

JOINT FOREST MANAGEMENT IN ORISSA: CHALLENGES AND OPPORTUNITIES

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Abstract

The paper explores the processes and factors that led to the emergence of Joint Forest Management in Orissa and its functioning in the State. The changes in forest policies and regulations are analysed in terms of first, its impact on the livelihood of the people and the 'quantity' and 'quality' of the forest area; second, the changing discourse of the forestry debate in India; and third, the emergence of community forestry in Orissa.

Introduction

The increasing depletion of India's forest resources has made certain things amply clear. While on the one hand, it has brought into sharp focus the inherent inadequacy of the conventional State-run system of forest management; the inherent potential of traditional local communities to protect and manage the forests effectively has emerged as a dominant paradigm on the other. The poor outcomes of State-controlled resource management strategies and planned development have compelled policy makers and scholars to seek fresh solutions to the problem of conservation. One solution has been to reconsider the role of community in it. It has been affirmed that forest conservation priorities cannot be determined by isolating local communities, which depend so much on it for their day-to-day livelihood. Acknowledging this factor, Government of India issued policy guidelines for the involvement of local people in the regeneration of degraded forests on June 1 1990, under the Joint Forest Management (JFM) Programme. The historical ground for Joint Forest Management was prepared by the New Forest Policy, 1988, which emphasised environmental protection and conservation, meeting people's requirements of fuelwood, fodder, minor forest produces and small timber for rural and tribal population; and creating a massive people's movement involving women for achieving these objectives.

Joint Forest Management is a concept of developing partnership between forest-dependent communities and the Forest Department on the basis of mutual trusts and jointly defined duties and responsibilities for forest protection and management. In this model, people dependent

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on forest are to be consulted and their views are to be taken as the basis of management plan for the forest. The management plan is to be executed through Village Forest Protection Committees, which are constituted by taking two members from each family (one male and female), maintaining complete transparency in all matters. The Forest Department is to provide funds and essential technical guidance to the Village Forest Protection Committee for various activities that have to be carried out in the forest. People are entitled to the usufruct free of cost and an equal share in timber and other major forest products when harvested as per the plan (Mukherji, 1995: 35).

Joint Forest Management (henceforth JFM) represented a significant policy shift in the Indian forest management system. It called for a change from production of timber for the market to growing trees for fulfilling the basic needs of forest-dependent people. The central idea behind this new system of management is to transform the age-old authoritative role of the forest department to that of a facilitator to the local communities. As a form of participatory development in forest management, JFM is designed to serve several purposes at both local and global levels. At the local level, JFM promises to enhance the economic conditions of forest-dependent communities by offering them a means of livelihood as well as generating employment opportunities in and around the forest area, besides empowering them to make decisions in forest use and management by giving them a voice in it. At the global level, it is expected to solve the environmental problems by protecting and regenerating the fast depleting forest and water resources (Pattnaik and Dutta, 1997: 3225).

Following the Government of India policy instruction of 1990 for greater participation of forest-based communities in the regeneration of degraded forests, several State Governments issued Joint Forest Management resolutions, resulting in widespread JFM activities throughout India. The Government of Orissa passed its JFM resolution in 1993 to bring into conformity with the national resolution. However, the State had its own arrangements for involvement of local people in the protection and management of both Reserved and Protected Forests since the mid-1980s. It is worth mentioning that people's involvement in forest protection and management in Orissa is an age-old phenomenon. Several village communities in Orissa have been protecting the forest attached to their village on their own initiatives for long. Over the years, three different types of institutions have emerged to give shape to people's initiatives in forestry activities. The first type of institution has evolved out of people's initiatives where the community manages the forest on its own without any coordination with the State or voluntary organisations.¹

The second type of institution developed as a result of the Social Forestry Project of the Government of Orissa, where several villages are involved in plantation activities in both forest and non-forest areas.² The

third type of institution emerged under the JFM programme in which both the village community and the Forest Department share the responsibility of forest protection and management.³

An attempt has been made in the present paper to understand the process of evolution and working of the Joint Forest Management in Orissa by reviewing different policies and resolutions of the State Government concerning people's involvement in forestry. The paper is divided into three sections. The first section spells out the evolution of people's involvement in forest protection and management, which eventually turned into the JFM programme. The second section presents a critical analysis of forest policies bringing out first, the possible impacts of forest policy upon the life of forest-dependent communities as well as upon the physical status of the forest itself; and second the reasons for the community's involvement in forestry activities in Orissa. The third section explores the problems of the local communities in Forest Management and the existing lacunas in the various Government policies concerning Joint Forest Management in the State.

The History of Forest Management in Orissa

Pre-independence Period

The history of formation of Orissa as a separate State and the history of forest management have coexisted in the pre-colonial period. Prior to being a separate State, several parts of Orissa were under the then British Indian Provinces of Madras, Central Province and Bengal and Bihar Presidency. On April 1, 1912, the Province of Bihar and Orissa was created bringing together parts of Bengal Presidency and Central Province. It was only in April 1936, that the present State of Orissa was born as a new Province of British-India by separating Orissa from the combined State of Bihar and Orissa, and then combining with it some of the Oriya-speaking areas of the then adjoining States of Madras Presidency and Central Province. Thus, an organised attempt to manage the forests Statewide by establishing monopoly through reservation of the forests started in 1936 with the creation of Orissa as a separate State.

