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MANAGING FORESTS THROUGH PEOPLE'S INSTITUTIONS: A CASE STUDY OF VAN PANCHAYATS IN UTTAR PRADESH HILLS

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INTRODUCTION

There prevail in India at present two diagonally opposite views about the role of people and their institutions in the management of forests. According to the proponents of one of the views, the people have been provided unduly large concessions and rights in the forests and this has led to depletion of the forests (Government of India, 1976). The other view holds that India's forest policy has alienated the people from forests with which they have lived symbiotically through the ages and this has caused deterioration of our forests (Guha, 1983). But it seems to us that the truth lies somewhere in between these two extreme points of view. It is our view that the people can do many things better than the Government in managing forests and vice versa. In this paper we examine the role of people's institutions in managing forests drawing upon the experience of Van Panchayats in Uttar Pradesh (U.P.) hills.

The first legal Van Panchayat was formed in U.P. hills in the year 1931. Since then, their number has grown to 4,058 as at the end of June 1985. They occupy approximately 15 per cent of the total forest lands in the hills of U.P. A number of seasoned observers have pointed out that the up-keep of Van Panchayat forests is better than that of Government reserved forests in the same area.¹ The institution of Van Panchayat has survived for the last 60 years and, therefore, it would be worth studying as to how this institution evolved, how the people made the rules and regulations for managing the forests, and how the institution is performing now. It would help us in identifying those factors which make the Van Panchayats a success story and thus enable us to design social forestry programmes with the people's participation particularly in the hills. The paper is based on an in-depth study and analysis of four Van Panchayats spread over Nainital, Almora and Pauri Garhwal districts.² Their selection was purposive and they present different agro-climatic areas of the U.P. hills. Before we present the analysis of organisation and rules and regulations of Van Panchayats, a brief review of their historical origin seems in order.

HISTORICAL EVOLUTION OF VAN PANCHAYATS³

Van Panchayats in U.P. hills were born out of the conflicts and compromises that followed the settlements and reservations of forests in the hills at the turn of the last century. Till 1865, people had unrestricted rights in the

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use of forest resources except as and when some forest produce was to be exported (Atkinson, 1884). Industrialisation in England, beginning of railways, setting up of industries based on forest raw materials enlarged the demand and enhanced the value of forest products. The Kumaon region of Uttar Pradesh, rich in forests, was one of the major suppliers of this new demand (Majumdar Bist, 1988). Commercial forestry was born and over-exploitation of forests started. To control the forest degradation, the Government enacted the Indian Forest Act in 1865 and later a more comprehensive Act in 1878. A new department, called the Forest Department was created to manage India's forest resources. When the forest bill was brought, during the course of debate on the bill, it was admitted that the people were entitled to enjoy, under very formal and clear arrangements or guarantees, rights of very extensive character (Pant, 1922). However, gradually these promises were belied. The settlement of the forest was done twice since the enactment of the Forest Act 1878. The second settlement done between 1911-17 was quite extensive and all land except cultivated land was brought under the control of the Forest Department, a wide range of restrictions were imposed on grazing, lopping and collection of forest produce. This brought real hardship to the people and several social movements, protests and agitations started in the Kumaon region. In 1916, the Kumaon Association was formed to deal with forest problems of these areas. In response to these agitations, Government set up a Committee, Forest Grievances Committee for Kumaon, to look into the forest problems. The Committee recommended reclassification of forests and formation of Van Panchayats to manage the forests in areas where local demand was heavy.⁴ Accordingly, the forests were reclassified as class I (non-commercial) and class II (commercial) forests and villagers were allowed to form Van Panchayats on class I forests. The brief review of the genesis of Van Panchayats confirms that the people had a high stake in the forest resources and that their co-operation and participation were essential for sound forest management.

