

The Politics of Cooperative Forest Management

The Kangra Experience, Himachal Pradesh



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The Politics of Cooperative Forest Management

The Kangra Experience, Himachal Pradesh

Rajeev Ahal

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DEDICATED TO THE COUNTLESS COMMUNITY
FORESTRY GROUPS COMMITTED TO THE
SUSTAINABLE MANAGEMENT OF THEIR FOREST
RESOURCES IN THE HIMALAYAS

foreword

Across the Hindu Kush-Himalayan region, the way in which forests and other natural resources are managed is profoundly important for the well being of the people since a large portion of the population depends on the forests in their day-to-day life. For mountain people the loss of forest resources can be catastrophic, many are still dependent on forests for fuel, building materials, fodder, and other products. Healthy forest resources are also essential for the well-being of the mountain environment. Loss of forest cover is contributing to problems like increased land degradation, landslides and floods, downstream siltation, loss of habitat, reduced biodiversity, loss of water resources, and even climate change. Maintaining forest resources has become a challenge, however, in face of the increasing demands both for land and for forest products as a result of population growth, increased aspirations, and improved access – which brings with it increased opportunities for exploitation and export.

Historically, in many areas of the HKH, forest management has been centrally directed, and governments resorted to protection and policing where these resources were to be preserved – generally with limited success. Recently, there has been a paradigm shift in the approach to forest management. It is now well recognised, that to ensure good forest management the people most closely concerned — the forest users – must be actively involved and able to take decisions, carry out tasks, and also benefit. People-centred forest policies have emerged in almost all the countries in the region. An increasing area is being brought under community management in one form or another through different benefit-sharing systems and tenure arrangements. Participatory forest management (PFM) has emerged as a successful strategy in almost all of the region's countries.

One of the earliest recorded examples of an attempt to formally involve communities in forest management took place in Kangra District, now in Himachal Pradesh, India. The Kangra Forest Cooperative Societies were initiated in 1940. Unlike later initiatives in the same area, these societies were authorised to manage all types of forest land, not just to rehabilitate degraded areas – although this was clearly the main focus. Looked at from today's perspective, the cooperatives had serious shortcomings in terms of representation and equity (not a subject of concern in the 1940s!), but they were successful in regenerating degraded forest areas and developing a feeling of ownership and pride in the villagers. The cooperatives fell foul of the organisational changes associated with the establishment of the new state of Himachal Pradesh in 1971, and of the HP Forest Departments apparent lack of commitment to genuine community forestry and unwillingness to allow communities to really manage and take decisions about their forests. The existence of these societies is still a matter of dispute, although many continue to function in a legal limbo.

The history of the Kangra cooperatives provides fascinating lessons for community forestry today on what does and doesn't work and why. Analysis of the past, and comparison with other initiatives in the same district, throws light on many problems: the fundamental attitudes of government departments and staff; commitment to and distrust of genuine community involvement; legal definitions of forest, users, and other terms and their implications; interpretation of the idea of 'community forestry' – use of the community to protect and regenerate government forests for the benefit of the state on the one hand, handing over management of forest to a community so that community needs can be met and guaranteed in

the long term on the other. All of these and more can be found in this document, which analyses the history of the cooperatives, the political developments related to them, the state of other initiatives in Kangra, and the present situation – including the future of the cooperatives themselves. The ideas are not only relevant for decisions now being taken in Himachal Pradesh, they provide insights that will be useful to foresters and policy-makers across the region.

ICIMOD, through its Natural Resources Division, has taken an active interest over the past years in the introduction of community forestry in various forms in countries across the Hindu Kush-Himalayan region, and its contribution to enabling more sustainable use and management of natural resources. We have endeavoured to collect and disseminate information about different practices and to bring different groups together to exchange views and to develop partnerships that contribute to the success of community forestry. This book is a further contribution to this process.

It is a thought provoking document, and we hope it will stimulate discussion – and action – that will help facilitate the successful introduction of community forestry across the region.

Anupam Bhatia

author's preface

This paper examines the Kangra Forest Cooperative Society experience of Himachal Pradesh, one of the earliest experiments in joint forest management, initiated in 1940, which became a subject of disagreement and remains in continuing dispute. The historical overview and review of past processes and milestones is based on a combination of information about the cooperatives themselves and information on the quality of the forests. Recent policy developments are also reviewed and critical issues for the future discussed.

While my involvement with the Kangra Forest Cooperative Society scheme began in 1988, it was only in 1996 that I began to probe into the details that were hidden from the public eye. When starting work on this study, I realised the paucity of recorded historical data and facts concerning Himachal Pradesh, especially with regard to the Kangra Forest Cooperative Society scheme. Furthermore, because Kangra District had been transferred from Punjab State to Himachal Pradesh, many crucial notifications, records, and items of correspondence were not traceable, probably lost somewhere in the transfer.

A further constraint resulted from the fact that the Forest Department had maintained no consolidated records of the Kangra Forest Cooperative Societies. However, the registration files of some of the societies themselves contained detailed records of correspondence, memos, inspection notes, and case sheets of conflicts, which were available in the offices of the assistant registrars of the societies. In addition, some societies have kept, in wooden boxes full of flaking yellow papers, detailed records of documents, resolutions, and the minutes of their meetings over the last fifty years. These were an invaluable asset for my research. Many leaders of active societies provided a rich oral history that I collected in interviews. Based on the above sources, I have been able to reconstruct and analyse the events in some detail.

During the first stage of the study, I developed an understanding of the history, the systems of land tenure and the methods of forest management that have prevailed in Kangra over the centuries. This formed the background against which the detail of the scheme emerged. I conducted a literature survey, studying crucial authoritative documents and settlement reports, as well as earlier published works (see Bibliography). After this, I made an extensive tour of the district. From this I was able to classify the societies into distinct groups. I conducted numerous interviews with active members of the societies and with the grass roots level staff of the forest and cooperative departments to identify issues arising from the Kangra Forest Cooperative Society experiment, and spent a considerable time examining the available records. Based on these, I was able to identify and prioritise important issues and questions, developing a format of queries to be addressed to the societies themselves. Using this format, a team toured representative societies to collect primary information and detailed responses from members and from the leadership. In putting this information down on paper, I have tried to explore the larger picture of participatory forest management before offering any suggestions.

My intention is to present this paper in simple, non-technical language in order to make it accessible to lay people as well as experts, without compromising facts and precision. I have, moreover, no desire to malign individuals or institutions, but simply to portray them as I have seen them in the given context.

Rajeev Ahal
Palampur, Himachal Pradesh, India

executive summary

This paper examines the Kangra Forest Cooperative Societies (KFCS) of Himachal Pradesh (HP), providing an historical overview and reviewing past processes and milestones. An overview of Kangra's prevailing land settlement and revenue system is included to facilitate the reader's understanding of the background of forest management against which the KFCS and subsequent participatory forest management (PFM) initiatives have been taken.

In the Kangra hills, as elsewhere in the Himalayas, forests play a major role in shaping people's socioeconomic destiny and the state's political strength, and changes in systems of forest management radically redefine the relationship of people to their forests. British policies restricted people's access to major forest areas and reduced their dependence on them by turning them into commercial monoculture forests. At the same time, the government inhibited pastoralism, a major occupation in the hills, forcing people into settled agriculture.

The Forest Department blamed uncontrolled grazing and illegal felling for the deforestation and soil erosion of undemarcated forests, failing to understand the role its own revenue-oriented policies played. Concern about forest conservation coupled with poor financial returns led to a changed management strategy whereby the forest department began to devolve more responsibility for forest protection to the people and give them a share of the profits of sale.

Following recommendations made by a commission of enquiry in the late 1930s, the Punjab Government ordered the Forest Department to implement a scheme that would enable villages to manage their own forest property under the supervision of qualified forest officers. In 1940, the KFCS scheme was officially sanctioned, and over a 12-year period, 72 societies were formed, with nearly 2,800 square kilometres of land. In independent India, the political will supporting the scheme declined after 1956, and in 1961 specific orders were passed against forming new societies.