Given the dispersed nature of Orissa under colonial rule, forest management too had a varying origin. Forest management started in Orissa more than a century ago during 1883 - 84, when it was a part of the Bengal Presidency. For the first time, in 1884 the 'Orissa Forest Division' was constituted for both Bihar and Orissa at Angul (Dhenkanal District) under the administrative control of the Conservator of Forest of Bengal Presidency with the headquarters at Darjeeling; and forest blocks were declared as Reserved Forests under the Indian Forest Act, 1882, with effect from January 1, 1884. The total area of Reserved Forests of Orissa Forest Division at Angul was 692 sq. km. (Padhi, 1984: 180). Demarcation

of forest areas for settlement and reservation was the main focus of the then management strategy. Notifications were issued in this regard in Angul and Khurda. By 1888 - 89, there were a total of 968.6 sq. km. of Reserved Forests in Orissa Forest Division. In 1891 - 92, the Orissa Forest Division was divided into two subdivisions, namely, Angul and Khurda, with Reserved Forests of 725 and 303 sq. km respectively (RCDC, 1996: 3).

Out of the total of seven Forest Divisions of the newly formed Province of Bihar and Orissa, there were three Divisions in the Orissa part, namely, Angul, Puri and Sambalpur, with a total of 1,920 sq. km of Reserved Forests and 2,769 sq. km of Protected Forests under its administration (RCDC, 1996: 4). Before being a part of Bihar-Orissa Province, Sambalpur was in Central Province, where the Sambalpur Forest Division was already existing since 1887. The old Sambalpur Division had a vast geographical area with scattered forest patches. Thus, the Division was bifurcated into Sambalpur East and Sambalpur West with effect from April 1, 1928 for efficient management.

Forest management in the true sense, started in Orissa with the reorganisation of the State as a separate Province on April 1, 1936. In that year a Forest Department was formed under a Conservator of Forests with headquarters at Angul. With the merger of Ganjam district with the new Province, Ganjam and Parlakhemundi Divisions were transferred to Orissa from Madras Presidency. Forest administration in Ganjam started from 1885-86, and by 1906 almost all forest blocks were reserved under Madras Forest Act, 1882. In 1936, Sambalpur East and Sambalpur West were renamed Sambalpur and Barapahar Division. In 1938 Ganjam and Parlakhemundi Divisions were reorganised with effect from January 3, 1938, into four divisions, namely, Russelkonda, Chhatrapur, Parlakhemundi and Baliguda. Later Russelkonda and Chhatrapur were renamed Ghumsor North and Ghumsor South with effect from April 1, 1941. In October 1945, Baliguda Division was divided into Baliguda and Udayagiri Division. Thus, by the time India got independence, there were nine Forest Divisions in Orissa, namely, Angul, Puri, Sambalpur, Barapahar, Parlakhemundi, Ghumsor North, Ghumsor South, Baliguda and Udayagiri Divisions, with Reserved Forests of 3,615.6 sq. km, Demarcated Protected Forests of 541.3 sq. km and Reserved land of 3,286.7 sq. km, making a total of 7443.6 sq. km forest area (RCDC, 1996: 4).

Post-Independence Period

The Period of State Monopoly (1947 - 85): The major factors affecting forest administration and management in post-independence Orissa have been merger of ex-princely and ex-zamindari areas with the State, the enactment of Orissa Forest Act, 1972, and several other Government resolutions. Several feudatory States were merged with the

State of Orissa with independence, as a result of which the forest areas under their control also came into the hands of the Orissa Government. To prevent these rulers of ex-princely States from destroying or selling away the forestlands in their territory, two important Acts were passed soon after independence - the 'Orissa Preservation of Private Forests Act' in 1947, which prohibited the owners (mainly rulers of princely States) of any forest 'to sell, mortgage, lease or otherwise alienate whole or any portion of the forest area'; and the 'Orissa Communal Forest and Private Lands (Prohibition of Alienation) Act' in 1948, which came into force with effect from February 5, 1948. This Act prohibited any landlord 'to sell, mortgage, lease or otherwise assign or alienate or convert any communal, forest or private lands into *Raiyati* land or create occupancy right there in'.

In 1948, 25 feudatory States merged with Orissa and the extent of forest area under the control of Government increased. After the merger of the princely State of Mayurbhanj in January 1949, the Reserved Forest areas including the Demarcated Protected Forests and Reserved lands totalled 26,332.5 sq. km. In this year the headquarters of Forest Department shifted from Angul to Cuttack, the then State capital. Before being a part of Orissa State, these ex-States had their own separate forest administration under their respective kings. In some of the big ex-States like Mayurbhanj and Bolangir-Patna, there were full-fledged Forest Department with rules and regulations for management of forests almost similar to those in vogue in the British-Indian Provinces. These princely States belonged to a political group called 'Eastern States Agency of Orissa and Chhatisgarh Districts' under a political agent with headquarters at Sambalpur. A Conservator of Forests was posted at Sambalpur, who was acting as Forest Advisor to princely States except Mayurbhanj.

In the mid-fifties, another important event took place in the history of forest management of the State. With the abolition of the Zamindari system in 1952, the forest areas under the Zamindars came under the direct control of the Government. Though most of the Zamindars vested in the Government of Orissa since November 27, 1952, the management of forest areas under these Zamindaris continued to be under *Anchal Sasan* (regional administration) till November 14, 1957. From November 15, 1957 these forests were transferred to the Forest Department, Government of Orissa. With the merger of ex-princely and ex-Zamindari areas into the State of Orissa, the total forest area increased from 7,443.6 sq. km to 65,677.76 sq. km by 1959.

Even though Orissa became a separate State in 1936, there was no single unified forest management practice in the State. The independent State Government also did not pay any attention in this regard. It was only in 1959, that the State Government appointed a Forest Enquiry Committee, which in its report observed that the total forest area was 65,677.7 sq. km, constituting about 42 per cent of the total land area of

the State. Thus, for the first time in 1959, the legal status of different types of forests under the administration of the State of Orissa as a whole came into the picture (see Table 1 below).