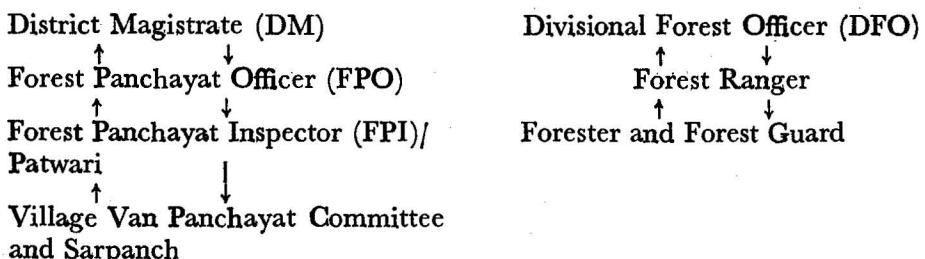
ORGANISATIONAL STRUCTURE OF VAN PANCHAYATS

Exhibit 1 shows the organisational structure of Van Panchayats in U. P. hills. At the village level, the Van Panchayat Committee (VPC) headed by the Sarpanch is solely responsible for the management of Van Panchayat forests. The members of the VPC are elected by the village people every five years. Voting is done by raising hands, not by secret ballot. The election is mostly informal, and it is generally ensured that all parts and all groups of people living in the village are represented on the committee. To bring about unanimity and equal representation of each *patti*,⁵ the leader of each *patti* is asked to nominate his *patti's* representative for the VPC. Generally, all these nominated members are elected. A VPC has 5-9 members. The elected members who are called *Panchas*, elect their leader, *Sarpanch*. There are two advantages of this system of election. First, it encourages informal discussion and generally helps reach a consensus about good and committed

candidates. Second, it avoids wastage of money, time and bitterness in electioneering, which is a common feature in the Village Panchayat elections these days. This does not, however, make the Van Panchayats completely free from groupism and factionalism. But this system provides room for participation across the groups and moderate members of the opposition group are always co-opted in the VPC.

Exhibit 1: Organisational Structure of Van Panchayat Forests

A. District Administration  B. Forest Department



The village VPC is supervised and controlled by the Revenue Department. The Sub-Divisional Magistrate (SDM) serves ex-officio as Forest Panchayat Officer (FPO) for control of Van Panchayat forests. The only additional staff posted for Van Panchayats is the Forest Panchayat Inspector (FPI) at the Sub-divisional level. The FPI is a link man between Van Panchayats at the grass-roots level and the FPO/SDM and Deputy Commissioner at the district level. The FPI is responsible for conducting elections, monitoring the work of village Van Panchayats and reporting on the functioning of Van Panchayats to the FPO and Deputy Commissioner. Technical control of Van Panchayats is with the Forest Department (FD).⁶ The Van Panchayats have a linkage with the FD in two ways. First, all the technical help regarding commercial exploitation, marking and auctioning of trees, tapping of resin, etc., is provided by the FD. Secondly, it is stipulated that the FD would prepare developmental working plans for the forests under Van Panchayats. For these services, the FD receives, besides recovering cost of exploitation, ten per cent of the net revenue of Van Panchayats (total sale proceeds minus cost of exploitation incurred by FD) as overhead charges and from the remaining 90 per cent, 40 per cent for preparation of working plans. In practice, however, the FD has never prepared any comprehensive working plans for the Van Panchayats as it does for the reserved forests and the amount received by them for this purpose has remained unspent.⁷ Even the fuelwood needed to meet contingency demands for purposes like marriage, death and birth ceremonies, etc., cannot be provided by the VPC without prior approval of the FD. The procedure is quite lengthy, time consuming, and cumbersome.

MANAGEMENT OF VAN PANCHAYAT FORESTS

In this section we describe the methods that the Van Panchayats have adopted for the protection and management of forest resources under their

control. This section is based on the in-depth case studies of four Van Panchayats spread over Nainital, Almora and Pauri Garhwal districts of U. P. hills. Table I presents the salient features of these Van Panchayats.