When Kangra District became part of Himachal Pradesh (HP) in 1971, the HP Forest Department refused to recognise the legality of the KFCS' claims on their right to manage their own forests and insisted that the forests be managed by HP Forest Department staff as per the territorial working plans. Great confusion over the scheme's legal status ensued, leading the different departments involved to withdraw their support for a participatory forest management initiative they had hitherto accepted and sustained. Notwithstanding this position, many of these societies have remained active until today, albeit in reduced form, basing their legality on the still extant registration as cooperatives.

This publication describes the basic principles and rules pertaining to the formation and running of the KFCS and provides a detailed analysis of their operations. The choice of institutional form, the criteria for membership and for selection of areas, and the financial systems developed by the scheme, are all discussed. The paper points out that the initiative's most fundamental achievement could be the effort to re-establish workable systems of community control by redefining the balance between rights and responsibilities. While the expression 'people's participation' figures nowhere in KFCS notifications, the emphasis on consulting the society and the villagers in the preparation of the working plans reveals a space for consultative participation, unlike conventional forest conservancy.

The author stresses the importance of analysing the processes the government set in motion when organising people into the KFCS scheme in the 1940s, and seeks to determine whether the newly created institutions were actually community-based or merely convenient instruments created by the forest and cooperative departments 'from above' to achieve their own objectives. He also asks which groups within the village accepted the KFCS scheme as a mechanism of community managed forestry. What were their socioeconomic backgrounds and how participatory were the structures established?

The KFCS managed many different classes of land in Kangra and operated under various systems of forest management, the most important objective of which seemed to be closures that protected the forest areas from open grazing. The quality of KFCS forests supports the stand taken by members and managing committees of the KFCS that they generally managed forests better than the forest department, an opinion forest department (FD) staff also echo unofficially.

Nevertheless, since 1973, the roles, rights, and responsibilities of the KFCS and the grass roots level FD staff have overlapped, and the KFCS forests' wealth has been taken without compensation to the KFCS members. Currently, confusion prevails about the roles, present status, and the future of the entire KFCS initiative. Before attempting to look for solutions, the author tries to analyse the roles being played and the positions being taken by each stakeholder institution: the state governments, the Forest Department, the Cooperatives Department, and the KFCS themselves.

The study also examines the situation today where, despite the assumption of the HP Government that the PFM experiment is in a state of suspended animation, the KFCS are quite alive and active, and angry at their treatment and how the state has sought to unilaterally appropriate the basis of their rights and their existence. The issue of reviving these KFCS is important in itself, and is one aspect of the overall fight to ensure an appropriate and enabling environment for participatory and sustainable forest management in HP.

The study's final chapter begins by reviewing the recent history of PFM in Himachal Pradesh in order to help us understand what the future might hold. Several specific projects are discussed, as are the HP Government's draft PFM rules and the forest sector review conducted during 1999 to 2000. Analysing this, the author finds several central themes that run through all PFM experiments: a temporary or time-bound nature; the formation of new, transient, village organisations to protect and manage degraded areas through closure and plantation; the disguised benefit of wage-work for non-forest based asset creation or plantation work that temporarily relieves pressure from the nearby protected forests; and a concept of 'jointness' that has the village committees take over the more onerous roles from the FD while leaving true control as well as major long-term benefits very much with the department itself.

Thus, the FD currently seems to use PFM mainly as a means to attract substantial foreign donor contributions and to relieve some of the communities' pent-up pressure over the alienation of their forest wealth and their lack of access and control. It seems that the department has not really incorporated the lessons demonstrated by PFM into forest management systems.

The study concludes with a discussion of the future of the KFCS and emerging lessons for the future of sustainable forest management in HP. Many fundamental changes are suggested, including mainstreaming PFM, changing forest land use, reclassifying forest lands, converting individual rights to community rights, strengthening sustainable forest-based livelihoods, and rationalising the role of people's institutions. The KFCS approach demonstrates the competence of village communities not only to regenerate and manage their forests sustainably, but also to generate incomes for individual as well as social development.

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I would like to extend special thanks to Professor Hans Wienold, whose suggestions and analyses helped me sharpen the focus of the final paper, and to Mr. Pamin Katoch, who supervised the field research and worked tirelessly to dig out lost information. The staff of the forest, cooperative, and revenue departments also deserve thanks for their help. I wish to thank all the members of the KFCS and all the nameless others who contributed to this research and who have been infinitely patient with my enquiries. Discussions with members of Navrachna helped clear up the cobwebs of confusion many times. Finally, I would like to thank my wife Manju for tolerating the frustrations of an activist trying, without any formal background, to be an academic – a husband who always forgot to bring home the vegetables but instead returned with yet another pile of papers.

I would very much appreciate the comments and criticism of readers.

glossary

antodaya	poorest of the poor
bajri	gravel
ban maufi	concessions given by the government in the 1860s to ten specific village communities of kangra district when taking over their land for tea plantations; the soil and trees were owned by the villagers, under the trusteeship of the deputy commissioner
ban sarkar	forest land vested with the forest department
bartandar	those who have a right over land or trees in a protected forest that belongs to someone else, e.g. the government
crore	ten million (one hundred lakhs)
demarcated protected forest	the trees belonged to the government, subject to the reservation of the rights of the users, and the soil to the people; no appropriation of land was permitted in these forests and a quarter to a third of the total forest area could be closed for regeneration.
devta committee	religious committee
durbar	a public audience
gair mumkin	uncultivable lands
gharats	traditional water-powered mills for grinding grain
gram panchayat	elected village level body for local self-governance, often called simply 'panchayat'
khewatdar	(also khetwatdar) persons entitled to a right by virtue of sole or joint property in the subject of the right, such as a common property resource
lakh	one hundred thousand
lambardar	the traditional legal institution for revenue collection in a village, in return for a commission, the lambardar collected land revenue on behalf of the government
mahila mandal	an official women's organisation with committees in all villages
malkiat shamlat	originally common lands which were later converted to private lands by the revenue department and on which tax is levied
mauza	a unit of the revenue department (under British Rule) consisting of a collection of hamlets with patches of cultivation and undefined or unrecorded rights of the residents in the

	surrounding wastes; the ownership of all soil and forest land was transferred to a copropriety body formed from the residents; the revenue for the entire mauza was assessed as a lump sum by the government, payment was made the joint responsibility of the body
patwari	village land revenue official
rakha	forest guard
reserved forest	the absolute property of the government, with no rights of users allowed
sangarsh samiti	advocacy group/committee/organisation
Sanjhi Van Yojna	a participatory forest management scheme similar to 'joint forest management', but financed from Himachal Pradesh's state budget, launched in 1998/1999
shamlat tika	a tika within a mauza that is composed entirely of shamlat lands
shamlat	common land in which rights are enjoyed by the bartandars of the village
tehsil	the lowest unit of administration under British rule, consisting of a certain number of mauzas; the tehsildar was the administrative and revenue head of the tehsil; a group of tehsils constituted a district.
tika	a hamlet with too few residents to qualify as a village or mauza
unclassified forest	the trees belonged to the government and the soil to the people, no closures could be made except with the people's consent
undemarcated protected forest	both planted trees and those of spontaneous growth belonged to the government and the soil to the people; cultivation was permitted with the deputy commissioner's consent; closures could only be made with the consent of the right holding villages. This type of forest was not closed to grazing.
usufruct	the right to enjoy the use of and income from another's property; in the Himalayan region used to mean the benefits themselves (the income and produce)
van andolan	forest protest movement by a local community
van panchayat	elected local area body for forest management
warisee	hereditary 'right of use' that could be mortgaged and recovered like property
wazib-ul-arz	the administrative record of the village kept in the settlement document
zamindars	landowning farmers who pay revenue to the government, and who also have corresponding rights (bartandars) in the resources of the mauza, such as forests or flowing water for irrigation

