India. This is in contrast to space being created for villagers to participate in management of reserve forests under departmental jurisdiction through JFM in most other states. The UP 'Village Forests Joint Management Rules' (VFJMR), 1997 enable the department to become the dominant partner in the management of *Van Panchayat* and civil forest lands. The decision-making autonomy of *Van Panchayats* participating in VJFM is now "subject to the supervision, direction, control and concurrence of the Divisional Forest Officer" [13]. The forest guard, who was removed from class-I reserve forests by the villagers through protests and incendiarism more than 7 decades ago, is being brought back not only into the *Panchayati* forests, but also inside the village institution itself as the joint account holder and proposed member secretary of *Van Panchayats*[14]. The funds for management of village forests, including those raised by villagers through contributions, are now to be deposited in a bank or post office account to be operated jointly by the committee's chairman and the forester member secretary. This violates the objective of democratic decentralisation of governance by vesting power and authority in a non-elected representative of the bureaucracy.

VFJM is an important part of a bigger forestry project being financed with a World Bank $65 million loan over the period 1998-2002. Although receiving priority under the project, the Bank's appraisal document does not provide any analysis supporting the Forest Department's empowerment to intrude into the management of village forests instead of strengthening autonomous functioning of existing *Van Panchayats* in the unique historical context of Uttarakhand. Nor does it specify any process ensuring multiple stakeholder participation in framing the rules for VFJM. In the event, the responsibility for framing them rests with the Forest Department with no history or experience of working with *Van Panchayats*. Exclusion of long standing *Van Panchayats*, as primary stakeholders, from any role in the matter is conspicuous by its absence. *Van Panchayats and other community institutions are treated as the objects of attention, not active participants in redefining their future destiny*. The World Bank project simply assumes the desirability of importing the standard JFM model from other states into Uttarakhand, with all its shortcomings[15], instead of supporting a strengthened *Van Panchayat* framework.

Contrary to the World Bank condition that the 1976 *Van Panchayat* Rules be revised to provide them 'greater authority and control over funds', the 1997 VFJM rules ironically do the opposite. While over looking the *Van Panchayats*' existing problems, they superimpose a confusing new structure of Forest Department authority and control over them. The rules also entitle the state, as land owner, to claim 50% of the *Van Panchayats*' income including that raised through village contributions and from forests nurtured for decades by villagers on their own. Foresters will thus enjoy final say over how the village institutions use their own income. Under the 1976 VP rules, *Sarpanches* have to repeatedly visit the Deputy Commissioner or Sub Division Magistrate's office for permission to use their share of income from sale of forest produce. Under the 1997 VFJM rules, they will have to contend with the approval of the forest guard as joint account holder *within* their institution, and even for use of funds raised through voluntary contributions, fines and user fees.

The impact of VJFM on communities in Uttarakhand

It is still too early to see the long term impacts of VJFM on village forests and forest based livelihoods. The content of the VFJM Rules, however, suggests a significant loss of decision-making space for local villagers and a highly negative impact on collective choice arrangements. Preliminary discussions in the field also indicate that VJFM may be the latest in a long series of policy interventions that further undermine the authority of *Van Panchayats* as well as informal community management. Despite claims to empower local forest users, the rules do much to achieve the opposite. Below, we highlight a few early effects before discussing how forest users are reacting and why.

Shift in the locus of decision-making outside the village

VFJM works through 'spearhead teams' that consist of 3 Forest Department staff and 2 contracted NGO 'motivators'. These teams communicate with and develop microplans for selected villages. Experienced *Van Panchayat* leaders with decades of experience of community forest management have no role as facilitators and technical advisors. Instead they are assumed to require motivation to protect forests (which they are often already protecting - as in Pakhi above). The agreement to be signed by the participating villagers refers to them as beneficiaries rather than as equal partners. The ex-Sarpanch of Makku *Van Panchayat*[18] found use of this term highly offensive saying that "*the villagers are legal forest right holders and not beneficiaries receiving doles from the Forest Department*".

