

PROCEEDINGS OF THE WORKSHOP ON "COMMON PROPERTY LAND RESOURCES
(CPR-LAND) IN GUJARAT AND PROBLEMS OF THEIR DEVELOPMENT"

A workshop on "Common Property Land Resources (CPR-Land) in Gujarat and Problems of their Development" was jointly organized recently on March 17, 1989 at the Gujarat Institute of Area Planning, Ahmedabad by the Aga Khan Rural Support Programme (India), the Gujarat Institute of Area Planning, Ahmedabad and the Revenue Department of the Government of Gujarat. More than 50 participants belonging to various backgrounds including academic and research institutions, voluntarily engaged in the field of wasteland development and government departments participated in the workshop. (A list of participants is appended as Annexure - I).

The workshop participants were welcomed by Dr.D.T. Lakdawala, President of the Gujarat Institute of Area Planning. In his welcome address he mentioned that the GIAP carried out its activities in close co-ordination with NGOs and the Govt. departments while maintaining its academic autonomy. The workshop was inaugurated by Mr.C.K. Koshy, Secretary, Revenue department, Government of Gujarat. In his inaugural address, he pointed out the withering of the concept of common land areas with free access to all in rural and urban areas and emphasised the need to reinstate the original status of CPRs.

The discussions were organized in four sessions:

SESSION - I:

Chairperson: Mr.C.K. Koshy - Secretary Revenue Department.

Two papers were presented in this session. The first paper, "Availability of Revenue Wasteland for Development" by Mr.D.S. Solanki systematically discusses the problems of identification, availability, allotment and monitoring the wasteland development in the backdrop of policies and experiences of the government. His paper categorically recognizes the present difficulty for the government in preparing villagewise final list of wasteland availability. Discussing the limitations of the approach adopted by the Space Application Centre (SAC) in identifying wasteland and the problems in superimposing the settlement Commissioner's maps and survey number details on SAC maps, the author points out that the only solution is manual survey. More serious problem pointed out by Mr.Solanki was the almost complete

absence of information with the government as to what happened to the waste lands allotted in the past to the families mainly belonging to weaker sections, for agriculture & tree planting purpose. While offering the procedural solutions for identification and allotment of wasteland development, the author rightly emphasises the need and relevance of monitoring the entire programme.

In the second paper, 'Availability of Panchayat Grazing Land for Development', Ms. Gauri Kumar starts by outlining the historical background of the Panchayat Raj Development. In the context of the rationale and norm for grazing land vested with Panchayats, it recognizes that the present total availability of land is short of the requirement as per norms (16 hectares per 100 adult cattle). The author has pointed out that even according to the 1982 cattle census figures, for total livestock population of 1.84 crores, the State of Gujarat, according to the above stated norm would need grazing lands to the extent of 29.50 lac hectares. As against this, the permanent pastures and other grazing lands available in the State were only 8.64 lac hectares. The actual availability of grazing lands was therefore grossly inadequate. According to information available with the government, encroachment was to the extent of 7451 hectares involving 22,658 cases upto Dec. 1988. The author felt that there was considerable under reporting of the cases and the extent of encroachment on panchayat lands would be much larger. Enumerating the problems in removing encroachments, the author draws attention to an important point that the power for removal of encroachment is restricted to the village panchayat and the taluka panchayat and if they fail, there is no legal remedy at the district level to remove encroachments. The author finally comes out with some suggestions to strengthen the management of grazing land under the Panchayat administration. Besides making modifications in the relevant Sections of the Gujarat Panchayat Act, 1961, the author also recommends delegation of powers to TDOs and DDOs under section 61 and section 202 of the Land Revenue Code so that they can effectively remove encroachment from Panchayat lands. The author has also suggested awareness raising and public participation in the development of panchayat lands so that public opinion is created against encroachments. During the course of discussions the following major points emerged:

1. It is relatively easy to develop the Gaucher land since the

technology is simple and financial resources can also be mobilised. However, to maintain the developed lands with popular participation is difficult and this can be ensured only after sustained efforts to establish rapport with local communities.