acronyms & abbreviations

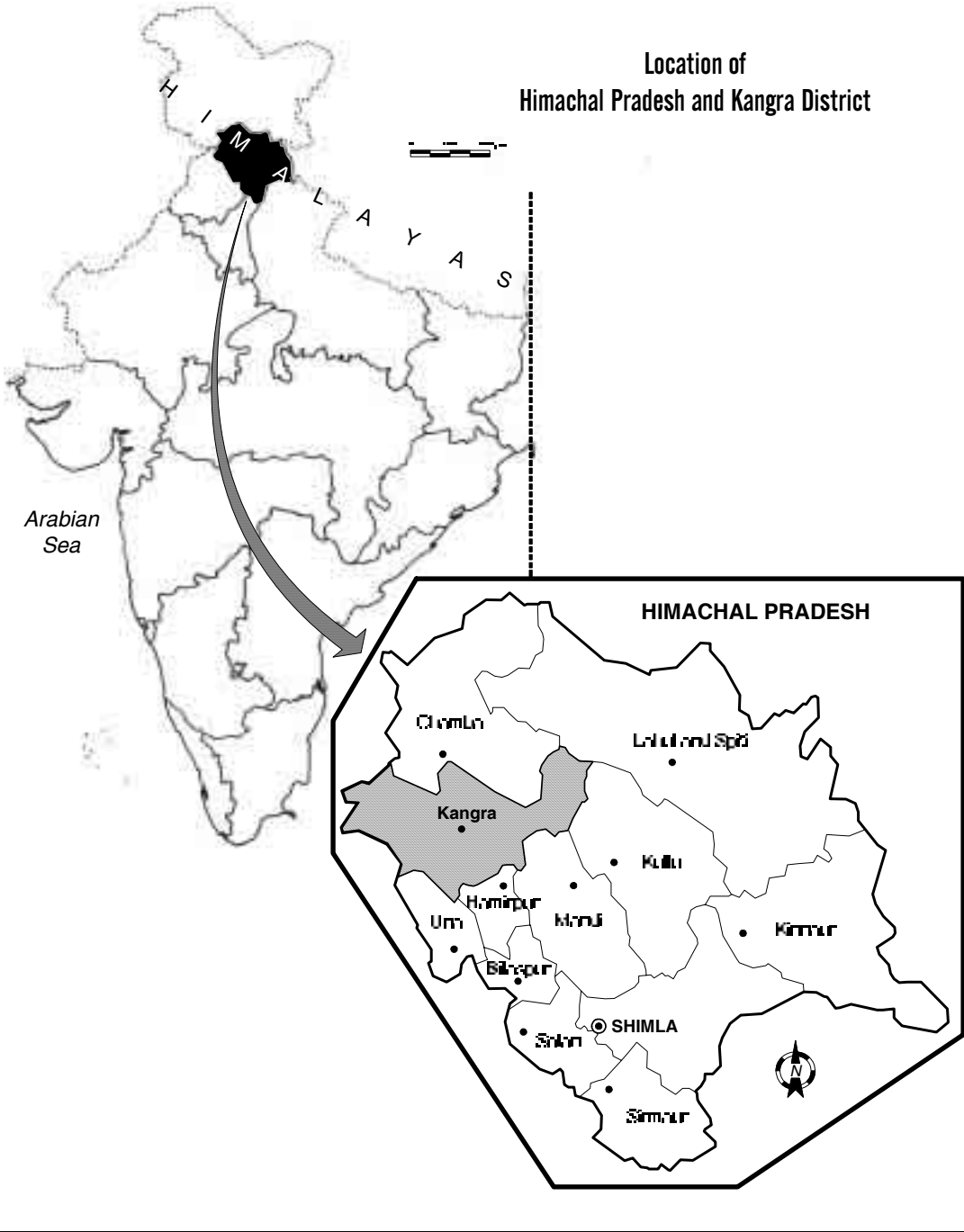
AR	assistant registrar
BM	ban maufi
CD	cooperatives department
CF	conservator of forests
CPR	common property resources
DFID	Department for International Development (UK) — formerly ODA
DFO	district forest office/district forest officer
DPF	demarcated protected forest
EC	executive committee
FD	forest department
FSR	Forest Sector Review
GB	general body
GO	government order
GOI	Government of India
GP	gram panchayat
GTZ	(Deutsche) Gesellschaft für Technische Zusammenarbeit (German Technical Cooperation)
HP	Himachal Pradesh
HPFP	HP Forestry Project
JFM	joint forest management
IGCP	Indo-German Changer Project
ICIMOD	International Centre for Integrated Mountain Development
IGDP	Indo German Dhauladhar Project
IRMP	integrated resource management plan
KFCS	Kangra Forest Cooperative Society/Societies
masl	metres above (mean) sea level
MC	managing committee
MM	mahila mandal
MS	malkiat shamlat
NGO	non-governmental organisation
NRM	natural resources management
NTFP	non-timber forest produce
PFM	participatory forest management
PW	private wasteland
RF	reserved forest
Rs	rupees
SFM	sustainable forest management
SVY	Sanjhi Van Yojna

TD	timber distribution
TRUCO	trust and confidence
UF	unclassified forest
UPF	undemarcated protected forest
VDC	village development committee
VEDS	village eco-development society
VFDC	village forest development committee
VFDS	village forest development society
VLI	village level institution
VLRK	Van Lagao Rozi Kamao
WP	working plan

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Location of
Himachal Pradesh and Kangra District



one kangra: an overview

Background

Kangra is the most populous district of Himachal Pradesh (HP). It is bisected by an east-west valley approximately 128 km long and 58 km wide, with an elevation varying from 350 to 6,975 metres above sea level (masl). The valley is drained by the Beas River, and along its northern boundary lies the majestic Dhauladhar range, a massive snow-covered wall. The southern slopes fall precipitously to the valley's lush, fertile fields. Originally, the area's many different caste groups spoke various dialects of Pahari, the language of the hills.

To understand the background of forest management in Kangra, it is necessary to understand the prevailing land settlement and revenue systems. Throughout centuries of early rule, formal ownership of all land was vested with the raja, in the classical model of a Hindu state. Actual property rights, however, were in the nature of hereditary, customary 'rights of use' called 'warisees' that could be mortgaged and recovered more or less like property. At the same time, in addition to their warisees, every household enjoyed customary rights of use in the nearby forests and pasturage during the monsoon months in the nearby ranges. Thus, while the 'property' of land was not in the name of tenant farmers, their proprietary rights for cultivated lands were clearly defined and rights in nearby forests were also laid down by centuries of access and use. This system excluded large areas of forest land and pastures in the hilly uplands that were only used by long-range graziers.

The structure of governance created by the British Raj and its exploitation of India for Great Britain's revenue requirements required clear ownership of land and the formalisation of revenue systems. British land policies thus initiated a process of land settlements, demarcating and classifying lands under individual use as private. Forests and grazing lands to which village communities had access and defined shares of extraction were called 'shamlats' (common land) and the traditional customary rights were codified as formal rights. Forests far from a village which formed a common resource pool for timber and migratory pastoralism were given various designations with local communities exercising varying degrees of rights over them. Warisee holders became formal landowners and for the first time the Kangra hills saw private ownership of property.

The traditional form of revenue assessment and collection had varied from region to region with the raja's share ranging between one half and one fourth of the produce, depending on land productivity, irrigation, and other factors. The British made revenue a cash payment, creating stresses on the hills' non-cash based subsistence economy. Given Kangra's poorer productivity

compared to farm land on the plains, this revenue was not very significant. By the end of the 19th century, the government saw that revenues from farm land in the hill areas could not provide sufficient profit and meet the cost of governance. Attention turned to the large tracts of forest land with their rich stands of commercially exploitable ‘devdar’, ‘chil’ (known in most of India and HP outside Kangra, as ‘chir’), ‘khair’ and other timber trees.

With the change to cash payment of revenue, the British also made all land owning farmers of a village collectively responsible for paying as a lump sum the revenue assessed for all the now privately owned cultivated lands in the village. While the revenue system thus required farmers to act as a co-propriety body, no community based institutional mechanisms were created for such new community behaviour. Although this privatisation of commons seems egalitarian, the actual degree of co-propriety in villages divided by caste hierarchies was apparently very poor, and led to the consolidation of the landed gentry’s control over socioeconomically weaker castes.