The language of the Village Forests Joint Management Rules, 1997

Clause 5 of the agreement provides "that if the beneficiary fails to carry out any of the directions issued by the Forest Officer for forest management or any of its binding obligations, the Forest Officer shall carry out at his discretion any or all the works regarding forest management departmentally". The Forest Department, thus, acquires the unilateral right to take over management of village forests brought under VFJM if they are not perceived to be well managed by it. The Forest Department itself did not fulfill any of its responsibilities towards Van Panchayats under the 1976 VP Rules. Still, it has again been assumed that only the villagers would fail and no mechanism has been designed to increase the department's accountability for honouring its responsibilities.

Increased conflicts and dependency

The World Bank funded forestry project has provided an average of Rs. 15 to 20 lakhs for implementing a microplan in each village brought under VFJM. This has led to the eruption of major conflicts to gain control over the funds. Even where existing *Van Panchayats* were functioning well, small groups of elite men, with the least dependence on the forest, had often made alliances with Forest Department field staff to pervert the requirement of obtaining general body resolutions accepting VFJM. The majority of the genuinely forest dependent women and men were neither aware of the content of the VFJM Rules nor of the fact that the *Van Panchayat* Rules had become inapplicable. Their main involvement had been reduced to that as wage labourers.

Forest quality redefined

The Microplans are cast in the mould of the FD's plantation projects. The villagers' role had been reduced to providing information to spearhead teams during PRA exercises. The plans have actually been written by Forest Department staff and subsequently implemented with the involvement of only the *Sarpanch* or the *Gram Sabha Pradhan*. Village women who had been actively protecting and managing their village forests prior to VFJM had not been involved and no effort had been made to build upon and strengthen the women's efforts or understand their silvicultural practices for increasing forest use values from their perspective.

Sustainability and equity

Sustainable voluntary protection, often by women's groups, had been replaced by patrols of watchmen paid by a loan from the World Bank. While overlooking existing systems of voluntary contributions, the project demands that villagers contribute 20% of microplan costs. This had been collected through compulsory deductions from wages, thereby transferring the costs to those doing wage work. Organised and acutely forest dependent women who had initiated forest protection on their own seemed to be the worst affected. VFJM had not only divested them of collective decision making control they had appropriated within their villages, it had also thrust disproportionate costs of compulsory contributions and pressures to take up unpaid protection on them.

Democratic governance

Institutional strengthening and participatory governance within the *Van Panchayats* has received little attention. Existing relationships established by diverse community management systems with their *Gram Sabhas*, particularly by women's groups have been over-ridden. In the majority of cases, ordinary villagers and even *Van Panchayat* council members had little information about the new management system of their village forests, and most perceived a shift in control over them to the Forest Department.

Livelihoods vs. income

A key assumption underlying support for VFJM is that the major problem plaguing *Van Panchayats* has been lack of funds and the best incentive for increasing villagers' stake in forest protection is to offer them attractive shares of income from sale of forest products. This assumption is not backed by forest dependent women's (and men's) perspectives and experiences.

In all the case study villages, women forest users' priorities were to increase the direct use values of their forests. An improved quality of life through easy access to fuelwood, fodder and water, and ecological security for them preceded considerations of income from sale of forest products, although additional income is never unwelcome. The project document claims to target women and the poor but provides no analysis of how a shift in management priorities for increasing

monetary income would impact their access to requirements for daily subsistence or their work burdens. VFJM microplans, for example, have few provisions for supporting livestock, a critical component of local livelihoods, and instead emphasize closure of forests to grazing.

Why did *Van Panchayats* accept village forest joint management?

Given the assertion of Forest Department authority on *panchayat* forests implied by the VFJM rules, 1997, we tried to understand why, in a majority of cases, villagers have agreed to VFJM. Based on discussions with village members there appear to be two main reasons.

The majority of villagers are unaware of the provisions of the VFJM Rules. At best, the *Sarpanch* and sometimes the other panches have received copies of the rules. Such leaders, however, have either not studied them carefully themselves or have made no effort to obtain informed consent of the women and men of the community for VJFM acceptance. Very few villagers knew that the agreement that had been signed with the Forest Department withdrew the *Van Panchayat's* autonomy.

