the communities on forest regeneration and management. As of now, the three stakeholders do not perfectly share the objectives of JFM and the ways and means to achieve them. This being the case, conflicts often surface amongst these players. However, it is quite tricky to trace conflicts in this arena because they are mostly latent in nature and

seldom does anyone reveal such conflicts because it could threaten the entire partnership.

In case of Kojon Ka Guda, where the conflict originated as an intra-village problem, the process of resolution of the conflict took much longer than expected because whenever the forest department officials were approached, their stock reply was- "What do we do if the villagers fight amongst themselves? Moreover, the NGO is supposed to take care of all these problems". How could the FD that was so much a part of whatever went on in the woods, wash its hands off suddenly? Even when the whole conflict was resolved by the efforts of the villagers and the NGO functionaries, it took one more year after the DFO in-charge had a meeting with the villagers to actually start the work. What would justify further delay of a project that had already been stalled for six years? It was only through the good contacts of one of our colleagues with the personal assistant of the DFO that we came to know that the DFO wanted the FD to work on the particular JFM project without involving the NGO. These rumours were confirmed when the department sanctioned another JFM project on the patch of forest adjacent to this JFM site. Isn't it ironical that JFM has to be implemented by two different agencies in the same forest area with the same set of villages?

Once work started on the site, villagers decided to deal with the issue of encroachment made by a family in the designated forest area. The initial encroachment made by this family was very old and it was recorded in the forest department maps. However, the family kept expanding the area encroached by them and added more forest area after the conflict broke-out. This time, the villagers decided that only that part of the encroachment recorded with FD would be kept out of the JFM enclosure and whatever additional forestland had been encroached by the family would be declared illegal and deemed as forest area. However, the family maintained that the entire area of encroachment was marked in the forest records. In order to resolve the conflict, a forest official from the range was

called along with the concerned maps. As soon as discussion started on the issue, the official declared that the entire patch encroached by the family was recorded on the FD maps. Village elders and FPC members, who had sounded very confident of getting the extended encroachment vacated, accepted the official's statement without any further questions. If the forest official supported the encroachment, who would oppose him?

### **How is the pie divided in JFM?**

Another major flashpoint between the forest department and the communities that could come up in future could be on the issue of sharing of benefits from the forests. Communities are at a disadvantage in marginal and highly degraded arid, semi-arid regions like Rajasthan where it takes at least a decade before operations like thinning etc. are conducted. The communities have little to gain from the forests in the short run as compared to states like Madhya Pradesh where such benefits are available to the communities in a comparatively shorter time frame. On top of that, FD officials do not attach any great importance to the signing of a formal Memorandum of Understanding (MoU) with the FPCs as per the provisions of JFM. Even when the MoUs are signed, rather than clearly mentioning the benefit sharing arrangements, the memorandum only states that benefits from intermediary operations and final harvests would be shared with the FPC as per the state government orders. The frequency of government orders issued by the government of Rajasthan only adds to the confusion and doubts amongst the communities regarding the state of things to come by the time final harvesting is conducted. What then are the incentives for the communities to protect forests, if they are not sure of the benefits that they would get after say, two decades of hard work? Indications of possible future problems on this front were visible during a meeting where we invited range level staff of the FD for explaining the provisions of JFM to the members of Jhabla FPC. We explained to the people that since the community had mobilized funds with the help of an NGO, as per the provisions of the latest

order of the government of Rajasthan, communities would get a 90% share in the final harvesting. The forester and the range forest officer present in the meeting simply refused to accept that there was any such provision in the government order. Fortunately, we were carrying a copy of the government order and were able to show it to them in black and white. One doubts whether this issue would remain a 'latent' conflict if ambiguities like this are maintained by the FD when it comes to final harvesting!!

### **Are the partners in JFM equally accountable to one another?**

The subtitle of this para is a little over-ambitious as we are still talking about very basic kind of accountability in JFM. To cite an example, the FD registered Jhabla FPC in 1994 but formal permission for working towards forest regeneration and forest development came only in December 2001. For all these years, the villagers as well as the NGO functionaries continued doing the rounds of the offices of the FD. Ironically, the Jhabla-JFM was 'ongoing' during all these years as per FD records. Finally, when a young probationer forest officer visited the site, he accepted that it was unjust to hold back permission for forest conservation work in such remote areas where the forest officials would not even reach, if it were not for the efforts of the communities and the NGO. This episode throws up the question: who is accountable and answerable to the villagers who waited for more than six years?

These questions are important because they affect JFM in many ways. For example, Mohan Dungri FPC faced problems in forest protection, as some households within the village did not cooperate. When a formal complaint was lodged with the range forest officials, they used it as an opportunity to extract offerings of chicken and *Ghee* from the erring families. In this case, however, the NGO conveyed the villagers' complaint to the DFO but we did not know if any action was taken against the erring forest officials. Mohan Dungri JFM eventually faced serious problems and

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whenever the opportunity arose, the DFO used Mohan Dungri as an example to prove that NGOs were not necessarily good at community organisation.