Early historical accounts reveal that nomadic pastoralism was another form of natural resource use evolved in the hills, diversifying communities’ dependence on fragile and limited agricultural land. These pastoral tribes kept large flocks, which they grazed on the valley floor during winter and on alpine and permanent pastures in the mountains at other times. Their grazing rights in the forests were recognised as customary warisees. In the 19th century, however, the British became increasingly interested in the higher earnings possible from timber and commercial forestry. Although the grazing pressure on forests was not heavy, the British required that forest land be liberated of the burden of grazing. Grazing was discouraged by converting the pasturage toll into cash, restricting flock sizes, and encouraging pastoralists to settle down and become cultivators.

Systems of Forest Management

In the Kangra hills, as elsewhere in the Himalayas, forests played a major role in shaping the people’s socioeconomic destiny and the state’s political strength. Changes in systems of forest management radically redefined the relationship of people to their forests. When the British acquired Kangra in 1846, the complexity of the prevailing land and forest use systems confounded them. Lands that had belonged to the kings became state property by default and forests were placed under the deputy commissioner. The basic unit of revenue was defined as a group of hamlets, a ‘mauza’, and ownership of all the lands and forests they used was transferred to a co-propriety body formed from the residents.

The government initially retained only a general right on forest property in the form of timber, subject to the villagers’ right to extract fuel and timber for agricultural purposes. The process of consolidating the Raj, however, soon led to massive building programmes, in addition to the network of railway lines being spread across the country. Both required timber urgently, and the only forests capable of yielding timber of sufficient quality and quantity were on the Himalayan slopes. The British Government began to prioritise control over forest land. By 1853, while the soil of all Kangra forests belonged to the people, the government was the de facto owner of trees of spontaneous growth. With no formal declaration, total control of the management of all forests other than village commons had been taken over¹.

¹ The state property in wastes was quietly announced by the Board of Administration in 1852, 26 years before the statutory enactment of the Forest Act of 1878. The Board proposed: “...after defining the village boundaries and allowing such reasonable extent of land as may suffice for the wants of the communities being included in each area, to declare lands beyond these boundaries government property.”



The forests of KFCS Arla Saloh

The formation of the Forest Department (FD) in 1870 institutionalised the system of forest exploitation. The government created more than 6,500 ha of reserved forests (RF), pleading that some forests had to be ‘unburdened from the rights of the people’, in other words, protected *from the people for the people*, and ignoring the fact that local communities had been successfully managing their forests themselves for thousands of years. Local people had no rights in these RFs; in lieu, affected communities were given forests of equal size near their villages and special monies and land concessions.

Unlike earlier settlement officers who were sensitive to the relationship of communities with their forests, the new officers of the nascent FD followed principles of ‘scientific forestry’, viewing forests as resources whose returns, timber and revenue, should be maximised. All forests composed of non-timber trees were called ‘wastes’, their soil-binding, water recharging, and wildlife aspects being relegated to secondary importance.

New forest acts provided legislative teeth to these intentions and by 1897 nearly 5,500 ha of forests were notified as demarcated protected forest (DPF) for which the FD was totally responsible. In this type of forest, the trees belonged to the government, subject to the reservation of the rights of the users, and the soil belonged to the people. No appropriation of land was permitted and a quarter to a third of the total forest area could be closed for regeneration. Forests, as well as grazing and pasture land, were largely converted to commercial timber forests. Forest contractors became the focus in the village economy for short-term wage labour based on intensive working of the ‘government forests’. Interest in this work divided communities, suppressing effective opposition to the state’s interest in commercialising the forests.

Other economic changes included the intensive linking up of the Kangra hills to the vibrant market economies of the plains and the new livelihoods and opportunities provided by the infrastructure of local government offices. Kangra’s affluent classes had developed a diversified subsistence base in response to the limitations of hill agriculture. Enjoying a high degree of mobility within the options for off-farm profit making, and a stronger risk-taking ability, they

reaped the maximum benefit of monetisation of the hill economy and thus promoted the state's interests while increasing their hold over the village economy. The mid-level primarily agrarian castes suffered the most from the shrinkage in forest use and access. Although they comprised more than three-quarters of the population, they were spread over the district and could not organise any strong opposition to these policies.

A significant and unique feature of forest management in Kangra was the age-old system of formalising each family's exact usufruct right, with the specific forests they could access being recorded. In the 1890s these were accepted as a households' legal entitlement, but by 1920 the orthodox forestry conservancy saw these rights as a burden. State policy declared that they could not be exercised if they might "endanger the existence of the forests over which the rights are admitted²." Such restructuring of people's rights – limiting those of marginal farmers, tenants, and sharecroppers – used the increasing influence of the upper castes, who shared the state's dominant commercial interests, to redefine forest rights in favour of the commercial exploitation of forests.

The British period saw great population growth; by the end of 1901, Kangra's population density had reached 322 persons per sq.km of cultivated area. The simultaneous growth in the needs of livestock, agriculture, and habitation put intense biotic pressure on the village, or unclassed, forest (UF). Even the existing DPFs proved inadequate. Local systems of grazing management, whereby livestock were rotated among different sites during different seasons, were burdened by the shrinkage of buffers due to the contemporary land policy. The limited common lands crossed the level of sustainable extraction and became degraded, bringing biotic pressure to bear on both DPF and undemarcated protected forest (UPF).

To counter this deforestation, the FD employed essentially restrictive strategies, as follows.

Reservation: reducing or curtailing people's rights to forests to conserve the existing stands. The FD sought to take over unclassed and shamlat lands, which were already inadequate, and close them as reserved forests. This provoked opposition from the farming castes.

Reduction of flocks by taxation: limiting excessive grazing by taxation of flocks in excess of actual agricultural, as opposed to pastoral, requirements. Differential taxes were introduced, penalising goats as opposed to sheep. Grazing fees were levied on migratory animals and a cattle tax was levied on indigenous flocks. Thus, efforts were made to restrict, in favour of agriculture, the use of different types of land for cultivation or for pastoralism

Rotational closures: attempting to have village communities voluntarily close their grazing lands and wastes. These attempts, however, could not provide a solution to the rapidly worsening condition of the forests and were strongly opposed by most village communities.

The Status of Forest Resources

British policies restricted people's access to major forest areas, and reduced their dependence on these forests by turning them into commercial monoculture forests of chil, khair, devdar, and other species irrelevant to the local communities' needs. These policies concentrated biotic pressure on the few remaining scrub forests left open. Along with privately owned agricultural land, these became the main sources of fodder and fuelwood.

² Anderson. Final Report of the Settlement of Kangra District; Article 15 of Kangra Forest Record of Rights.

At the same time, the government inhibited pastoralism, a major occupation in the hills, forcing people into settled agriculture. By the 1920s, no more land could be cleared for agriculture and the increasingly fragmented agricultural land could hardly provide for the newly settled families' fodder and fuelwood requirements. Pressure for fodder shifted onto the already stressed scrub forests, especially those in the rain-fed subsistence areas of Kangra's fragile lower Siwalik hills. These forests had long been providing for local needs, but suddenly faced a rapid increase in extraction processes. The newly naked and sloping terrain experienced high rainfall, and unprecedented soil erosion ensued.

The FD blamed uncontrolled grazing and illegal felling for the deforestation and soil erosion of undemarcated forests, failing to understand the role its own revenue-oriented policies had played. Removing large forest areas and converting them into commercial forests forced people to focus extraction on the few remaining buffer forests, leading to rapid deterioration. Such non-participatory forest management promoted both wasteful and illegal extraction. Some conservation-oriented foresters in the FD cited the ecological damage brought about by this system of forest conservancy and built pressure from within to experiment with alternative forms of forest management and for the FD to shift towards participatory forest management mechanisms.