2. The pressure on common grazing land and sometime even on private land (Bhelan) has increased due to schemes financing the milch animals in rural areas. It was felt that controlled grazing, rotational grazing and deferred grazing should be introduced in those areas which can not be intensively developed.

3. Modifications in the rules and regulations would not be enough. On one hand efforts will have to be made to create awareness among the public at large and on the other hand the productivity levels of the grazing lands will have to be improved.

4. The panchayats should be given more incentives to develop gaucher lands. It was felt that if animal husbandry activities were developed the villagers would be more interested in proper management and development of panchayat grazing lands.

5. Gaucher lands should not be tackled in isolation, attempts should be made to integrate efforts for the overall development of all types of wastelands i.e. CPR-lands.

6. The development of private lands reduces pressure on public lands and therefore contributes towards preservation and development of common lands.

7. It was felt that the Collectors should not have powers for removal of encroachment on panchayat lands. This would create adverse impact on involving people in the management and development of panchayat lands. They are better vested in the Taluka Development Officers and the District Development Officers who are under overall control of the elected wing.

SESSION - II:

Chairperson : Professor Anil Gupta, IIM, Ahmedabad.

In all four papers were presented in this session. Iyengar's paper on 'Common Property Land Resources in Gujarat: Some Findings About Their Size, Status and Use', provided a statewide picture of the changing size, status and use of CPRs. The paper categorises the study villages under three types and states that the problems as well as need

and scope for development of CPR land is in type two villages where the extent of CPR land available is relatively high and where the status of agriculture on private lands is not satisfactory. Most of these villages are likely to fall in drought prone and backward regions. While describing the limitations and shortcomings in the panchayat's administration of CPR-land the paper ultimately recognizes that but for active and positive involvement of the village panchayats, the wide ranging and long sustaining development of CPR-lands cannot be achieved.

Apoorva Oza's paper, "Availability of CPR-lands at Micro Level - Case Studies of Junagadh programme area of AKRSP(I) and Shankar Narayan's paper "Availability of CPR at Micro Level - case studies of Bharuch", vividly bring out the extent of encroachment, and related issues. The extent of estimated encroachment ranges between 35 to 70 per cent in different villages. Micro-level studies at the village level by both the authors reveal that the encroachments in revenue waste lands are more extensive than in panchayat grazing lands. Jawahar Tolia's paper, 'Consequences of changes in land use patterns - A case of change in land use in Talala Gir Area of Junagadh District' describes the plight of the people who were suddenly deprived of their use rights over the CPR lands once they were transferred to the forest department, which again could not use them for the notified purpose, and in fact could not even protect them from misuse.

Major issues that emerged during the discussions were the following:

1. Need for a proper mechanism for identifying, measuring and defining the CPR and need for a clear policy regarding Govt.'s approach to encroachments.
2. Developing private land resources to be considered alongwith CPR development.
3. Endowment of live stock species - growth rate, its substitution (Browsers Vs. Grazers) and management strategy of CPR.
4. Hierarchy of use of CPR products, level of degradation, different stake holders in CPR management and the form of institution to develop CPR.
5. Management of seasonal encroachment.

SESSION - IV:

Chairperson: Shri Anil Shah, Chief Executive, AKRSP(I).

All the issues that were discussed in the first three sessions were classified into:

1. Status of CPR-lands and issues related to encroachment.
2. Issues related to the development of CPR-lands.

Based on these discussions, following recommendations emerged:

RECOMMENDATIONS:

1. Status of CPR-lands and issues related to encroachment: The problem of encroachment on common property land was duly recognised by researchers, government departments and the voluntary agencies involved in wasteland development projects. Based on the research findings and the experience of the voluntary agencies and the government departments, it was agreed that the magnitude of the encroachment was also fairly high jeopardising the dependance of poor on common land and adversely affecting the scope for wasteland development. It was therefore recommended that:

- a) A clear, and stern message should go from the State Level down to the talati and Gram Panchayat that Government is seriously concerned about the need for protecting the Government lands (including the lands assigned to Panchayats as gauchers) and would take strict disciplinary action against those found negligent in their duty to protect Govt. lands.
- b) Information about the benefits of protecting and developing the common lands should be brought to the notice of all concerned in the department and the Panchayats. Every Collector and District Development Officer should be able to get prepared 10 cases of success in protection and development of public lands and through distribution of such information encourage more Panchayats, government and voluntary agencies to take interest and responsibility for protection and development of common lands in more villages. Such positive measures will create a climate in combating the growing menace & evil of encroachment.
- c) There should be a provision in the Gujarat Panchayat Act to the effect that if any member or relative of the member of a

6. Generation of collective rationality.
7. The linkages of CPR development:- employment generation - savings - collateral for getting bank finance - development of private lands.
8. Model for developing CPR for different areas.
9. The highly degraded reserved forest periphery and its management.
10. Role of women in CPR management.
11. Liberalization of transit rules by the forest department so that produce like fuel, timber and bamboo could be easily transported by the participants/village communities.

SESSION - III:

Chairperson: Prof. Rohit Shukla, Sardar Patel Institute of Economic and Social Research, Ahmedabad.

During this session voluntary agencies working for wasteland development made brief presentations. The Bharatiya Agro Industries Foundation (BAIF) started with cattle development programme and slowly by gaining local peoples confidence entered in the field of gaucher development successfully.

Mayank Joshi from VIKSAT, in his paper brought out some of the inconsistencies and inadequacies in the Revenue Department's Resolution of 1-1-1987 for allocation of wasteland to private individuals, groups and formal and informal organizations. Vivekanand Research and Training Institute, Mandvi, Kachchh, shared its unique experience of organizing a representative group of villagers other than panchayat members in implementing social forestry project on wasteland. The agency also suggested a modification in implementation of the social forestry model at village level. Gujarat Energy Development Agency's representative gave an account of the agency's activities. The Behavioural Science Centre, Ahmedabad shared its experience in playing active role in minimising the risk in the wasteland development projects and emphasised the need for different models for different Micro regions. During this session, a paper, 'Progress of Government Schemes for Wasteland Development' was also presented by R.K. Sama. The paper describes various models approved and sanctioned by the Rural Development Department and the progress achieved under of the schemes.

Panchayat body was found to have encroached on public lands it would disqualify him/her from the membership of any Panchayat body.

- d) The present legal provision to remove encroachment on the Panchayat managed land was inadequate and hence higher district level official, preferably the District Development Officer should be empowered to remove the encroachment in the event of the failure on the part of the Taluka Panchayat to remove encroachment.
- e) Deterant Penalty should be introduced on all types of encroachment.
- f) Gaucher land should not be diverted to any other use if its area is below or equal to the norm - which is 16 hectares for 100 adult cattle units;
- g) Provision should be made to allow the acquisition of private land for housing for the government housing programmes for the poor, if there is insufficient Gaucher/waste land.
- h) The common land reserved for the Sardar Sarovar Project affected oustees should be earmarked and this information should be shared publicly;
- i) To reduce disputes and litigation, early action should be taken with regard to the demarcation of Panchayat land boundry. If need be special survey squads should be appointed for the purpose.
- j) It was found extremely necessary to monitor at regular intervals the use or abuse of the common land. The talati and circle inspector should report on the use and encroachment on atleast 10 villages every month. It would be useful to take "a review of status of public lands" as a regular item in the Taluka & District level meetings. The information on the status, including protection & removal of encroachment, should be regularly received & compiled at the State level. Looking to the importance of protecting common land resources and the inadequacies of the present recording and reporting system, it was also decided to entrust to Dr. Iyengar of the GIAP. and Professor Anil Gupta of the IIM. Ahmedabad, the responsibility of evolving a new system of monitoring the use of common lands.