Table-1: Legal Status of Forests

Type of Forest	Area (in sq. km)
Reserved Forest (A Class)	20,619.09
Reserved Forest (B Class)	1865.44
Reserved Land	2495.02
Demarcated Protected Forest	537.83
Un-demarcated Protected Forest, unreserved lands, Khesra Forest and un-classed Forests	19840.25
Ex-zamindari Forest	20132.45
Private Forests	187.64
Total	65,677.72

Source: (Padhi, 1984)

However, most of the areas under un-Reserved, Khesra Forests, un-Demarcated Protected Forests, un-Reserved Lands and open forests including those of the ex-Zamindari areas were only barren land and hills without vegetation, although they were called 'forests' under the law.

One of the important recommendations of the Forest Enquiry Committee was the passing of a unified Forest Act to be applied to the whole State of Orissa. In the absence of a single Forest Act for the whole State, there were two Forest Acts applicable to the State till 1972. The Madras Forest Act, 1882 was in force in the districts of Ganjam, Koraput, Baliguda and some areas of Kandhamal district, whereas Indian Forest Act, 1927 was applicable to the rest of the State. Under Madras Forest Act, 1882, there were two categories of forests: Reserved Forests and Unreserved Forests. Different princely States and ex-Zamindari areas in the above mentioned districts framed their own rules under the Madras Forest Act, 1882. Under the Indian Forest Act, 1927, there were three categories of forests: Reserved Forests, Village Forests and Protected Forests. However, in practice, no Village Forest was framed in Orissa till 1972. Protected areas were managed differently in different areas by rules framed under Indian Forest Act, 1927. For example, while there were demarcated Protected Forests in Angul and Khurda, no such forests existed in Sambalpur.

The existence of two different Acts within a State often created confusion and administrative difficulties. It imposed extra strain on the Government machinery. Thus, it was felt that this could be avoided by one unified Forest Act. Consequently, Orissa Forest Bill was introduced in

the State Legislative Assembly in 1942. However, owing to certain controversies, the Bill was dropped. Finally in 1954, the Indian Forest Act (Orissa Amendment) was passed as a follow-up of the Indian Forest Act, 1927, as applicable to Orissa. Before the enactment of the Orissa Amendment Act, 1954, there were Reserved Forests under both Madras Forest Act, 1882 and Indian Forest Act, 1927; Reserved Lands and Unreserved Lands under Madras Forest Act and Demarcated Protected Forests and Un-demarcated Protected Forests under Indian Forest Act, 1927. Recall that in the princely States there were A and B type Reserved Forests and Khesra Forests. The Khesra Forests were named differently in different localities, e.g. *Sadharan Forests, Katra, Krisi, Gramya Jungle, etc.*; which were meant for fulfilment of the requirements of the local people. However, with the amendment of Indian Forest Act in 1954, all Reserved Forests, whether A or B, became Reserved Forests and the Khesra Forests were declared as Protected Forests.⁴

It may be argued that the policy of commercialisation, which was at the centre of the forest policy during the British Raj, was reinforced, intensified and extended even after independence. The legal successor to the colonial State — the political and economic elites of modern independent India — continued to rely on the earlier colonial legal framework, thus reinforcing the rights of the State to exclusive control over forest protection and management. The 1954 Orissa Amendment of Indian Forest Act brought more and more forest areas under Reserved category, depriving a large number of local communities of the usufruct rights and concessions that they enjoyed earlier. Moreover, by declaring Khesra Forests as Protected Forests, the rights and concessions of local people were further curtailed. Though there were provisions for Village Forests in the Indian Forest Act, 1927, they were only on paper, as is evident from the report of the Forest Enquiry Committee, 1959, which recognises no existence of such Village Forests in Orissa.

Though the Forest Enquiry Committee, 1959 recommended a unified forest Act, it took thirteen years for the Orissa Government to materialise the Act, when in 1972 Orissa Forest Act was passed. But the Orissa Forest Act, 1972 did not have any new promise for the forest-dependent communities of Orissa, rather it re-established the colonial legacy. The forest areas that were already declared as Reserved Forests and Protected Forests under the Indian Forest Act and the Madras Forest Act remained the same under the new Act. The draft bill of the Orissa Forest Act, 1972 has freely drawn from the Madras Forest Act and other existing State Forest Acts and followed the sequence of Indian Forest Act, 1927.

For administrative convenience, the Orissa Forest Act, 1972 has divided the total forest area into three categories, such as Reserved Forests, Village Forests and Protected Forests. Chapter II of the Act was devoted to the Reserved Forests, according to which the State Government was

conferred with the power to declare any land as Reserved Forests, in lands which are the property of Government or over which the Government has property rights. Once declared as Reserved Forests, the Government enjoys monopoly rights not only on the physical area of the forest, but also on the trees and other forest produce therein. The sheer monopoly of rights is visible from the fact that under Section 26 of the Act, a Divisional Forest Officer is empowered to close any public or private way or watercourse or stop use of water by any people inside a Reserve Forest without the previous sanction of the State Government. Although there is a provision in the same section that such an action can be taken, if a substitute arrangement for the similar already exists, it is the State Government, which has to be reasonably convinced about such alternatives, not the common people, who are the real users of the resource. Entering into the forest area, which is declared as reserved, grazing cattle in it and/or using any forest produce was also regarded as an offence, punishable under section 27 of the Act.

Chapter III of the Orissa Forest Act, 1972 was devoted to 'Village Forests' with only three sections in it (Section 30 - 32). Even though the Act speaks of the formation of Village Forests and vests the responsibility of management of such forests with the village communities, it is silent about the details of such management by them. The details pertaining to how the Village Forest Protection Committee will be constituted, their rights, duties and responsibilities or how it will share benefits from such forestland are also not dealt within the Act. Instead, the State was given powers to declare all or any provisions of the rules for Reserved Forests as being applicable to the Village Forest, thereby extending its rights to Village Forests also.