The department also began feeling pressure because of its poor financial returns. This contributed to the decision to experiment with a changed forest management strategy in which the users were given more responsibility for forest protection and also a share of the profits. Further, the specific problems of mountain areas like inaccessibility, fragility, marginality, and diversity (Jodha 1990) also played a role in making centralised and commercial forest management economically and ecologically unsustainable and were another factor that encouraged the FD to experiment with alternative management systems.

two

the kangra forest

Cooperatives experiment

The Concept

By the early thirties, the Forest Department (FD) knew that it could not cope with the rapid deforestation of the forests. After intense discussions at the forest conference of 1935 in Madras, Mr. H.M. Glover, the FD's Chief Conservator, proposed the following resolution:

“That the conference is firmly of the opinion that the state of the undemarcated forests is so deplorable that the recent policy for their management must be changed. The practicability of forming village forests should be examined, and Govt. may kindly be asked to appoint a committee to decide what particular steps should be taken in each district of the outer Himalayas.”

This resolution was unanimously passed and on 28 September 1937 the Punjab Government appointed a commission of enquiry headed by Sir Colin Garbett to examine the situation and give recommendations for Kangra District. The Garbett Commission's terms of reference were to find out:

- what difficulties were experienced by those who live in and near the forests as a result of the then system of forest administration;
- how these people might best be encouraged to conserve the forests; and
- how their cooperation with the FD could be encouraged and secured.

The commission toured the whole of Kangra District, and observed that except for areas in the present Kullu, Lahaul, and Spiti districts, only about 20% (163,000 acres) of the forests were under scientific management, the remaining 80% (648,000 acres) being “burdened with heavy rights of the users and ... fast deteriorating.”

Their recommendations were as follow.³

- The villagers should agree to management according to simple working plans approved by the government involving closures, where closures were demonstrably necessary.
- In order that this demonstration would be convincing, the government should make allies of people's representatives.
- An effort should be made to teach the villagers that whatever profits accrue from the management of the shamlat and the reserves, shall be to their benefit.

³ Para. 10.6 of the Garbett Commission's report, referred to in Rawal (1968) Volume I

- In order that the people may have qualified representatives, panchayats (an elected village level body) must be formed and the details of forest management of the area in which the village is situated should be explained to them.
- For this purpose, a working scheme of management for each village should be prepared. The scheme would envisage management of not only the shamlat, but also of the protected and reserved forests in which the village had rights, in such a way as to secure the maximum crop of forest produce for the villagers' benefit.
- If possible, the cost of management should be met from the proceeds of sale, but the value of securing the catchment area to the province was felt to be far greater than the small expenditure on staff, which was to be paid for, in part or in whole, by the government.

“Thus the commission recommend the immediate appointment of a panchayat officer to establish panchayats and a forest officer to prepare plans. In the next stage, the panchayat will be associated in a consultative capacity in respect of the management of the whole village forest estate and of the execution of the Working Plan. The technical proposals of the plan will be given effect to by the Forest Department, Divisional Forest Officer being responsible for the discipline of the staff. But there will be a close liaison between the DFO and the panchayats, and at reasonable intervals they will meet and discuss any matters in which improvement may appear to be required.

The ultimate, however distant, goal is that the whole forest property of the village shall be managed on lines approved by itself and given effect to by its own forest staff under the supervision of a qualified forest officer acting as Assistant to the Deputy Commissioner. Then the expense of the staff will be lessened and the profits of the village increased” (emphasis the author's)

These recommendations represented a major shift from the contemporary approach, as they accepted that maximum priority was to be given to soil and forest conservation and that this was not possible without the involvement of the communities concerned.

Subsequent to the Garbett Commission's recommendations, the Punjab Government planned its strategy and issued a notification⁴ in 1938, passing the following orders and authorising the FD to study the situation and plan and implement a scheme as recommended:

“Principles underlying the proposal are accepted. Before taking further action, Forest Department should draw up a more detailed scheme conforming with the principles that erosion shall be prevented and the interests of the province as a whole shall be safeguarded.”

It appears that the concerns expressed in the forest conference of 1935 and its resolution drove the FD to try innovative experiments, and not only in HP. Evidence suggests that similar forest cooperatives were also set up in the remote areas of Bastar in Madhya Pradesh.

Overview of the KFCS Scheme

As per the order, the FD began work on the recommendations. In Kangra, the conservator of forests (Eastern Circle) launched the KFCS scheme on 18 July 1938, and in April 1939 a fully-fledged forest division called the Kangra Village Forest Division (based at Dharamsala) was created to implement it. The complicated forest settlements and the multiplicity of rights made it difficult to initiate proper schemes of management. In February 1940, the Punjab Government

⁴ Punjab Govt. notification No. 1522-C(S) dated 13.8.1938.

officially sanctioned the KFCS scheme⁵ proposed by the FD. The issue of grant-in-aid was notified in January 1941.⁶

Drafting the rules and by-laws of the societies was most difficult, and considerable correspondence passed between the FD, the registrar of the Cooperatives Department (CD) and the legal remembrancer before the rules were finally promulgated in September 1941.⁷

The FD began the Kangra Forest Societies scheme enthusiastically with complete support from CD staff. A total of 72 societies were formed over a 12-year period covering 2,793 sq.km of Kangra District. The largest single acreage, 5,094 ha, was (is) managed by the KFCS in Kaniyara, a high altitude village in the Dhauladhar, lying in the Dharamsala Range of Kangra Forest Division covering over 4,600 ha of demarcated protected forest (DPF) and 440 ha undemarcated protected forest (UPF), most of

which is alpine pasture. Some parts of the society's lands have been worked intensively as slate quarries for decades. The smallest KFCS, with six ha – all shamlat land – was (is) Ghadoral in the Palampur range of the present Palampur Forest Division.



The by-laws signed by the members of KFCS Maranda Bhangiar, 29 January 1947

⁵ Letter No.568-Ft. dated 27.2.1940 from Deputy Secretary to Punjab Government, Development Department to the Chief Conservator of Forests, Punjab.

⁶ Vide Govt. letter No. 157/Ft. dated 18.1.1941.

⁷ Gov't. letter No.2742-Ft. dated 26.9.1941, from Secretary to Punjab Government, Development Department.



Map of KFCs Maranda Bhangiar attached to its working plan document

Policy, Procedures and History

The government sanctioned the KFCS scheme in 1940 for five years, with a total annual grant-in-aid of Rs 50,000 and a target of 32 KFCS to be formed. The first KFCS to be registered was Bahnala on 16 November 1941; notification of the transfer of management of relevant lands to this KFCS was finalised on 26 October 1941. By 1944/1945, the end of the official period of sanction, 40 KFCS, covering 17,500 ha of land, had been set up with approved working plans (WPs).

The scheme was reviewed and extended for another five years, beginning on 1 April 1945, under the following conditions.

1. The total amount of grant-in-aid to be paid to the societies was restricted to Rs 50,000 per annum. Savings of one year could not be carried forward to the next.
2. No restrictions were to be made on the number of societies formed as long as the grant-in-aid did not exceed Rs 50,000 per annum. Thus targets for KFCS formation were eliminated and the FD was left free to decide the numbers based on the people's response.
3. When the amount of grant-in-aid reached the Rs 50,000 limit, either an increase in grant-in-aid was to be justified, or those societies showing a surplus were to be called upon to bear a percentage of the cost borne by the government. The government did not accept unlimited liability in respect of these forests. Thus, non-paying KFCS were induced to become paying societies, encouraging financial independence.
4. Societies that began earning a profit within five years of formation had to pay 10% of such profit towards the cost of the FD inspection staff. This meant that the KFCS now had to pay a fee for the technical services they received from the FD.



KFCS Bhagotla office buildings, housing the village post office in one room and a government ayurvedic dispensary in another

By 1950, the end of the second period, 63 KFCS covering 21,600 ha had been formed with operational WPs. The scheme was again reviewed and extended for a further three years to the end of March, 1953. At the end of this period there were 71 KFCS with operational WPs covering a total area of 23,100 ha. There were two more reviews and 1-year extensions during which time the total number of KFCS increased to 72. At the end of March 1955, following termination of KFCS Khohala for continuous mismanagement, there were 71 KFCS, covering 23,500 ha.

At this juncture, KFCS had been managing forests for 15 years and their work was considered exemplary. During the 1-year extension to March 31 1956, the annual grant-in-aid was increased to Rs 90,000, on condition that the additional rupees be spent on introducing KFCS in Hamirpur Tehsil and further expansion in Nurpur Tehsil.