TABLE I. BASIC STATISTICS ABOUT SELECTED VILLAGE VAN PANCHAYATS IN UTTAR PRADESH HILLS

Particulars	Van Panchayats			
	Parwara	Devikhal	Naikada	Jeharikhali
1. Year Van Panchayat was established	1932	1960	1933	1957
2. Land statistics				
2.1 Total geographical area (ha.)	.. 504.4	66.8	368.8	170.8
2.2 Cultivated land (ha.)	.. 130.4	23.2	231.8	44.0
2.3 Van Panchayat forest (ha.)	.. 248.8	20.0	42.5	22.6
2.4 Civil forest (ha.)	.. 37.6	7.2	34.8	30.8
3. Demographic statistics				
3.1 Total households 107	17	105	56
3.2 Kshatriyas 100	17	56	54
3.3 Brahmins —	—	34	—
3.4 Scheduled caste 7	—	15	2
3.5 Total population 650(a)	79(b)	536(a)	367(b)
4. Livestock population (cattle unit) (c)	677	70	742	176
5. Nature of forest Oak and broad leaved species	Pine	Pine with few oak trees	Pine and few oak and bhimal trees

(a) As per 1981 Census.

(b) Counted with the help of FPIs and village people during survey and therefore represents the population in 1987.

(c) One cow or bullock is taken as one unit, one buffalo as 1.5 units and one sheep/goat as 0.2 unit and young stock below 3 years as 0.5 unit.

As mentioned earlier, at the village level, the VPC headed by the Sarpanch is the sole arbitrator for the management of Van Panchayat forests. The committee has two important responsibilities: (i) to protect the forests from indiscriminate felling and fire and prevent encroachments in the forest land and (ii) to regulate and distribute the forest products for domestic consumption among the right holders. Given these objectives, the Van Panchayats are required to develop instrumentality (i) to prevent encroachment and (ii) to devise rules and regulations for the use of forest resources. The four selected Van Panchayats by and large could prevent encroachment except in Parwara and Naikada, where some villagers reported encroachment to a very limited extent.⁸ The VPC adopts various precautionary measures,

mostly informal, to prevent encroachment, but once encroachment occurs it could be evicted only through recourse to legal means.

RESOURCE UTILISATION

Depending upon the nature of forests and resource availability, each Van Panchayat has evolved its own method and mode of utilisation of its forest produce. Table II summarises the rights, restrictions and methods of forest product utilisation in the selected Van Panchayats. A few important characteristics of these methods are worth noting. First, the method of utilisation varies across the Van Panchayats and the rights of the people appear to diminish as the resource availability becomes less and less (for example, see the rights in Parwara vis-a-vis Naikada and Devikhal). Second, the Van Panchayats have adopted methods that have in-built mechanism to distribute the produce fairly and equally, as in Naikada and Jeharikhali.⁹ Thirdly, quite strikingly, the methods adopted are also scientifically justified. For example, oak trees are to be lopped in about four years for proper regeneration (Moench and Bandyopadhyay, 1985) and this is what is practised in Parwara, Naikada and Jeharikhali villages.

ENFORCING THE REGULATIONS

The Van Panchayats have been empowered to fine up to Rs. 50 on their own and up to Rs. 500 with prior permission of the FPO, forfeit the instruments, catch the stray cattle and take them to the cattle pound. Most, if not all, Van Panchayats keep paid forest watchmen.¹⁰ Table III gives the number of watchmen, their salary, mode of payment, the number of violations of rules, total fine imposed and recovered in the selected Van Panchayats. The VPC meets periodically. This period varies from one village to another; good Van Panchayats like Parwara meet every month. In these meetings the reports of violations of rules are discussed and the offender is called to defend his case. Depending upon the merit of the case and explanations by the offender, fine is imposed. These days, however, the Van Panchayats are facing problems in recovering the fines. According to the VPC members, this is due to changes in the rules and erosion of their authority.¹¹

SUMMING UP AND CONCLUSIONS

The foregoing analysis of the organisation and management of Van Panchayat forests reveals that the Van Panchayats as the people's institutions hold high promise as an appropriate agency for managing forests. At present, the Van Panchayats are facing a number of problems. Most of these problems are created by the forces external to the Van Panchayats and can be attributed to the rules and regulations imposed by the Government. It is striking that when the foresters, to protect and manage reserved forests, are demanding greater control, restrictions and redefining of the existing rights and concessions and strict enforcement of rules (Government of India, 1976), the *authority*