The legislation regarding 'Protected Forests' was dealt with in Chapter IV of the Orissa Forest Act, 1972. Under Section 33 of the Act, the State Government was vested with power to declare any land that is not included in the Reserved Forests, but which is the property of the Government or over which Government enjoys property rights as 'Protected Forests'. Whereas in the case of Reserved Forests, the forestland was reserved by the Government, in Protected Forests, the Government was given the power to issue notifications to declare any 'trees or class of trees in a Protected Forests' as reserved. Unlike the case of Reserved Forests, where the Forest Department enjoys property rights over the land, in Protected Forests the management rights and responsibilities of the forests (mainly trees and forest produces) was conferred to the Forest Department, whereas the property rights of the land remained with the Revenue Department. Section 36 of the Act empowered the State Government to make rules to control and regulate certain matters like cutting, sawing, conversion and removal of trees and collection of any forest produce from the Protected Forests. The provisions regarding punishing those who enter into a forest area and collect any forest produce,

as was in vogue for Reserved Forests, were also made applicable for Protected Forests.

Beginning of a New Era: Involving Local People in Forest Management: The 1980s have been an important decade for India from the developmental point of view. That was the time when concepts and approaches like 'people's participation', 'indigenous rights and practices', 'bottom-up approach', 'community-based resource management', etc. were gaining momentum not only among academicians but also among development practitioners and policy makers. The decade-long debate on poverty and environmental degradation also influenced policy makers to recognise people's requirements and rights on environment. The large-scale deforestation and resource degradation had made it amply clear that conservation of natural resources without the involvement of people is hard to accomplish and cannot ensure sustainability. As a consequence, the Government of India came out in 1988 with its resolution on National Forest Policy, which treated 'the requirements of fuelwood, fodder and small timber such as house building materials for tribals and other villagers living in and around forest area as the first charge on forest produce'.

The changes that took place at the national level had, in fact, already begun to emerge in several States. In keeping with these changes in approach, the situations in Orissa too began to change. A new era may be stated to have begun in Orissa's forest history during the mid-80s with the declaration of the 'Orissa Village Forest Rules, 1985'. Orissa was one step ahead of the rest of the country by implementing the Orissa Village Forest Rules in 1985, three years earlier than the National Policy. It was, indeed, the first Government resolution to involve people in forest management. Though the Orissa Forest Act, 1972 under Section 30 - 32 (Chapter - III) had dealt with the formation of the Village Forests, the modalities regarding the process of such management had to wait till 1985.

As per the 1985 Rules, the management of every village forest was vested with a committee comprising the sarpanch of the gram panchayat concerned, and its ward members, the Forester, Revenue Inspector and the village-level workers and such other persons of the community as may be nominated by the village. The total number of the committee was limited to eight. The Rules also called for representation of Scheduled Castes, Scheduled Tribes, Women and Landless persons. It now became the duty of the committee and therefore of the community to protect and ensure preservation of plantations and report to the nearest local forest office or police station in the event of any injury to such plantations. The proper distribution of forest produce among the members of the community became the responsibility of the committee, which was empowered to formulate principles for that purpose.

The first step towards involvement of local people in protection and conservation of Reserved Forest was taken in the 1988 Government resolution.⁵ This stated that -

"the question of involving village communities for effective protection and conservation of Reserved Forests was, for sometime past, under the active consideration of the Government. After careful appraisal, the Government is of the view that the task of protecting forests is so urgent and so enormous that the rural community should be fully and actively involved in it. Accordingly, it has been decided that the scheme of involving rural community will be implemented in the State".

As per this resolution, the villagers were assigned specific roles in the protection of Reserved Forests adjoining their villages and in return were granted certain concessions in the matter of meeting their bonafide requirements of firewood and small timber for house construction and agriculture.

The resolution states that it will be the duty of the Divisional Forester concerned to assign peripheral Reserved Forests to adjoining villages and constitute Forest Protection Committees for each assigned village. The committee shall comprise the sarpanch of the gram panchayat concerned, the ward members belonging to the village, the local Forester, Revenue Inspector, V.L.W. and such other persons of the said village not exceeding three as may be nominated by the gram panchayat concerned. It was mentioned in the resolution that the sarpanch of the gram panchayat and the local Forester shall be chairman and convener of the committee respectively; and that care would be taken to ensure that the committee includes persons belonging to Scheduled Castes and Scheduled Tribes, women and landless categories, as far as possible. The villagers were instructed to furnish an undertaking to the Divisional Forest Officer concerned through the committee for proper upkeep and maintenance of the assigned Reserved Forest areas. This resolution was amended in October 1988⁶ and as per this new amendment the committee should be constituted in consultation with local villagers and the non-official members of the Forest Protection Committee should be selected by convening a meeting of the villagers concerned. However, the sarpanch of the gram panchayat and the local Forester continued to be the chairman and the convener of the committee respectively. By another Resolution in December 1990⁷, the Protected Forests were also included for assignment to the adjoining villages.

It can be pointed out from the review of Government attempts to involve local people in forest management in the State that the endeavour to give people access over the forest resource and a voice in

management has come in a phased manner, depending upon the legal classification of the forest. One of the major drawbacks of these policies was that it made the Forest Protection Committees of the villages a political body by making the president of the gram panchayat its chairman. Several intricacies were overlooked by making the panchayat president as the head of the village Forest Protection Committee. While the gram panchayat is a political unit, which constitutes more than one village, Forest Protection Committees are confined to particular villages and/or in certain cases to a segment of a village. Thus, in actual practice one sarpanch was to take care of several Forest Protection Committees falling within his/her panchayat, which obviously was a difficult task. Besides, the sarpanch coming from a different village may not be truly committed to the cause of forest protection for an alien village.

Evolution of Joint Forest Management Programme: At the national level, the ground for Joint Forest Management was prepared by the New Forest Policy, 1988, which emphasised the following: environmental protection and conservation; meeting the requirements of fuelwood, fodder, minor forest produces and small timber for rural and tribal population; and creating a massive people's movement with involvement of women for achieving these objectives. On June 1, 1990, Government of India adopted a National Joint Forest Management Resolution, which set guidelines for partnership between local communities and the State Forest Department for the protection and management of State owned forests through Forest Protection Committees.