But the year 1956 saw a withdrawal of the political will supporting the scheme. Despite the completion of all preliminary procedures, including agreements by the members, two KFCS formed in Hamirpur were not notified and never came into formal existence. The KFCS remained static at 71, with grant-in-aid sanctioned at Rs 50,000.

The operation of the scheme for the existing KFCS was extended yearly for the next five years, to the end of March 1961. The KFCS at Dhuga Bakhshian-Rajpalwan Hauri was denotified following constant conflicts among the members, reducing the number to 70, 44 in Kangra Forest Division and 26 in Nurpur Forest Division (Rawal 1968). These KFCS were now managing 23,600 ha of forest, about 10% of Kangra District's total forest land.

In the final 10-year extension of the scheme (1961 to 1971), the government cancelled the Rs 50,000 grant-in-aid limit and decided to pay back to the respective KFCS whatever income they generated. Specific orders were passed against forming new societies. This reduction in the government's fiscal outlay led to mounting pressure on the FD and acted as the coup-de-grace for the societies formed between 1950 and 1955 that were not yet capable of paying their own staff, incomes from these still regenerating forests being small.

In 1971 Kangra District became a part of the newly-formed state of Himachal Pradesh (HP). The HP Forest Department refused to recognise the legality of the KFCS claim that they manage their own forests and insisted that they be managed as per the territorial WP by its own staff. What ensued was complete confusion over the scheme's legal status, leading the different departments to withdraw their support of a PFM initiative they had hitherto accepted and sustained. Notwithstanding this, many of the societies are still functioning, and striving to regain recognition.

The significant milestones in the development of the KFCS are summarised below. The dates of formation of individual KFCS, and the areas covered, are listed in Table 1.

Table 1: Significant Milestones in the Evolution of the KFCS		
Year	Events	Significance
1935	National Forest Conference passes resolution on finding alternative management strategies for degraded areas of Kangra District.	KFCS CONCEPT BRINGS TOGETHER COMMUNITIES AND DEPARTMENTS: TAKES ROOT
1937	Garbett Commission set up by Punjab Govt. to suggest strategies. Findings & recommendations made.	
1938	Punjab Govt. passes order asking FD to draw up scheme on recommendations of Garbett Commission.	
July 1938	FD launches KFCS scheme.	
Feb. 1940	Punjab Govt. sanctions scheme.	
Jan. 1941	Punjab Govt. notifies conditions and terms of grants-in-aid to KFCS.	
Sept. 1941	Punjab Govt. notifies KFCS rules.	
1940-1945	KFCS scheme sanctioned for 5 years, registers 40 KFCS against target of 32. Annual grant-in-aid fixed at Rs 50,000.	
1945-1950	Scheme extended further 5 years, total of 63 KFCS formed.	
1950-1953	Scheme extended by 3 years; 71 KFCS covering 23,100 ha acres formed.	
1953-1954	Scheme extended for 1 year; 72 KFCS covering 23,800 acres now exist.	
1954-1955	Scheme extended by 1 year. KFCS Khohala terminated leaving 71 KFCS covering 23,500 ha. Punjab Chief Minister's letter expressing doubts on KFCS experiment received.	
1955-1956	Scheme extended by 1 year, grant-in-aid increased by Rs 40,000 to extend KFCS in Nurpur Tehsil and form new ones in Hamirpur Tehsil; due to doubts cast by the Chief Minister's letter, 2 KFCS formed in Hamirpur not notified.	
1956-1957	Scheme extended by 1 year; total KFCS stays at 71.	
1957-1958	Scheme extended by 1 year; total KFCS stays at 71.	
1958-1959	Scheme extended by 1 year; total KFCS stays at 71.	
1959-1960	KFCS at Dhuga Bakhshian-Rajpalwan Hauri denotified due to constant internal conflicts. Total KFCS now 70.	
1960-1961	Scheme extended by 1 year; total KFCS stays at 70.	
1961-1971	Punjab Govt. extends scheme by 10 years, cancels grant-in-aid limit of Rs 50,000. Income from KFCS to be returned as grant after necessary service deductions.	

Table 1 Cont.....

Year	Events	Significance
1966	Punjab reorganisation, Kangra District becomes part of Himachal	KFCS SHIFTED TO HP - NEW EQUATIONS AND RELATIONS EXPLORED
1967	Forests nationalised, Forest Corporation set up to manage collection and sale of timber, resin, and other forest products. KFCS lose two vital sources of income.	
1968-1969	Rawal's Integrated Working Plan covering 70 KFCS comes into effect.	
1971	On January 25 Himachal Pradesh becomes a fully-fledged state. Scheme not extended and expires. FD withdraws technical support and takes over working of the KFCS forest areas based on Rawal's WP. Incomes of KFCS reduced to insignificant sums. Marginal support from CD continues.	
1972-1973	HP Govt. passes orders extending scheme for 2 years, but above situation continues unchanged. The grants reach KFCS only in 1980s.	STANDOFF – WORKING AT CROSS- PURPOSES SPREADS CONFUSION IN THE FIELD WHILE ATTEMPTS TO FIND WAYS OUT PERSIST AT UPPER LEVELS
1973	CF Dharamsala reviews all KFCS and finds 29 in poor condition.	
1974	HP Govt. orders Forest Utilisation Committee to examine KFCS scheme and make recommendations.	
1977	Forest Utilisation Committee abolished by HP Govt. before it has worked on the above mandate.	
1983	Rawal's WP period expires. FD now includes KFCS forest areas in its revised territorial WP for respective divisions.	
1989	CF Dharamsala issues instructions ⁸ for taking over KFCS forest areas into regular working plan. The HP Forest Minister and the Transport Minister intervene to prevent this.	
1990	Forced by pressure from the KFCS, HP Govt. notifies another committee to look into rehabilitating KFCS.	
1992	The Legislative Assembly of HP dissolved for political reasons. Committee unable to take up its mandate.	
1996	32 KFCS come together to form District Forest Cooperative Societies Union to collectively fight for justice.	
March 2000	State Level Seminar on 'Problems and Challenges before KFCS', presided over by Minister for Cooperatives builds basic consensus between FD-CD-KFCS for reviving KFCS.	

⁸ Memo No.238/Misc. dated 28/10/89, from the office of Conservator Forests, Dharamsala.

three institutional arrangements

The Management Principles of the Forest Societies

The basic principles and rules pertaining to the formation and running of the KFCS are summarised in the following.

Objectives

When the scheme began, the objectives of the KFCS were:

- to arrange for the plantation, improvement, protection, and management of society forests as mentioned in the WPs, with special reference to preventing erosion and to utilising the forest produce to the best advantage of the members;
- to work to spread knowledge of cooperative principles and practices; and
- to undertake other activities that are incidental or conducive to attaining the above principles.

Basic conditions

A society was formed only when 75% of the 'khewatdars' (owners of land with rights in the forest) and occupancy tenants of each mauza or 'tika' (hamlet) that constituted the revenue estate being taken up, agreed to its formation. The societies were registered with the registrar of cooperative societies under the Punjab Cooperative Societies Act (II of 1912), and later the Punjab Cooperative Societies Act of 1954, and are presently governed by the rules of the Himachal Pradesh Cooperative Societies Act of 1968.

Membership

Any resident within the area of a society's operation who was over 18 years old and was a right holder in the forests to be administered by the KFCS (as per the revenue records), could pay an admission fee of one rupee and become a life member of the General Body of the KFCS. He/she had to individually sign an agreement (Annex 2) binding himself/herself to carry out the society's WPs and subordinating his/her individual rights in the forest area under society management to those of the society. Membership could be revoked if the member left the village to settle elsewhere, was found guilty of dishonesty, ceased to be a right holder in the forest, or voluntarily chose to withdraw from the KFCS.



The early proceedings of KFCS Maranda Bhangiar meetings, in Urdu

General body

The general body (GB) met at least once a year. The secretary, under directions from the managing committee (MC), generally convened the meeting. Under special circumstances, however, such as internal disputes, a signed requisition by at least one fourth of the GB's members required the MC to call a GB meeting, failing which the signatories could refer the matter to the registrar CD, who could summon a meeting.