In yet another village, Kaliwas, the FD had involved communities in JFM by asking them to work as labourers and contribute to a maintenance fund. The villagers were joint signatories in the bank account, but they never saw the passbook after putting their signatures at the time of opening of the account. There were conflicting reports as to how much of money was actually deposited in the maintenance account indicating a possible misappropriation of the funds. Irrespective of whether the allegation was true or not, the very fact that people talked of this meant that they nurtured feelings of mistrust against the concerned forest officials, but could not discuss this issue with the FD without inviting the ire of the officials. All these instances are examples of the conflict of faith that exists between the communities and the FD. It may, of course, lead to serious problems once the communities muster confidence to ask some uncomfortable questions. While that is in the future, the lack of people's faith in the forest establishment and consequently the belief that forest protection is not the real agenda of some of the officials does encourage the delinquent elements within the community to carry on with their anti-conservation activities.

### **Who runs the show in a village?**

Having talked about the conflict between the department and the communities, it would be sensible to talk of contradictions within the communities. Conflict between various segments of a village community is an intrinsic part of the village dynamics. The reasons for conflict that may seem to be related with issues of forest at first sight may actually lie somewhere else. However, in many cases, the conflicts are related directly to the issue of forest protection. In Jhabla, some families had traditionally been in the business of transporting large quantities of fuel wood on the back of their camels to the nearby town and hotels and restaurants on the

national highway passing their village. When FPC members tried to convince these people not to indulge in timber trade, these relatively powerful households threatened the committee members and continued with their business. In such a situation, there is very little the NGOs or the communities can achieve without the help of the FD. Once the option of mutual negotiation is exhausted, the only way out would be a strict enforcement of the rules by the concerned authority. However, such enforcement seems a far-fetched dream in case of JFM. The Gram Panchayat could also act. But very often clash of interests is witnessed between the FPC and the Panchayat leadership that often sees the FPC being entrusted with the mandate of forest management as a challenge and threat to its authority. In our much-referred to case of KKG JFM, after the conflict was resolved, FPC was asked by FD to seek approval of Gram Panchayat before undertaking any work on the forest. The Sarpanch refused to sign the papers and demanded that he, along with the concerned Ward Panch, be included in the executive committee of the FPC. Ultimately, FPC members had to use their 'connections' to get the Sarpanch to sign on the no-objection letter. Rumours doing the rounds indicated that the family that had encroached forestland had befriended the Sarpanch. If the powers conferred upon the Gram Panchayat are used in such discretionary fashion against the majority of people working to improve the resource base of the village, how are we to achieve self-sufficiency?

Conflicts have also been witnessed between communities within a village that were affected differentially by introduction of JFM. In an exploratory study across a number of JFM sites and other Protected Silvi-Pasture Arrangements, it was revealed that permanent enclosure of forest areas for prevention of free grazing and cut and carry systems of fodder management favoured large ruminants like cows and buffalo that could be stall-fed. However, it adversely affected the communities that depended on rearing small ruminants used to browsing in the open forest. Such observations were made

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in case of JFM initiatives of Bada Bhilwada and Salukheda villages. The signs of conflict were much more visible in Salukheda where tribals seriously resented the fact that it was the upper castes like Rajputs and Gayaris who benefited from JFM. However, some of those involved in the post-research, discussions challenged this on the ground that these people had actively supported JFM when they were consulted prior to taking up JFM. Their volte-face could then be explained in terms of the trade-offs that these communities saw in easy availability of wage labour within their village, income from their share of fodder collected during annual harvesting from the JFM area versus any possible losses that they might face in terms of increased difficulties and reduced income from rearing small ruminants.

### Way ahead

Looking at the variety of conflicts that are afflicting JFM, it seems very unlikely that the issues involved could be addressed in one go. However, a beginning could be made by understanding and articulating the realities of fragmentation within the communities, the hardened attitudes of various layers of forest bureaucracy and their respective interactions with the forests that are to be transformed from being an open access resource into a common property resource. The basic philosophy that should govern the progress towards conflict-free joint management strategy would be based on 'Domain-Consensus', which would mean that every party is clear about and in agreement with the roles the other players would play in the whole arrangement. Unless there is a shared understanding on 'who-does-what', difficulties as mentioned above would continue cropping up. Another major initiative could be that of bringing communities to the centre stage of the whole movement of forest conservation so that ego problems between the FD and the NGOs could be avoided. Evidence of the success of these initiatives are available in the form of successful functioning of the Van Uthhan Sangh in Jhadol block of Udaipur district where the FPCs supported by various NGOs as well as

those promoted by the FD have come together in the form of this block level federation. It has been observed that many initiatives taken up by the Federation have got much better response from the FD as compared to those taken up by NGOs or the individual FPCs supported by NGOs.



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