In response to the Government of India Resolution and to make the involvement of local people in forest protection more effective and transparent, Government of Orissa issued a Resolution⁸ to implement the Joint Forest Management programme in the State. This marks the beginning of JFM as is understood today, in Orissa. It dealt with exhaustively the involvement of the local community in the protection of adjoining forests, formation of Vana Samrakshana Committees, and the constitution, function, duties and responsibilities of such committees. It also provided for constitution of a State-level steering committee chaired by the Minister of Forest to monitor and guide the implementation of this scheme.

The Joint Forest Management Resolution of Government of Orissa entrusts the gram panchayat with the duty of convening a general meeting of all adults living in the selected village on the suggestion of the D.F.O/Range Officer/Forester, where the forest official/s will explain the scheme of Joint Forest Management to the villagers. Based on the response, motivation and willingness of the villagers and after taking account of other related factors facilitating the community protection of the forest, the D.F.O will recommend the establishment of Vana Samrakshana Samiti (VSS) of the village. According to the resolution, the VSS should include

two adults, including a woman member of every household living in the village as its members.

Under this new Joint Management Plan, the protection and management responsibility of the forest patch is wholly entrusted to the members of the forest protection committee. It shall be the duty of the members to prevent forest offences and pass on relevant information and intelligence in this regard to the forest department officials. The management activities of the forest are to be carried out by the executive committee of the VSS. Each VSS should have its own executive committee comprising ten to fifteen members, which should include Ward Members representing the village, six to eight representatives selected/elected by the villagers, the Forester and Forest Guard concerned, and nominee of an NGO functioning in the local area to be selected by the D.F.O. The Forester of the locality concerned and the Naib Sarpanch (Vice-President of the gram panchayat) would be the convener and chairperson of the executive committee respectively. It is stated in the Joint Management Plan that usufructs like leaves, fodder, grass, thatch grass, broom grass, thorny fencing materials, brushwood and fallen lops and tops and twigs used as fuelwood shall be available to the members of the VSS free of cost. It shall be the duty of the executive committee of the VSS to ensure equal distribution of all intermediate yields in the shape of small wood poles, firewood, etc., as may be obtained in periodical clearance of the forest. However, the timbers and poles, as may be obtained from a major harvest or final felling, shall be shared between the Forest Department and the VSS in equal shares.

Analysis of Forest Policies in Orissa

The forest policies of the country since independence could be summarised in three points. First, during the early colonial period, there has been large-scale deforestation, which later led to the introduction of scientific management of forests in India and the first ever Indian Forest Act, 1865.⁹ Though specific data for such a period are not available for Orissa, the situation of the country was no different from that of Orissa at that time. Second, during the late colonial and early independence period the State strengthened its monopoly over the forests and adopted the policy of conservation, whereby more and more forestland was put under the category of 'Reserved Forest', and access to such forests was denied to common people. Third, being unsuccessful in its attempts to increase the forest cover by creating a monopoly over it, the State adopted 'participatory policies', and is making efforts to involve people in the protection and management of forests.

The scientific management of Orissa's forests has had significant consequences for the lives of those who depend upon forests for their daily livelihood as well as the physical area of the forest itself. The State's monopoly over forest resources by putting more forestland under

'Reserved' categories has deprived a large number of people of the usufruct rights and concessions enjoyed before. It was perceived that people's interference inside the forest area, even if for their livelihood, resulted in a decrease in forest resources. Thus, the policy of State monopoly was adopted for greater enhancement of forest resources itself. But an analysis of the physical area of the forests after independence reveals that deforestation has continued in spite of tough policies to keep the local people away from forests.

Table-2: Physical Area of the Forest after Independence (Area in sq. km.)

Year	Reserved Forest	Demarcated Protected Forest	Undemarcated Protected Forest	Total
1948	3615.6	541.3	3286.7	7443.6
1959	24979	538	39973	65490
1969	24166	562	42733	67461
1979	—	—	—	60223
1985	28311	19625	7848	55784
1993	27087	16133	13967	57167

Source: RCDC, 1996 & CPSW, 1994

It can be pointed out from Table - 2 that the forest area has suddenly increased soon after independence from 7,443.6 sq. km. in 1948 to 65,490 sq. km. in 1959 and on till 1969. The inclusion of ex-zamindari and ex-princely forest into the State of Orissa may be cited as two major factors behind such an increase in forest area after independence. In the year 1960 - 61, ex-zamindari forests of 1,500 sq. km., which were initially under the control of the State revenue department, were transferred to the State forest department (CPSW, 1994: 32). From 1969 till 1985, the physical area of the forest has decreased, increasing slightly in 1993. Despite this decrease in forest cover, there has been an increase in forest area in the 'reserved' category from 24,166 sq. km. in 1969 to 28,311 sq. km. in 1985. This clearly reveals that the Government policy of putting more forest areas in the 'reserved' category, thereby denying local people of access to the forest has not had the desired result of increasing forest cover in the State. This calls for an analysis of the cause of deforestation in the State elsewhere rather than putting the blame on the forest-dependent communities. Deforestation in the State from independence till 1985 amounted to 2,073.97 sq. km. according to forest department records, out of which 542.79 sq. km. are reserved forests, 308.64 sq. km. are demarcated protected forests and 1,222.54 sq. km. are un-demarcated

protected forests (see Table - 3). These include multipurpose river valley projects and subsequent resettlement of displaced people besides several other purposes like railways, roads, minor irrigation projects, etc.

Of the total area deforested, 1,855.76 sq. km. (89.47 per cent) is attributed to river valley projects as per Government records. However, in real practice, once a river valley project comes up, it not only submerges a few sq. km. of forests, but causes massive deforestation in its periphery. For instance, during 1930 - 75 more than 45 per cent of the forests were lost around Sambalpur and Jharsuguda in a radius of 20 miles because of the Hirakud Dam Project (CPSW, 1994: 46). Table - 4 reveals the actual land area lost due to various multipurpose river valley projects in Orissa.