The quorum for the general meeting was one third of the total members. All decisions and issues, unless already specified in the by-laws, were decided by a majority vote. Proxy voting was not allowed.

The GB was the ultimate

authority in administrative matters, disposal of profits, decisions about induction/expulsion of members, adoption of the WP, amendment of by-laws and approval of the scale determined by the MC for contributions to be made by members. The GB meeting also established a maximum credit limit, the extent to which the cooperative could receive deposits and loans from members and non-members (as per the instructions of the registrar).

Managing committee

The MC consisted of not more than seven persons (as per the old rules), including the president, vice president, and a treasurer, all of whom worked in an honorary capacity. The secretary was the executive head of the MC and was normally paid a lump sum at the end of the year. The MC was elected at a special meeting of the GB, which until 1971 was held once a year (under the Punjab Cooperative Societies Act of 1912) and thereafter once in two years (under the HP Cooperative Societies Act of 1968). In this meeting, every member had an equal right to speak, vote, and discuss any matter concerning the management of the village forests. The level of fines for members caught committing forest offences was also decided at this special meeting.

The MC exercised almost all powers regarding the appointment of the 'rakha' (forest guard), secretary, treasurer, and other employees, deciding their emoluments as well as the administrative and financial aspects of the work. The forest officer was selected by the society at the GB meeting; the CD registrar confirmed his appointment. The CD was responsible for all work connected with the formation of the KFCS, with auditing their accounts, and with general information, while the FD provided technical guidance and control.

The by-laws also provided that the area under the administrative control of the KFCS should not pass to the owners, even after it had been reclaimed and declared fit for cultivation, unless the KFCS released it through a proper resolution passed in the general meeting and after the owners paid for these services, at a rate fixed by the GB.

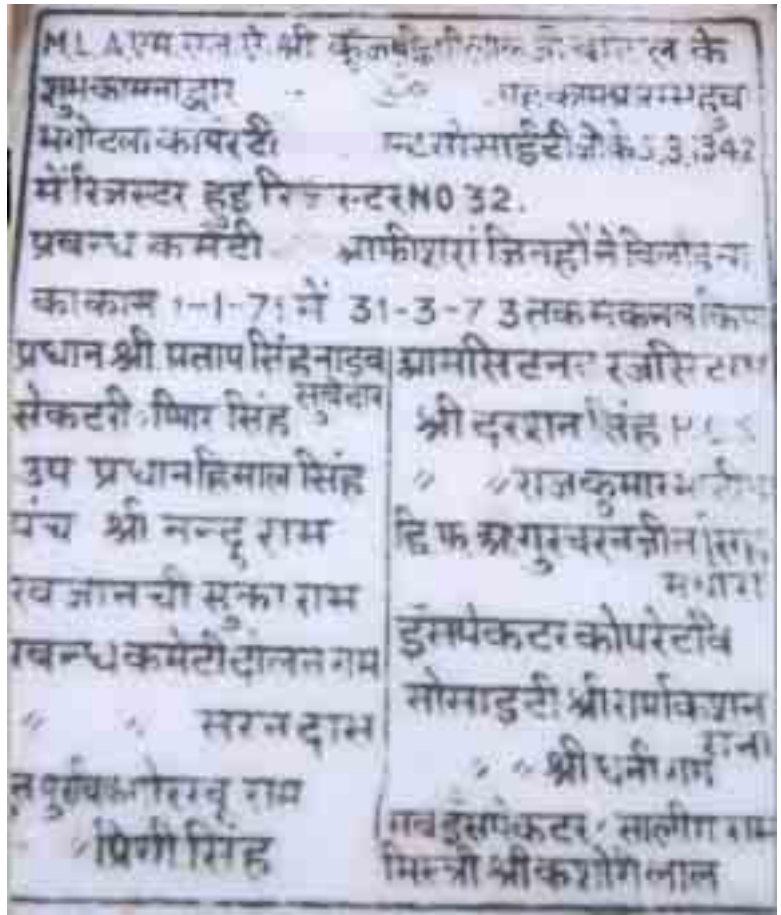
Financial aspects

The government bore the cost of preparing the WPs, of the original demarcation of the village forest, and of inspection by government forest staff. Depending on their financial standing, societies could be paying or non-paying. Paying societies received lands that already had forest, and thus had income almost from the beginning. In these societies, all the costs for work and staff were paid out of society funds. Societies had to have their accounts audited annually by the CD.

A society could have various sources of income.

Net miscellaneous income – This was the name given to all the funds left after receiving and paying out money from and to different sources. It included

- income to which the proprietary body of the mauza constituting the KFCS had exclusive defined rights, for example grass, fruits, revenue from quarrying, and income from



The flagstone on the side of the KFCS Bhagotla building listing the names of the managing committee in 1942

‘gharats’⁹; the KFCS could collect this but had to distribute it among the khewatdars as per their rights as recorded in the ‘wazib-ul-arz’;

- income received from privately owned lands (other than village commons) managed by the KFCS; after deducting actual expenditures, the KFCS was supposed to pay the income to the owners;
- the net government grant.

The total of the first two points was the net distributable income. Certain allocations from this income were mandatory, including 1% as reserved funds, 10% as a forest improvement fund, 9% for charitable purposes (as defined in Section 2 of the Charitable Endowment Act of 1890) or to be put into the KFCS common good fund, up to 5% to the cooperative education fund (actual amount and instructions on what amount to spend were specified by the registrar), and portions for creation of a building fund or any other fund required by the KFCS. The allocation of funds had to be recorded in the society accounts.

The net government grant was the money given by the government to cover running expenses, as laid down in the WP of each KFCS. The society had to pay the ‘zamindari share’ (one fourth of the revenue from trees felled and sold – ‘hak chuharam’) to the member ‘khewatdars’ from this fund. Usually, these were small amounts and instead of distributing them as cash to the khewatdars, most KFCS would undertake to pay off on their behalf the land revenue payable to the government. The village ‘patwari’, or land revenue official, and the ‘lambardar’, or traditional revenue collector, together received a one-sixteenth share of the revenue. First the DFO had to certify the amounts as payable to the entitled persons in accordance with the settlement rules. Then the revenue department would prepare and send a cheque to the KFCS. The sum remaining after the various payments was the net government grant and constituted the real income of the KFCS.

Final income – The final income was the amount left after the above deductions and the KFCS’ working expenses for the year had been deducted. This was distributed among the members in proportion to their rights in the forest.

The working plans

Before a KFCS was registered, a WP was prepared by a gazetted officer of the FD after consultation with the KFCS members, formal consent being taken at a general meeting and recorded in the KFCS register. The society could only be registered after the chief conservator of forests had sanctioned the WP on behalf of the government. The WP was revised by the FD after expiry of its working period, again in consultation with the members of the KFCS. The WP provided for the management of the forests in great detail, particularly with respect to the closure of parts of the pastures (for the harvest of the hay crop), for conservation of the soil, and for planting trees of fodder and economic value, both in closure areas and in areas set aside for grazing.

Introduction of the KFCS Scheme

Initially people were suspicious of the scheme, but intervention by politicians, and wide dissemination of information about the scheme through special ‘durbars’ (public receptions) and by designated forest staff were instrumental in taking the “great experiment in democratisation of

⁹ Traditional water-powered mills for grinding grain



The first rakha of KFCS Arla Saloh (left), now 70 years old. The present rakha is on the right.

the forest management¹⁰ to the people. There are references to almost all important officers of the district administration, the revenue department, the FD, and the CD making special efforts to take this scheme to the people of the selected villages.

The Conservator of Forests, North Circle, notified detailed procedures for the organisation of KFCS.¹¹ Due to a shortage of staff, the area of work was confined to the parts of Kangra north of the Beas River. Although the basic economic unit was to be a mauza, if any administrative problems arose, a single or group of tikas could also form a workable unit. The FD preference was for villages with large and compact areas of unmanaged wasteland undergoing erosion and denudation. Villages where old cooperative societies already existed were also preferred. The FD believed that “the smaller the number of tikas and rightholders, the easier would be the organisation work.” Easily accessible villages were selected initially to demonstrate the experiment’s efficacy.