2. Issues related to the Development of CPR-lands:

With regard to the development of CPR-lands following specific recommendations were made:

- a) The GR of 1-1-1987 concerning allotment of revenue wasteland needs to be reviewed carefully and a modified GR should be brought keeping the following in view:
 - i) The priority of group/VA over the individuals other than IRDP potential beneficiaries;
 - ii) Problem of minimum and maximum allocable land: it was suggested that maximum limit should be removed/increased in the case of group/VA allotment;
 - iii) The maximum possible time should be specified to process the application for the land allotment.
 - iv) A checklist should be prepared and published which would contain the information necessary in the processing of application for land allotment.
- b) The allottees most of whom would be potential IRDP beneficiaries, should be given benefit of assistance under such schemes of agriculture and horticulture development on allotted lands. DRDAS should be charged with the responsibility of co-ordinating assistance for the development of government land allotted to the poor.
- c) During normal year the Gujarat Land Development Corporation (GLDC) should accord high priority to the treatment of allotted wastelands and other common lands, and not only during scarcity relief work.
- d) The voluntary agencies should be officially involved in providing support to the management and development of wastelands.
- e) Presently there is only one uniform model for all the districts of the State supported by the government whereas the need is to develop different models suiting different agro-climating regions. The AKRSP offered financial support for engaging consultants to evolve at least three models suitable for the districts of Bharuch, Surendranagar and Junagadh. Further, it was recommended that the following agencies may be involved in developing other models:
 - 1) The Gujarat Land Development Corporation.



- 2) The Gujarat State Rural Development Corporation.
 - 3) The Forest Department of Gujarat.
 - 4) The Aga Khan Rural Support Programme (India).
 - 5) The Vivekanand Research and Training Institute.
 - 6) The Gujarat Agricultural University.
 - 7) The Bhartiya Agro Industries Foundation.
- f) Orientation programme for legislators and Panchayat members should be organised to emphasise the need, relevance and scope for wasteland preservation and development.
- g) Wherever panchayats are willing to take up the wasteland development they should be provided with necessary technical guidance and financial assistance. Wherever the panchayats are not willing to develop the wasteland, it should be handed over to the voluntary agencies, if available in the area, and willing to take responsibility.
- h) The government should encourage and promote case studies and success stories documentation both by the government officials research organizations and the voluntary agencies.

11. Mr. L G Patel
Dy. Director of Animal Husbandry
Rural Development Commissionerate
Gandhinagar
12. Mr. P N Roy Chowdhary, IAS
Collector, Rajkot
13. Mr. D J Pandian, IAS
Collector, Kheda
14. Mr. M. Sahu, IAS
Collector
Kutch
15. Mr. Rajesh Kishore
Collector
Surendranagar
16. Mr. K. Kailasnathan, IAS
Collector
Surat
17. Mr. S K Nanda, IAS
Collector
Junagadh
18. Mr. Virat M Vora, IAS
District Development Officer
Rajkot
19. Mr. Arvind Agarwal, IAS
District Development Officer
Bharuch
20. Mr. H. N. Chhibber
Director
D.R.D.A.
Junagadh
21. Mr. Y. D. Vadodarya
Director
DRDA, Rajkot
22. Mr. M P Vaja
Manager (P)
Gujarat State Rural Development
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ANNEXURE - I.

A list of participants who attended the workshop on 17-3-1989.