Table-3: Deforestation in Orissa from 1947 to 1985 (Area in sq. km.)

Purpose of Deforestation	Reser-ved Forests	Demar-cated Protected Forests	Un demar-cated Protected Forests	Total
River valley projects and resettlement of displaced people	397.52	288.08	1170.16	1855.76
Industrial purposes	31.49	2.84	0.15	34.48
Capital conservation	7.79	13.14	—	20.93
Railways	24.1	0.1	—	24.2
Minor irrigation projects	11.3	—	0.11	11.41
Public purposes	30.57	0.2	49.47	80.24
Roads	0.23	—	—	0.23
Miscellaneous purposes	39.79	4.28	2.65	46.72
Total	542.79	308.64	1222.54	2073.97

Source: Status of Orissa's Environment, 1994, CPSW, Bhubaneswar.

Table-4: Land Degradation in the Peripheries of Reservoirs of Multipurpose River Valley Projects between 1972 - 82 (Area in sq. km.)

Name of the project	Open degraded forest	Closed forest	Total forest lost	Area without forest vegetation	Total area lost
Hirakud	765	1290	2055	39	2094
Machkund	988	1491	2479	61	2540
Rengali	469	1143	1612	88	1700
Salandi	722	1930	2652	64	2716
Total	2944	5854	8798	252	9050

Source: Status of Orissa's Environment, 1994, CPSW, Bhubaneswar.

Diversion of forest areas for non-forest purposes, including agriculture, constitutes another potential source of deforestation in Orissa. During 1972, the Orissa Government decided to provide land for agriculture to the landless poor in the name of 'Land Distribution Fair'.¹⁰ As a result, the *Tehsildars* not only distributed land from Un-demarcated Protected Forests to the landless, but also regularised all sorts of earlier encroachments over these lands (RCDC, 1996: 16).

The Government policies concerning forestry, whether regulatory in the initial years of independence or participatory since the mid-1980s', have always targeted increased forest cover in terms of more trees. This emphasis on quantity of forest cover has neglected the issue of quality of our forests. The National Forest Policy of 1988 has also envisaged a target of 33 per cent of national forest cover. From the State's point of view increased forest cover has always been the end (motive) of the forest department, and the community's involvement in forestry activities either through Social Forestry Projects or JFM has been perceived as a means to that end. A quick look at the physical status of the forest cover in Orissa during 1981 - 83 and 1993 - 95 reveals that though the total forest cover has not changed as per forest department records, there has been a substantial decrease in the quality of the forest (See Table - 5).¹¹ However, the recent World Bank study (Kumar et al. 1999) has emphasised quality of our forests, and given priority to the problem of 'degradation' rather than to that of 'deforestation'.¹²

Table -5: Quality of the Forest Cover in Orissa, 1981 - 83 and 1993 - 95 (Area in sq. km)

Period	Dense Forest (40 % or more crown cover)	Open Forest (10 - 40 % crown cover)	Total Forest Land
1981 - 83	28,573	24,391	59,555
1993 - 95	26,101	20,629	59,555

Source: Sundar et al. (2001: 17)

The continuous decrease in forest cover of the State since 1969 has been of great concern from the policy perspective; and has resulted in enactment of several policy resolutions restricting the access of local people to the forests. An analysis of Forest Policies in the State of Orissa reveals that merely blaming people for deforestation and thereby gradually decreasing their use rights over the resource has not resulted in increased forest cover. With the failure of the Government mechanism to protect its forest resources on the one hand and the growing demand from the local people for greater rights over the resource on the other, and above all with the paradigm shift in academia over the discourses of development and participation, the focus of the forest management shifted from a

kind of regulatory administration to a participatory one, involving local people in management.

A striking feature of forestry activities in Orissa is that the Government's policy of involving communities in protection and management of forests has come much later than the actual efforts by the communities themselves. The traditional village governance system of forest resources both by tribal and non-tribal communities had existed strongly in Orissa much before enactment of State policies of involving them in forest management. Unlike in other States where policies were framed to involve local people in forest management, forest policies in Orissa may be viewed as an attempt to give an official shape to the efforts of the local people to protect their forest and to bring them into an umbrella policy of State Government. As per an estimate, by the late 1980s there were 3,000 - 4,000 village communities protecting 10 per cent of Orissa's forest area (Kant, 1990 in Poffenberger and McGean, 1996: 34). By the end of 1993, with the State Government order of JFM, the area under community protection in Orissa has increased to 27 per cent (Poffenberger and McGean, 1996: 34 - 5).

Several reasons are cited for such community control of forests in the State of Orissa. Increasing resource scarcity due to deforestation and degradation of local forestland and the resulting livelihood insecurity is identified as a dominant reason for community's involvement in forest protection in Orissa (cf. Poffenberger et al. 1996). Inadequate livelihood alternatives due to limited urbanisation and industrialisation in the State are also cited as reasons for compelling villagers to preserve their local resources for livelihood security (Raju et al. 1993; cited in Sundar et al. 2001: 79).

The existence of village-level local institutions, often parallel to gram panchayats, has also played a crucial role in community control of forest resources in Orissa. Sashi Kant (1990) observes that the formation of bigger gram panchayats, which in some cases spans several villages, has created a space for local organisations at the community level to retain their functions of fulfilling the needs of single communities in a less politicised manner. While the panchayats function as political institutions of the locality with active party politics, village-level institutions are engaged in activities like management of village ponds, temples, schools and other common resources. Such institutions in many cases include traditional village organisations with the village head as its leader, emerging youth clubs, women's organisations, etc. Sundar et al. (2001), from their study of JFM in four Indian States including Orissa, also pointed out the important role played by village youth clubs in the protection of local forest resources in Sambalpur and Koraput districts of Orissa. Complementary to these village-level organisations, several NGOs at the State level have also tried to promote participatory forestry at the community level. Several State-level NGOs like Regional Cooperation and Development Council (RCDC),

Vasundhara, Bruksha O Jeevara Bandhu Parishad (BOJBP) have created mass campaigns for community forestry and have facilitated the formation of federation of Village Forest Protection Committees at the State level (see Mohapatra, 1999).