TABLE II. RIGHTS, RESTRICTIONS AND METHODS OF FOREST PRODUCT UTILISATION IN SELECTED VAN PANCHAYATS IN UTTAR PRADESH HILLS

Particulars	Parwara	Devikhal	Naikada	Jeharikhali
1. Area of Van Panchayat forest (ha.)	248.8	20	42.5	22.6
2. No. of compartments	5	3	7	2
3. Rights to outsiders	For dry and fallen leaves to a neighbouring village	Nil	Nil	Nil
4. Grazing	Unrestricted	Prohibited	Prohibited in 3 compartments, open in 4.	Prohibited
5. Lopping for fodder	Restricted for 20-25 days in January-February in 1-2 compartments	N.A.	N.A.	Few oak trees are lopped in some years in January
6. Years of rotation for lopping	3-4	—	—	4
7. Grass cutting	Unrestricted	1. Collective harvesting or 2. Parcelling and selling to households for 15 days in October-November	Parcelling and allotment to each household for 15-20 days in October-November	Collectively harvested and weighed or measured by ropes—15-20 days in October-November
8. Collection of dry and fallen leaves	Unrestricted	—	Unrestricted	Nobody collects but unrestricted
9. Fallen twings	Unrestricted	Unrestricted	Unrestricted	Unrestricted
10. Fallen branches and dried trees	Auctioned or given to needy at nominal charges	Auctioned	Auctioned	Auctioned
11. Timber	N.A.	N.A.	One, for house construction, if dead and dry trees are available.	One, if someone constructs house
12. Any other	1. 8-10 poles if someone is constructing a house. 2. Wood for agricultural implements 3. One tree, for fuelwood or house construction.	One tree for funeral without any charges.	Branches are lopped in some parts for fuel and given equally to each member.	Every third year branches are lopped for fuelwood. Equal distribution to each household by weight.

N. A. = Not available.

TABLE III. WATCHMEN, THEIR SALARY, AND PENALTIES IMPOSED BY SELECTED VAN PANCHAYATS IN THE YEAR 1987

Village Particulars	Parwara	Devikhal	Naikada	Jeharikhali
1. Watchman (Nos.) ..	2	1	1	1
2. Salary	Rs. 200	Additional share in grass	Grains	Rs. 150/month
3. Source	Fine, fee and royalty	Forest	Members contribution (a)	Rs. 3/household/month taxed and fines
4. Misappropriation (Nos.)	400	50	15	8
5. By Right holders (Nos.)	200	35	15	5
6. By Outsiders (Nos.) ..	200	15	—	3
7. Fine imposed (Rs.) ..	7,000.00	750.00	50.00	303.00
8. Fine recovered (b) (Rs.)	2,000.00	550.00	50.00	303.00

(a) Each household contributes grains from 2 *nali* field area (20 *nali*=1 acre) in each season. It is assumed that on an average, one *nali* can yield 2-3 kg. of grains.

(b) The difference in recovery rate depends largely upon the interest the Patwari has taken in the matter. In the hills, the Patwari has also police power, using this extra power, some Patwari's could help in collecting the fine imposed.

of the Van Panchayats as a protector of the forests has been eroded. Despite this, the Van Panchayats could protect their forests. Their survival for such a long time is testimony to the people's ability to manage their common property forests. People's participation is in terms of both physical and financial contribution. The following factors can be identified as determinants of success of the Van Panchayats in U. P. hills. First, every villager has a stake in the forest resource and the distribution of forest produce is fair which emanates from the homogeneity of caste and egalitarian distribution of land. These two factors prevented the capturing of VPC by those who are economically and socially stronger. Second, the rules and regulations developed and enforced by the Van Panchayat Committee help prevent the villagers from illicit use of forest resources.