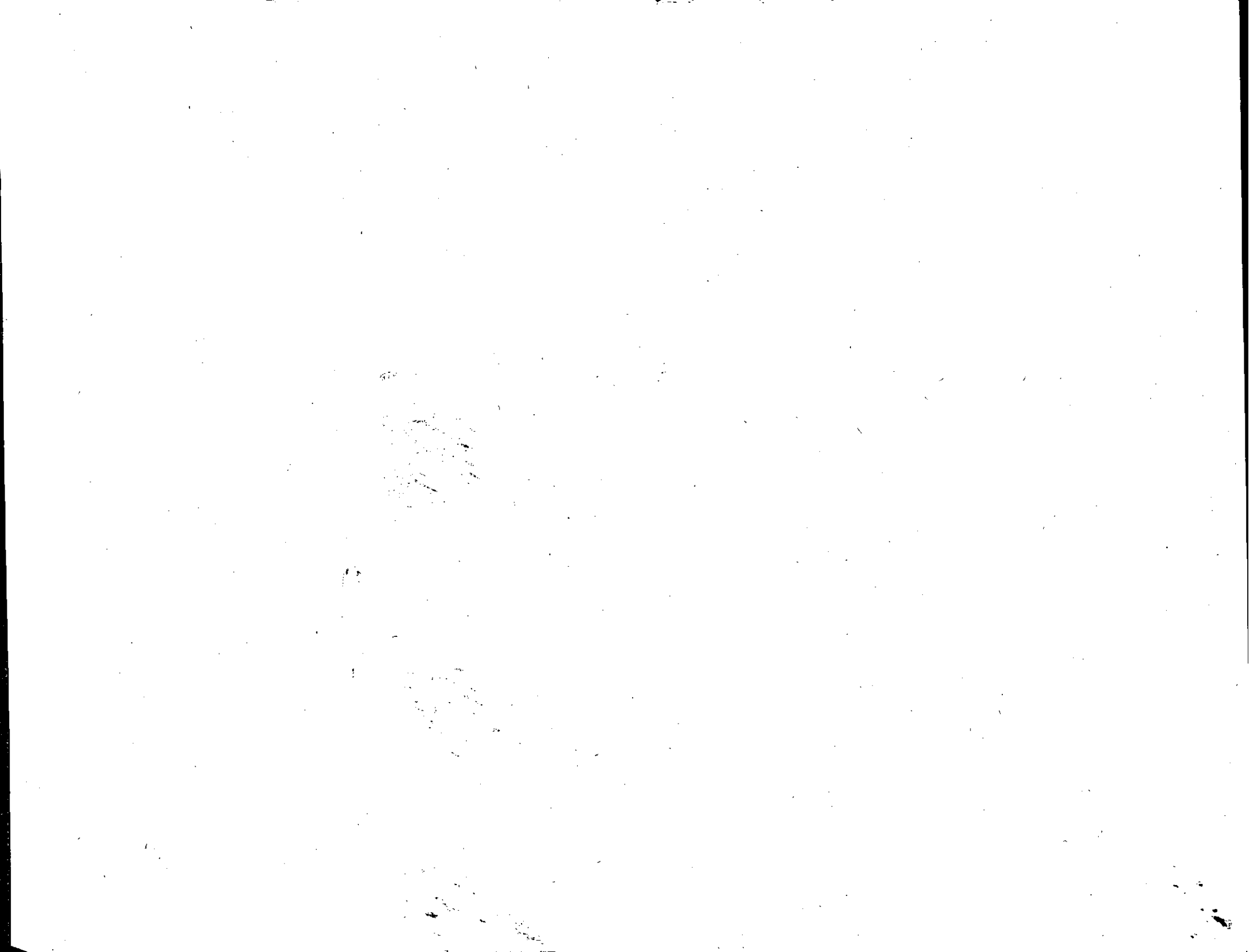
A. Participants from the Government Departments, and Corporations:

1. Mr.C.K. Koshy, IAS
Secretary, Revenue Department
New Sachivalaya, Block No.11,
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2. Mr.P K Mishra, IAS
Secretary, Rural Development Department
New Sachivalaya, Block No.5
Gandhinagar
3. Ms. Annie Prasad
Commissioner,
Women and child Development
Ahmedabad.
4. Mr.Ashok Bhatia, IAS
Managing Director
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78, Pankaj Society, Vasna, Ahmedabad
5. Mr.A S Kapashi, IFS
Managing Director
Gujarat/Rural Development Corporation Ltd. /state
Sector-16, Gandhinagar
6. Ms. Gauri Kumar, IAS
Addnl.Development Commissioner
Government of Gujarat
Gandhinagar
7. Mr.D S Solanki, IAS
Joint Secretary
Food and Civil Supplies Department
Sachivalaya, Gandhinagar.
8. Mr.D P S Verma, IFS
Conservator of Forests
Community Forestry Project
Kothi Annexe, Raopura,
Vadodara
9. Mr.Hasmukh Adhia, IAS
Additional Commissioner
Rural Development, Old Sachivalaya
Block No.9, Gandhinagar
10. Mr.R K Sama, IFS
Conservator of Forests
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Old Sachivalaya, Block No.9
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B. Participants from NGOs, Voluntary agencies, autonomous institutions and boards.

1. Dr. D T Lakdawala
President, The Gujarat Institute of Area Planning (GIAP)
Gota, Dist. Ahmedabad.
2. Mr. Robert Shaw
Aga Khan Foundation
P.O. Box No.435
1211 Geneva 6, Switzerland
3. Mr. Andrew Weir
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4. Prof. Anil K. Gupta
Faculty, IIM, Ahmedabad
5. Prof. Indira Hirway
Faculty, Gandhi Labour Institute
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6. Mr. A R Pastakia
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7. Mr. William Stewart
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Ahmedabad-15
8. Mr. Rohit Shukla
Faculty, Sardar Patel Institute
of Economic and Social Research
Thaltej Tekra, Ahmedabad
9. Mr. Vishwa Ballabh
Faculty, IRMA, Anand
10. Mr. Vikash N Pandey
Faculty, IRMA, Anand
11. Mr. S Dash
Faculty, IRMA, Anand
12. Dr. K S Shah
Dy. Director (Tech)
GEDA, Vadodara
13. Mr. Tulsi P Gajara
Vivekanand Research and Training Institute
Mandvi, Kutch
14. Mr. Mahesh H Thacker
Vivekanand Research and Training Institute
Station Road, Bhuj, Kutch
15. Mr. R Parthasarty
GIAP, Gota, Dist. Ahmedabad.

16. Dr.Sudarshan Iyengar
Fellow, GIAP, Gota
Dist. Ahmedabad
17. Mr.Anil C Shah
Chief Executive
Aga Khan Rural Support Programme (India)
Choice Premises, Swastik Cross Road
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18. Mr.Parmesh Shah
Programme Executive
AKRSP(I), Ahmedabad-9
19. Ms.Vijayalakshmi Das
Programme Executive
AKRSP(I), Ahmedabad-9
20. Mr.Jawahar Tolia
Programme Executive
AKRSP(I), Ahmedabad-9
21. Mr.Shankar Narayanan
Programme Co-ordinator
AKRSP(I), Netrang, Dist.Bharuch
22. Mr.Apoorva Oza
Programme Co-ordinator
AKRSP(I), Veraval, Dist.Junagadh
23. Mr.Ranjit Ambastha
Programme Officer(M)
AKRSP(I), Netrang, Dist.Bharuch
24. Ms.Anila Dholakia
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25. Dr. D V Rangnekar
Resident Programme Organiser, BAIF.
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26. Mr. V.K. Misra
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27. Mr. E Theophilus
Tree Growers Project
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28. Ms. Padma Chatterjee
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29. Mr.Dhiraj L Bhalani
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30. Mr. Mayank Joshi
CEE, Thaltej Tekra
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31. Mr. P. L. Desai
Halpati Seva Sangh
Bardoli
32. Mr. Tirthankar Roy
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33. Mr. Rakesh Basant
GIAP, Gota, Dist. Ahmedabad
34. Ms. Veronique Dupont
GIAP, Gota, Dist. Ahmedabad
35. Ms. Amita Shah
GIAP, Gota, Dist. Ahmedabad
36. Ms. Hina Sidhu
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37. Mr. Anil Gunber
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38. Mr. A B Fafale
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39. Mr. Jeenol Unni
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