State intervention in forestry activities starting from colonial days, which threatened the livelihood security of the local people dependent upon forests, is also treated as a reason for community's involvement in it in certain cases. Few studies outside the State of Orissa are worth mentioning here. Agrawal (2000) from his study of *Van Panchayats* in Kumaon, Uttar Pradesh, states that sustained protest by the communities against the State's monopoly of forest resources has resulted in the origin of the community's involvement in forest protection. 'The incessant, often violent, protests forced the then British Government to appoint the Kumaon Forest Grievances Committee to look into the local disaffection', which in turn recommended formation of Forest Councils and empowering them to control their local forests (Agrawal, 2000: 60).¹³ In another context, Sivaramakrishnan (1999) mentions that in colonial west-Bengal there were large forested areas, which had remained beyond the direct control of colonial Government - 'zones of anomaly' as he phrases it (1999: 30) - and it was these areas in which community forest management revived. Contrary to this, Sundar et al. (2001: 31) argue that community management of forest resources had not been 'a sphere of non-intervention, but a different type of intervention'. Now reverting to the discussion in the context of Orissa, it can be observed that the different management strategies to Reserved Forests and Protected Forests by the Government authorities have also contributed to some extent to the resurgence of community forestry in Orissa. While the Reserved Forests are directly controlled and managed by the Forest Department of the State, Forest Department has limited control over Protected Forests, since the ownership of the land lies with the Revenue Department. Saxena (1997: 60) argues that this 'ambiguous status of the protected forests' has created a space for community initiatives in forestry. The limited control of the Forest Department over Protected Forests is further revealed by the fact that in some of the Protected Forests in Orissa, 'villagers had even the rights to cultivate (with permission from the revenue department), in addition to access to forest produce' (Orissa Forest Enquiry Committee, 1959; cited in Sundar et al. 2001: 80).¹⁴ Weak control and poor management practices by the forest department is also cited as a reason by Saxena (1997) for community initiatives in the Reserved Forests of Orissa. It is very difficult, however, to isolate any particular reason for the emergence of community's involvement in forestry activities in Orissa and its quick spread even before the enactment of State policy resolutions in this regard. Degradation of local forest resources and the consequent livelihood insecurities because of it, existence of prior institutional arrangements at the community level to look after common village affairs, loose and complex forest rules, active efforts by several leading NGOs,

etc. are among the several reasons for the rapid spread of community's involvement in forest protection in Orissa. Once a village community assumes the responsibility of forest protection, its demonstration effects have often led to similar initiatives by the neighbouring villages, which in turn, has led to the quick spread of community protection. Whatever be the reasons for community protection, it is an accepted fact that in Orissa, the Forest Department has played a limited role in involving people in forest protection and management, even long after the passing of the State resolution concerning JFM. Owing to several factors like this, people's involvement in forest protection in Orissa is more appropriately termed 'Community Forest Management' (CFM) or 'Community Forestry' (CF) than 'Joint Forest Management' (cf. Sundar et al. 2001, Human and Pattanaik, 2000).

Challenges for Joint Forest Management

Joint Forest Management, as a new development in Indian forestry, is not free from constraints and barriers. Mere involvement of people through Government resolutions and policies is not enough to ensure proper functioning of Joint Forest Management. Though the New Forest Policy and the subsequent resolutions of the State Government to involve people in forest management are steps in the right direction, the efforts should not end there. The policy guidelines for JFM in Orissa, or for that matter of India, suffer from severe shortcomings, which have to be overcome in order to make it a participatory forest management programme in its true sense.

The success of any co-management regime depends upon the genuine participation of its stakeholders. Thus, both the partners in JFM, the local community and the Forest Department or the State need to work together for the success of the programme. Challenges in JFM can emerge from both sides. If the Forest Department does not become serious in the agreement, people will gradually lose interest in forest protection. The opposite also holds true in many cases. The following paragraphs depict some of the probable hindrances to the effective functioning of the Joint Forest Management programme in Orissa.

The Problem of Coordination: As has been pointed out earlier, three different types of institutions exist in Orissa to promote participatory forestry. First, the village forest protection committees set up by the State Government under the Social Forestry programme; second, Vana Samrakshana Samitis (VSS) set up through State Joint Forest Management Programme and third, those village-level institutions that have evolved of their own and are practising community forestry. Out of these three institutions, the latter two are engaged in involving local people in the management of forests in forest-fringed villages, and the former in

developing forests in village wastelands or village commons. A serious attempt is required from the State Government to coordinate all these three types of institutions engaged in a common endeavour.

The Problem of Boundary: Resolution of conflicts that arise in the process of management is the major challenge before any community protecting forests. There may be four potential sources of conflict in any community managing forests: i) conflict among the community institution's members, ii) conflict with neighbouring non-members, iii) conflict with other external commercial and industrial agents, and finally conflict with the State, primarily with the forest department (Sarin, 1996). A Forest Protection Committee may be efficient enough to resolve the conflicts arising among its own members by frequent negotiations and meetings among themselves. However, conflict with the neighbouring villages poses a serious challenge for a community protecting forests through Joint Forest Management plans. Conflict with neighbouring villagers arises mainly because of the weak and controversial legal and organisational framework of the State Joint Forest Management policy. In many cases, communities living in distant areas also have use rights on the forest over generations. When the same forest patch is given to the adjacent community for protection according to the Joint Forest Management programme, the rights of the community that was earlier dependent upon the forest for its livelihood get curtailed, as it does not share the protection responsibility. The protecting community usually never allows other communities to access its patch of forests. Thus, here arises a conflict between the community that protects the forest and other communities that do not protect it but depend upon it for their livelihood.