Building of appropriate institution is the most difficult aspect of any developmental programme, particularly those programmes concerned with ecology and environment. Therefore, there is strong need to reactivate the institution of Van Panchayats in U. P. hills and possibly replicate it in other hill regions of the country to rehabilitate degraded and denuded forests. In fact, this model has been tried in Nepal in recent past and initial results have been quite encouraging (Arnold and Campbell, 1986). It is, however, hard to stipulate as to what extent this model can be applied in the development of wastelands and in social forestry programmes in the plains of the country. The heterogeneity of the caste system and wide variations in social and economic power within a village in the plains may require some modifications.

NOTES

1. For example, see Ballabh and Singh (1988), Saxena (1987), Gadgil (1982) and Guha (1983). However, none of these studies provides quantitative estimate of biomass and productivity in Van Panchayat forests vis-a-vis reserved forests. Perhaps, it is difficult to estimate these indicators but our extensive travel in U.P. hills has convinced us that Van Panchayat forests are at least as good, if not better, as reserved forest of the same area.
2. We also visited 50-60 other Van Panchayats to verify the fact gathered from these four Van Panchayats.
3. For details about forest movements in U. P. hills, see Guha (1983, 1985) and about origin of Van Panchayats, Ballabh and Singh (1988).
4. Van Panchayats were not new at that time, many old villagers told us that the Van Panchayats were formed even before the Government accepted the recommendation of the Forest Grievances Committee. These Panchayats were known as *Latta Van Panchayats*, the literal meaning being the Van Panchayats wielding a lot of muscle/physical power.
5. A *patti* consists of a few households of very close kin and kith in the villages.
6. See, for example, Government of Uttar Pradesh (1976), Van Panchayat *Niyamawali*, Rule 21. The procedure is lengthy and time consuming as shown in the organisational chart. If a Van Panchayat has to take approval, it is required to be channelised from FPI to FPO, Deputy Commissioner and then Forest Department and again back through the same route. According to many Van Panchayat Committee members, Sarpanches and villagers, this takes considerable time.
7. The revenue generated through Van Panchayats is shared between Zila Parishad, Van Panchayats and Forest Department in the ratio of 20:40:40 respectively. It is stipulated that the share of Van Panchayat would be deposited with the district administration in the name of concerned Van Panchayats. Many Van Panchayats have considerable amount in their accounts. For example, Ranikhet sub-division as on January 1988 had more than Rs. 38 lakhs, Almora district as a whole more than a crore of rupees. Because of procedural problems, this money also remained unspent for most Van Panchayats.
8. At aggregate level in Nainital tahsil, existing records show that there were 39 cases of encroachments in the Van Panchayat forest land involving 15 hectares of land. Other studies also report negligible encroachment in Van Panchayat forest land, for example, see Saxena (1987).
9. The issue of distribution was discussed and debated with the villagers and a formal survey of 58 households from these four villages was also carried out. It does not seem to us that there was unfairness at a large scale in the distribution of forest produce to which people are entitled. But misappropriation with the connivance of Sarpanch and committee members was reported. The relevant information on such issues is difficult to collect and, therefore, it is hard to measure its extent. However, when acts of favouritisms are noticed, the matter is discussed in VPC meetings and appropriate measures are taken. In our detailed study (Ballabh and Singh, 1988) we report few cases of misappropriation and consequences. Sometimes even the VPC was dissolved and new committee was formed. Two factors seem to have contributed to fair distribution of the products: (i) homogeneity of caste in the villages (Guha, 1985) and (ii) egalitarian distribution of land holdings (Saxena, 1987).
10. In addition to this, the villagers and committee members may also report any damage done to the forest. The Van Panchayats which do not have enough financial resources and are unable to mobilise the required resources guard their forest themselves, each household turn by turn. This method is known as *Muasawari*.
11. According to the modified rules of 1976, the Van Panchayats could compound the offence(s), only if the offender(s) accept their wrong doings. In case the offender does not accept the crime committed, the only course of action open to Van Panchayats is a criminal suit against the offender, which is costly and generally not adopted.

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