

## **Resolving Conflict between the State Government Agencies of Orissa and Local Residents through Forest Management Programs.**

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**Abstract** Joint Forest Management and Community Forest Management are programs in India created to empower local communities with hope of decentralizing authority from the state to community stakeholders. Instead, what resulted is limited empowerment of local residents, land alienation, and violation of rights to life and livelihood. This study explores whether Joint Forest Management is better than Community Forest Management in regards to resolving the conflict between the Orissa forest department and local residents. Secondary literary research was conducted solely on Community Forest Management and Joint Forest Management. The sources come from Madhu Sarin, N. C. Saxena, and Angana Chatterji, scholars and environmental activists with great expertise in this topic. Additional sources include published documents from the following organizations: Asia Forest Network, Community Forest International, CIFOR, Society for Promotional Wasteland Development, and Vasundara. Public reaction, against these two programs, was mapped in the form of social movements, petitions, formation of committees and organizations, etc. and also the actions taken in response, such as amendments, committees, etc. The final public reactions to the actions are my measure of success. Results show that Community Forest Management has made amendments to their program that are more successful at creating compromise between the Orissa forest department and local residents. However, an analysis on public reactions to the amendments to these programs needs further study. Creating a harmonious relationship between Orissa forest department and local residents is crucial in order to implement the goals of these management programs.

## **Introduction**

Joint Forest Management (JFM) and Community Forest Management (CFM), two forest management systems, were formed in response to forest degradation occurring over the past century in the state of Orissa, India. Joint Forest Management is a set of formalized agreements between local communities and the Orissa forest department to protect, regenerate, and manage the forests. It was created to resolve conflict arising from previous policies and resolutions. Community Forest Management, was also created for the same reasons, but refers to the local initiatives and organization formed to regenerate, protect and manage forests. These programs were supposed to empower local communities with hope of decentralizing authority from the state to the community stakeholders. However, this did not happen. It resulted in limited empowerment of people, land alienation, and the violation of rights to life and livelihood.

Through my research, I compare these two systems and inquire which program was more successful at managing the conflict between the Orissa forest department and local residents. My research question is: Is Joint Forest Management better than Community Forest Management in regards to resolving the conflict between the Orissa Forest Department and local residents. My hypothesis is that Joint Forest Management is more successful by means that it was able to create a more rewarding relationship between land and people.

Joint Forest Management and Community Forest Management were created by the state government because of unsuccessful colonial and social forestry, and unsuccessful forest policies formed by the Indian government. They were also created because of the Forest Conservation Act (1980), formed in response to national distress over the environmental degradation; and the National Forest Policy (1988), the first recognition of the role of the community on land degradation. From 1988-1989, the government of Orissa passed a series of acts that recognized the village as a former unit of management.

In this paper, I provide a brief history on forest management in Orissa. Following this, I introduce Community Forest Management policy and the conflicts and resolutions associated with it. I have done the same with Joint Forest Management. Afterwards, I have presented a comparative analysis and finally I have suggested possible improvements with regards to policy making for both systems.

It is important for further research to be conducted in this area to determine what aspects of these programs are working and not, and for what reasons. From this, it is possible to suggest possible improvements, such as amendments, additional policies or a new management system.

This research will supplement the current research on these programs. There is an insufficient amount of current research on forest degradation and land rights in India. This research needs to be augmented for record for public use, government use, academic use and commercial use.

**Forest History** Orissa's forests have been degraded through commercial felling, which escalated during the mid eighteenth century, and continued increasing during the nineteenth and twentieth centuries. This increase was due to the growing demands of the booming population growth and of economic growth.

In Orissa, deforestation has led to a massive scarcity of subsistence forest products. It has forced people to migrate to nearby towns and far away cities in search of work. However, there has also been a marked in-migration to Orissa from neighboring states because the immigrants are faced with factors of politics and poverty. The dependence on forests for livelihood has increased because of several factors including migration, land alienation, and "dissolution of a right's based, decentralized frameworks of resource management" (Chatterji 2003). In response, Grassroots action and organization formed.

There were policy shifts beginning in the 1980s at the national level for India in forest management when there was increasing anxiety related to the degradation and depletion of the environment. The Forest Conservation Act was passed as a result, which curbed logging in natural forests and limited the economic and industrial use of forest resources. This act however, offered insufficient practical guidelines to balance and sustain public forests (Chatterji 2001).

The National Forest Policy of 1988 was passed thereafter and legitimized the claims of forest dependent communities to forest public resources. In 1990, the Government of India passed a resolution encouraging community-state collaboration in forest management. In response to the resolution, Orissa formed forest management programs, such as Community Forest Management and Joint Forest Management.