In most cases, no well attended village meetings for obtaining acceptance of VFJM had been organised. In Pakhi, where the women's *Mahila Mangal Dal* had effectively been managing the *Van Panchayat* forest, the women did not find out about some men having accepted VFJM till after the agreement had been signed

The majority of villagers we spoke to perceived VFJM to be just another of the many government plantation schemes they have seen over the last 2 to 3 decades. Given the context of acute unemployment, the primary attraction for them was the generation of wage employment by microplan activities.

In two cases, where there had been open access to information about the content of the VFJM Rules, and an opportunity to discuss their pros and cons among the village men and women, a collective decision to reject VFJM had been taken. Typically, the villagers' relations with the Forest Department were strained and the field staff were unable to provide satisfactory answers to their questions.

Summary and conclusions

Despite the imposition of crippling bureaucratic controls on their functioning, a large number of Uttarakhand's *Van Panchayats* have survived as vibrant self-governing community forestry institutions. Where livelihood and ecological dependence on forests remains high, they have successfully retained reasonable control over decision making and satisfaction of subsistence needs. The quality of forests under their management is often as good, if not better than the reserve forests under the control of the substantially better resourced Forest Department.

A large number of diverse and informal institutional arrangements for community management on all legal categories of forest lands, many led by acutely forest dependent women, co-exist with, and even within, the formal *Van Panchayats*. Such informal arrangements, often with negotiated support of Gram Sabhas, provide more accessible space for community based management by poor women and marg inalised groups outside the framework of bureaucratic procedures and controls.

Through VFJM introduced under a World Bank funded forestry project the Forest Department is being empowered to reassert control over *Van Panchayat* forests and civil/*soyam* lands, the only surviving village commons. Instead of validating the rich diversity of indigenous knowledge of local women and men, and the land use and management systems they have developed for supporting livelihoods and ecological security, VFJM reinforces the Forest Department's claim to being the monopoly

holder of technical forestry knowledge and forestry being the best land use even for the remaining commons. This is despite its historical lack of experience in bio-diverse forest management for enhancing livelihoods and ecological security.

Similarly, instead of devolving greater authority and decision making control to autonomous self governing institutions, forest guards are being placed inside them for extending the Forest Department's control over their functioning. This shifts the accountability of these institutions from villagers to the Forest Department, threatening their sustainability and further diluting communal property rights. Whereas bureaucratic structures are being dismantled with the shift to a market economy, bureaucratic controls are being extended inside forest dependent villages in the name of decentralisation and devolution. And all this is being done with the support of the World Bank.

Van Panchayats and community management systems have survived despite insensitive bureaucratic interference and controls in the past. Forest users continue to resist intrusions by the Revenue and Forest Departments through non-cooperation and withdrawal. There are, however, declining incentives for community management in the changing macro context and policy environment. Devolution policies like VFJM may well lead to their ultimate demise. ❐

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Photos from Madhu Sarin.

[1] This paper is based on one of the studies under an IFAD-funded research project on "Creating Space for Local Forest Management; the Impacts of Devolution Policies and Civil Society Alternatives". The full draft report on Uttarakhand, *From right holders to 'beneficiaries'? Community forest management, Van Panchayats and village forest joint management in Uttarakhand*, January 2001, is available from Madhu Sarin. See end of article for more information.

[2] Each spearhead team set up under the project consists of three Forest Department staff and two 'social motivators' contracted from NGOs whose performance is evaluated by the forest officer team leader!

[3] 1 US $ = 46 Indian Rupees (Rs.)

[4] Since the fieldwork was done in December 1999, an all-women Van Panchayat council has been elected in Pakhi. However, apparently the woman elected as the *Sarpanch* is the wife of the forest

Author's update

The implications of extending Forest Department presence and control *inside* village institutions with the imbalance in power relations between state and communities under JFM, became starkly evident from the most recent incident of state repression on *adivasi* (tribal) forest dwellers in Madhya Pradesh. This is the first reported case of state agencies using subservient and co-opted members of 'their' JFM committees to terrorise other *adivasi* forest dwellers who had started fighting for their democratic rights and were unwilling to participate in JFM on the Forest Department's terms. Evidently the real 'crime' of these impoverished villagers was to stop paying bribes to forest staff for meeting their domestic forest based needs and working as labourers for illicit forest fellings at the behest of powerful interests. The shift to a global market driven 'development' is turning into a virtual nightmare for impoverished *adivasi* as their lands are up for grabs for commercial exploitation. This is the 5th reported case of police and private party atrocities on impoverished tribal villagers in the last 4 months. I feel we need to seriously re-examine the meaning of 'joint' forest management in such a changing context.