The Legal Challenges: The legitimacy of the forest protection committee is another big challenge before the village. Conflict over boundaries may be chiefly attributed to the ambiguous legal status of the village forest protection committee. The State Government resolution declares the Vana Samrakshana Samitis as functional groups. However, these committees have no legal or statutory ground, and thus, it becomes difficult for them to manage resources on a long-term basis. Though the 2000 JFM resolution of Government of India spells out the legal backup of the Vana Samrakshana Samitis, the details have not been worked out in the State. Thus, whenever a forest protection committee catches a forest offence, it has to be handed over either to the police or to the Forest Department. The forest protection committees do not have any power to solve the case at their level. Moreover, if a protection committee awards punishment to anyone on this issue of forest offence, it can be challenged in a court of law, as the committee does not have any legal power in this regard.

Problem of Attitude: The problem of attitude, especially of the Foresters, presses another challenge to Joint Forest Management. The authoritarian attitude of forest bureaucracy finds no place in Joint Forest Management

agreement. The foresters have to give up their narrow attitude and share the responsibility of management with people. The Arabari experiment in West Bengal became successful only because of progressive bureaucracy. The forest officials should not think that the forest area belongs to them and that people have no business in it. The Forest Department has its own style of functioning and it has to be satisfied before it signs the JFM agreement. Such an antipathy towards the capability of the people to protect the forest and to the process of involvement of local people in forest management on the part of forest department officials often poses a real challenge for the success of Joint Forest Management in the State.

Conclusion

The major thrust of 'Joint Forest Management' lies in its 'jointness' or the developing partnership between community and forest department on equal terms, which suffers the most in the case of Orissa.¹⁵ Since several institutions that have emerged in different periods are in existence for community's involvement in forest protection, and Government's role in establishment and functioning of these institutions has been limited, a healthy partnership of equal terms between communities and forest department has become a misnomer in the context of Orissa. It is of course true that unlike several other States like Andhra Pradesh and Karnataka, where the programme is being implemented with heavy outside funding, JFM in Orissa has been implemented with State Government funds. There has not been any sincere attempt by the State forest department to implement JFM in true sense of the term. Moreover, the recent Supreme Court orders concerning eviction from forest areas and formation of Central Empowerment Committees to look after these issues has put a question mark on Government's attitude towards real participatory forestry involving forest-dependent communities. Besides, several communities engaged in forest protection in Orissa also do not want to come under the State JFM programme, since they have to share the woodlots, which they have created and maintained out of their own efforts since long (see Mahapatra, 1999). Thus, in such a context, what is required is commitment and trust on the part of both the partners of JFM, i.e. communities and forest department to make the JFM a truly participatory programme in the State.

Notes

- 1 Though there is no comprehensive information about this practice of Community Forest Management (CFM) in the State, an NGO report is, perhaps, the only systematic attempt to count these cases. It says, 5,402 villages are protecting some 309,750 hectares of forest area in fifteen out of thirty districts of Orissa (for details, see Down to Earth, Vol. 8, No. 9).

- 2 As per available data, 9,055 Village Forest Protection Committees are protecting some 78,646 hectares of land, including village wastelands, under Social Forestry Project in fifteen districts of Orissa (for details, see Ori-Forest, Jan. - March, 1997).
- 3 As of now, 6,786 Vana Samrakshana Samitis are protecting some 645,176.64 hectares of forests.
- 4 Property rights over the forestland determine the difference between different types of forests, such as Reserved, Protected or Village. While in the case of Reserved Forest, the Forest Department enjoys property rights over the forestland, in Protected Forests, the management rights and responsibilities of the forest are conferred on Forest Department, whereas the property rights on land remain with Revenue Department.
- 5 Through Resolution No 10F (Pron) - 47/88/17240 FFAH dated August 1, 1988 of Government of Orissa in Forest Fisheries and Animal Husbandry Department, which came into force on October 2, 1988.
- 6 Vide Resolution No. - 10F (Pron) 47/88 - 23638 dated October 13, 1988 of Government of Orissa, Forest, Fisheries and Animal Husbandry Department.
- 7 Resolution No. 10F (Pron) 4/90/29525/FFAH dated December 11, 1990 of Government of Orissa.
- 8 Bearing No. 16700 - 10F (Pron) 20/93 F & E dated July 3, 1993.
- 9 Colonialism has been described as an 'ecological watershed' for India and the colonial treatment of India's forests as an 'onslaught on forests' for the destruction of forests, which has been made to fulfil three requirements of colonial State (Guha, 1989: 37 - 43; Gadgil and Guha, 1992: 116 - 23). The first requirement came from the British Royal Navy, which needed huge quantities of teak for shipbuilding; the second from the need for revenue from agricultural land, for which forests were cleared and were made cultivable land for taxation; and the third for India Sal to build railway networks.
- 10 Through Resolution No.16419-10F - M - 149/72 (FAH Dt. 16 - 12 - 72).
- 11 The total forestland in this table also includes degraded forests with less than 10 per cent crown cover and thus is more than the added forest area of dense and open forests.
- 12 For a detailed discussion of 'quantity vs. quality' debate in Indian forestry see Sundar et al. (2001:15 - 20).
- 13 See (Guha, 1989: chapter 4 and 5) for a detailed description of such protests against the State's monopoly over the forest resources in Tehri Garwal area of Uttar Pradesh.
- 14 It should be mentioned here that Protected Forests in Orissa constitute 52.6 per cent of the total forest cover of the State compared with the all India figure of 29.2 per cent (Sundar et al. 2001: 80).
- 15 For a critique of 'jointness' in Joint Forest Management see Lele (1998), Sundar (2000), Sundar et al. (2001).

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