**Community Forest Management** Community Forest Management (CFM) refers to local community initiatives and organizations, formed to regenerate, protect, and manage forest lands. They are sociopolitical processes found in village forest lands, revenue forest lands and community woodlots. CFM is also found on state owned forest lands on which communities have taken initiative in protection and management without the help of the forest department.

CFM groups maintain that in many instances communities have been protecting and managing certain patches of forest land for a long time without any help from the forest department. They propose that benefits from these forests must belong to the communities. They also strongly advocate that the people should be knowledgeable about policy processes and decisions that impact their livelihood resources. These groups contend that within the context of current forest management arrangements, communities have no legal guarantees to forests and are expected to alter their existing management structure and practices when signing a co-management agreement with the forest department (Chatterji 2001).

CFM groups recognize that their organizational efforts concerning public forest lands have no legal standing. They are organizing to form federations at the district level to mobilize a cohesive political base. They acknowledge that the forest department has an important function to play in supporting CFM efforts. However they have not been able to shift the focus from forest department controlled management to community governance.

**Joint Forest Management** Joint Forest Management (JFM) is a set of formalized agreements between local communities and the forest department on regenerating, protecting and managing state owned public forest lands.

The institutional arrangement and policies of JFM are generic. They direct government agencies to control and regulate community management efforts. Together these fail to improve or support grassroots organization and it fails to enable sustainable human-nature interaction (Chatterji 2001).

Since the 1990s government and development agency have increased their financial support for JFM, but they have not addressed the issues of policy weakness, commitment to CFM, need for procedural, tenurial and legal changes, and the need for training and

restructuring programs needed for co-management. The stakeholders of JFM are stressing the need for the transfer of authority over forest lands by establishing agreements and custodian rights with local community groups.

## Methods

I have conducted secondary literature review to answer my research question. I have analyzed published papers on these two management systems on government policy and planning, land rights and struggles and history. I have paid specific attention to the works of Angana Chatterji, Madhu Sarin, and N.C. Saxena, academicians and environmentalists, with great expertise on these issues. I have supplemented their work with the work from organizations such as the Asia Forest Network, Community Forestry International, Vasundara, and CIFOR, and have focused on their work on policy making, as well as rights and struggles regarding these two forest management systems. To answer my research question I focused on the following three factors: policy making, community perspectives and conflicts. To answer my research question I also asked the following questions: 1. Do the results of the program meet its objective? 2. Was a compromise created between the Orissa forest department and local residents? 3. Did the local residents receive the rights they deserved?

## Results and Discussion

The following table is a comparative summary of the results. The results are described and discussed afterwards.

	JFM	CFM
Policy	Needs improvement	Better
Community Perspectives	Negative	More Positive
Conflicts	More	Less

Table 1: Summary of Results

To compare, the factors used to determine which forest management program had better policy, include the number of amendments and the number of positive and negative responses to initial policy and to the amendments. There were fewer amendments made to CFM rather than to JFM. There was less need to make amendments to CFM because CFM “had dramatic positive impacts on forest quality, as well as on enhancing the capacity of local institutions to deal with issues relating to villagers’ lives and livelihood” (Sarin 2003). However there were few amendments made, such as the resolution issued in 1988 by the Orissa forest department which provided for the involvement of local residents in the protection of Reserve Forests. This resolution did not offer much in return for the efforts of the local residents. It was revised in 1990, and extended the protection to Protected Forests (Sarin 2003).

With regards to JFM, Orissa ratified the guidelines after initial hostility toward village organization for forest lands reform, and the demands for formal recognition from CFM groups through the resolution of 1988.

The resolution of 1988 passed by the State Forest Department of Orissa did not enlist people’s participation in forest protection. In 1993, this resolution was amended by the Orissa government to include the forest department and local communities as equal partners. The resolution was amended again in 1996. According to this resolution communities and the forest department would jointly protect and manage degraded forest lands where community organization was active, in both reserved and protected categories. It stipulated that the village is a formal unit of management and the Gram Panchayat (village council) was given responsibility for constituting the *Vana Samrakshana Samiti*, i.e., the village forest protection committee.

The Orissa Forest Bill of 2000 was created because of the mistrust of state controlled forest management programs. It sought to prevent the abuse of forest resources and increased the powers of forest officers.

“People’s groups” opposed this bill because it gave the government greater control over the forest. They were also afraid that the Bill might be used against forest communities because of the large extent of corruption and prejudice within the forest department.

In February 2002, the Government of India revised the guidelines of the resolution of 1990, so that they are more attentive to the conditions to which JFM is supposed to operate (Chatterji 2003).