A report from events in Madhya Pradesh from April 12 to 17, 2001 (to the listserve on Decentralised Natural Resource Management (DNRM), see below) made the seriousness of the situation clear. Four *adivasis* were killed in police firings on 2nd April. Although the situation is complex and contradicting versions of the events exist, independent investigations revealed that these shootings were preceded by several days of attacks on villages, house demolitions, looting, assault and molestation of women by combined teams of the police, forest department staff and members of JFM committees led by the District Collector, Superintendent of Police and the District Forest Officer. Although India's National Forest Policy of 1988 protects the adivasis' traditional rights to forest resources, it appears that state violence is a reaction to their building the *Adivasi Morcha Sangathan* (Indigenous People's Frontal Organisation) and successfully organising to fight for their rights.

The role of officially constituted Forest Protection Committees (FPCs) for JFM in the incident is pertinent. These are created and controlled by forest departments under JFM rules. Activists in Dewas allege that Forest Department officials often nominate history-sheeters and lumpen elements on JFM committees in order to terrorise *adivasis* to do their bidding. The JFM committee leaders were taken by the Forest Department as labour to demolish the houses in these villages and were responsible for much of the looting. This was clearly an act by the Department to divide the *adivasis* and create a criminalized coercive force within them. As the DFO put it to one of the investigating teams, one of the major problems was that "poor *adivasis* are now organized enough even to fight with the Collector and the Superintendent of Police".❐

This listserve on decentralized natural resource management is currently being moderated by Rajesh R. who is a researcher in the field of natural resource management. To contact him, and/or to follow these discussions on the listserve, write to dnrm@panchayats.org

guard making the joint account holder of the Panchayat's VFJM account a husband and wife team. Because of this, her questioning voice related to VFJM has become muted. It is not known how this has impacted women's unity within the *Mahila Mangal Dal* or what the new balance of power between the *Van Panchayat* and the *Mahila Mangal Dal* is.

[5] Uttarakhand (together with some area of the plains) was constituted as the separate state of Uttaranchal on November 9, 2000 in response to a sustained agitation by the hill people. Opposition to centralized forest management based on a conservationist ideology was one significant propellant for this movement for a separate state. It remains to be seen, however, whether the hill peasantry will gain a greater voice in defining Uttaranchal's land use and forest management policies.

[6] Soyam is a term used for revenue forest land in the princely state of Tehri Garhwal.

[7] Mitra, A., (1993), Chipko, An Unfinished Mission, Down to Earth, April 30, 1993, New Delhi.

[8] Thus both the institution of the Van Panchayat and the village forests under their management are legally constituted. This is in contrast to administrative orders governing village institutions and forest lands brought under joint forest management (JFM) in other states.

[9] Government of the United Provinces, 1931

[10] Sal assi means the 80th year according to the Hindu calendar and refers to the revenue settlement of 1823 when customary village boundaries were entered in official land records.

[11] Although leasing was, and is still, permitted.

[12] This included timber.

[13] FDUPb (Forest Department, Uttar Pradesh), Village Forests Joint Management Rules, August 30, 1997: 3.1, Lucknow).

[14] A draft revision of the 1976 Van Panchayat Rules prepared by the FD proposes to make the forester or Range Forest Officer the member secretary and joint account holder of every VP, irrespective of its willingness to participate in VFJM. The forester secretary will have the responsibility of recording panchayat meeting minutes (a task performed by villagers themselves for over 7 decades) and preparing annual reports for submission to senior forest officers. It also proposes bringing the management of VP forests within the FD's framework of 5 year plans and annual implementation plans, all subject to prior FD approval. (GOUP, 2000a)

[15] These include a highly unequal balance of power between the Forest Department and village institutions and income sharing from commodified forest products instead of holistic resource management focussed on enhancing livelihoods and ecological security. Van Panchayats embody far greater devolution than JFM.

[16] Makku VP refused to participate in VFJM despite being selected.