JFM guidelines were reissued in December 2002 for the third time. The directives were modified to state that JFM committees “should be given the authority and legitimacy, and adequate monetary and other incentives to ensure that they participate as empowered stakeholders” (Chatterji 2003). It stated that there should be a formal understanding signed between the forest department and the JFM committees outlining the short and long term roles and responsibilities, implementation of work programs, patterns of sharing of the legal rights to sharing the profits of the forests and conflict resolution. It also states that JFM Committees should form Forest Management Units to provide villagers with a feeling of empowerment and enable them to effectively protect and conserve the forest resources.

The forest department seeks to extend the provisions of the 1993 Orissa JFM resolution to CFM areas but trying to bring all the protection committees under its umbrella. Many CFM groups have protested this. They maintain that they regenerate the community efforts without the active support of the forest department and have been doing so quite well. CFM groups contend that the forest department should not be able to share the harvest since it does not actually provide labor or leadership.

An assessment of general responses, whether positive or negative, was used to compare JFM and CFM. With regards to community perspectives, local communities positively responded to CFM than JFM. For example, in Baghamunda, under CFM women were involved in forest protection. This increased their self-confidence and ability to deal with the outside world (Sarin 2003).

Under JFM, for example, the Orissa government has put a ban on shifting cultivation. The practice of shifting cultivation had been used for generations as a means of conservation and ecological balance. “The government’s ban on shifting cultivation has been in violation of local livelihood practices resulting in forcible displacement from their ancestral lands. In Kotagada forest range, Kondh adivasis (dweller) organized under the Pahadi Sangram Manch (Hill Struggle Network) to resist the ban on shifting cultivation. Following the ban, the forest department further alienated local communities

by leasing out the bamboo forests to a private company in Rayagada. The Manch (council) acted to prevent the company from harvesting bamboo and opposed state sponsored development work that is not beneficial to local citizens” (Chatterji 2003).

Orissa forest dependent communities contend that communities should have the right to collect, process and market forest produce, and after allocating a certain percentage toward meeting village needs, a fee or tax can be imposed on the surplus collectable by the forest department for departmental use. Stakeholders, including state forest departments, have expressed concerns that JFM agreements and resolutions are weak in that they require rigid benefit sharing ratios that do not reflect varying community needs or forest capacities.

There is still negative reaction to the amendments of JFM and conflict between the forest department and local communities.

With regards to conflict, there was more resistance to JFM than to CFM. There were more formal acts of complaints to JFM than to CFM.

Two examples of the problems associated with JFM are in the Karanjia and Chhota Tentuli ranges in Orissa. In the Karanjia range, communities decided to shift to a JFM framework in 1998 after practicing their own form of community protection on reserved forest lands for a number of years. In order for this community to adopt JFM, they were forced to replace their operational structures with those sanctioned by JFM. Their operational structures had been working sustainably quite well and replacing them with those of JFM was not necessary.

In Chhota Tentuli, Dhenkanal forest division entered into JFM and was allotted a forest patch of about 400 hectares. However only 50 hectares were able to be protected for village fuelwood and fodder use. This is because of organized smuggling from Nihalprasad and Cuttack. If there were community governance in this area or if there was CFM, smugglers would be less likely to infiltrate. The smugglers often operate with the goodwill of local authorities.

There have been many changes made to Joint Forest Management. Despite these changes, there still remains significant conflict between the forest department and local communities. JFM policies and institutional arrangements fail to improve or support grassroots organization because they are standardized and they direct government



agencies to control and regulate community management efforts. There still needs to be significant changes to Joint Forest Management so there is a 50-50 relationship between the forest department and local communities.

There have been fewer changes with CFM. CFM groups want do not want the active support of the forest department. It has put the power mostly in the hands of the community.

CFM is more preferable than JFM. It places management in the hands of local communities and acknowledges traditional sustainability practices with little government involvement thus maintaining its initial objective. It has created more compromise between the Orissa forest department and local residents. CFM also places more deserved rights in the hands of local residents. Thus, CFM is better at resolving the conflict between the Orissa forest department and local residents.

However, in order to solve the rift between local communities and the forest department certain measures need to be undertaken. “The process of formalizing the agreements between community group and the state includes an analysis of forest conditions, boundary demarcation, forest resource management planning, drafting of a memorandum of understanding, and , in conclusion, registration via formal governmental endorsement of the memorandum of understanding” (Chatterji 2003). The forest department needs to analyze traditional sustainability practices and analyze community based forestry in other parts of the world. With this information, the forest department should offer a system of sustainability that would be beneficial and honor ancient traditional practices. Primary ownership of forests should go to local communities and the forest department should oversee their actions and offer input.

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