The case study in Box 1 helps to illustrate the reality of KFCS formation. The history of the formation of the Bhagotla Forest Cooperative Society illustrates the underplay of social and caste currents in villages during the KFCS formation process.

¹⁰ Speech of His Excellency, the Governor of Punjab, at a special durbar at Palampur, 1941

¹¹ Letter No.1664 dated 17th May 1949

Box 1: Formation of the Bhagotla Forest Cooperative Society

Bhagotla village is in Palampur Tehsil on the right bank of the River Neugal, about six km from Palampur town. The Mauza Bhagotla (village area) covered 156.4 ha, with the forests contained in one compact block of 68.4 ha stretching along its northern boundary.

Ban maufi forests were concessions given by the government in the 1860s to ten specific village communities of Kangra District when taking over their land for tea plantations. In return, the village zamindars received almost exclusive ownership of an equal area of unclassed forests, to which the FD surrendered its right of closure. Only the Deputy Commissioner could exercise limited control on the use of these ban maufi forests. By the 1930s, the FD felt the zamindars were unable to conserve these forests and that they were rapidly degrading. The practise of giving private contractors the task of extracting resin from the chil trees was considered the biggest problem. To curb this, the DC passed an order in 1942 that prohibited the zamindars of Bhagotla from granting resin extraction to contractors, on the grounds that it was being carried out in an unscientific manner.

The FD had this episode in mind when forming the KFCS in Bhagotla. They selected Bhagotla¹² since it was one of the smallest ban maufi villages and should have been easy to use as an example to all other such villages, which could then be made into forest cooperative societies. It seems likely, given the DC's limited legal powers to interfere in people's management of ban maufis and the FD's total lack of power, that the government proposed bringing the ban maufi villages under the KFCS scheme so that KFCS rules would apply, making active intervention by the FD a distinct reality.

Table 2: Classification of Bhagotla forest lands

Type	Class	Area (ha)
'Ban sarkar'	Unclassed forests	38.4
Shamlat tika	Ban maufi	16.4
	Private wastelands	12.4
	'Gair mumkin'	1.6
	TOTAL	68.4

Source: Working Plan of Bhagotla KFCS, 1942-52

The cooperative sub inspector organised preliminary introductory meetings, the outcome of which was a written application (dated 15 October 1941) by the zamindars of Bhagotla, requesting the formation of a KFCS in their village. At the next stage, the WP officer visited Bhagotla and drew up the WP to bring all the forests under the KFCS, prescribing their closure. Most of the

village inhabitants strongly opposed the closure of their forest lands, at least half of which were then under open grazing. The FD insisted on the closures as important for 'proper forest management'. All resident khewatdars of Bhagotla, except the lambardar and his brother, now refused to sign the agreement giving up their rights as a precursor to formal membership of the KFCS, and the CD dissolved the KFCS.

The lambardar's role in the village hierarchy at that time must be understood. The lambardar was, and to a limited extent still is, the traditional legal institution for revenue collection in the village. In return for a commission, he collected land revenue on behalf of the government. The chance to be a lambardar was the domain of the village's most powerful high caste families; the designation was hereditary and passed on to sons. The lambardar and his family were frequently the village's most powerful family. Their role in land revenue collection gave them easy access to scarce cash and a knowledge of the system of written land records (which the illiterate farmers could not decipher) so they were often able to amass large land holdings. Their proximity to the tehsildar and the administration generally put the lambardars in a strong position to interpret and use government schemes to their own advantage. Thus, over half of Bhagotla's cultivable land and half of its shamlat

¹² From Registration Report of Bhagotla KFCS by the Assistant Registrar Co-ops Societies, Dharamsala, dated 29.6.1942

lands belonged to the lambardar. The family was also the government's most powerful conduit for controlling village opinion.

The CD sub inspector of that time noted how they minutely analysed the records of the rights to the shamlat land (14 ha) which the KFCS was to manage and which was proposed to be closed to grazing. They found that the lambardar along with his brother owned the rights to more than half of the shamlat. Until this point, the non-resident khewatdars had been ignored, but by adding the shares of 15 of them to those of the lambardar and his brother a group was constructed that owned a two-thirds share of the shamlat land. The Conservator of Forests and the Director of Soil Conservation, Punjab, both organised meetings in Bhagotla in order to convince the opposition and bring them into the KFCS. The CF was ready to adjust the size of the closures, something the resident khewatdars were not ready for, wanting the removal of closures at all costs. Since, as per Section 38 of the Forest Act, the new group mustered a two-thirds majority, it was technically competent to give the necessary consent for the closures. Thus, closures were carried out without the consent of the majority of resident khewatdars, through the mobilisation of non-resident khewatdars.

The Bhagotla Forest Cooperative Society was formed at a subsequent meeting of these 17 people, with 11 khewatdars absent. The lambardar was elected secretary of the KFCS, a position he continued to occupy until 1950. The WP was adopted on 28 March 1942 with the following distribution.

Chil Shelter Wood Circle	=	40 ha	of which 10 ha was closed
Grass and Fodder Circle	=	12.8 ha	all closed
Grazing Circle	=	16 ha	all closed

Following acceptance of the WP, the Bhagotla KFCS was registered on 5 September 1942 and land for management was transferred on 2 October 1943. Formation of the KFCS meant that the DC's ban on resin tapping by zamindars did not apply¹³, and they could now tap under the DFO's supervision. In the season of 1942, the KFCS earned Rs 2,000 from resin tapping carried out through a forest contractor. With unrestricted grazing stopped, grass had also started coming up in the closures, whose auction brought the society income. The possibility of individual incomes through the society seems to have convinced many resident khewatdars of the advantages of the KFCS. In a meeting on 3 November 1942, presided over by the Assistant Registrar CD, Dharamsala, four of the opposing 'ring leaders' joined the KFCS.¹⁴

By 1943, the number of members swelled to 24, reaching 41 by 1945 and 103 by 1971. The KFCS continued to pay the annual land revenue on its members' behalf from the zamindari share received from the FD. It also invested money from its common good fund for construction and repair of two spring wells, a school building, repair of the temporary bridge across the Neugal River every year, and Rs 9,603 on a building of its own. The success of the regeneration achieved and plantations done in the areas managed by the KFCS has been appreciated on record by many visiting officers of the FD and the administration itself.

However, there does not seem to have been much potential for ownership of the society by the people themselves or for its functioning as a democratic institution. Numerous complaints were made against the lambardar for autocratic administration, lack of transparency in accounts, and non-distribution of benefits to members. As the society secretary, he installed an illiterate person as treasurer, managing and controlling the accounts himself. The CD considered the lambardar the ideal committed village

¹³ Report of Sh. M. Gurdas Mohan, E.A.C. Forests, dated 10.4.1942, sent to the Divisional Forest Officer, Kangra Forest Societies Division

¹⁴ Memo No 9653-D dated 3.11.1942 from Additional Registrar Cooperatives Department, Dharamsala to Divisional Forest Officer, Kangra Forest Societies Division

leader and even gave him a cash prize of Rs 72. But his autocratic ways became increasingly unacceptable to the members, who complained to the assistant registrar. Eventually in 1948, the AR found the lambardar guilty of having embezzled one thousand rupees; a case was filed in the police station. The court fined the lambardar Rs 500, or four months jail on non payment; the KFCS threw him out and new leadership emerged to control the society. Today the KFCS regularly conducts elections every two years and has its accounts audited annually. The members are unanimously critical of the confused situation created by the FD since 1973, but still maintain their commitment to the aims and objectives of the KFCS and are continuing their work along these lines.



Primary school constructed by KFCS Bhagotla from its own funds

Four analysis of the societies

Policy and Objectives

The government objectives for the KFCS visualised people's participation in the protection, improvement, and management of forests – but only of those degraded forests that were not responding to FD attempts at conservation. This limited participation was in complete accordance with the general outlook prevalent in the state and the FD in the 1920s. In effect, the initiative was a PFM process initiated from above. The stress on preventing erosion and the prescriptions of closures, enforced through working plans designed by FD staff, displays the limitations inherent in the FD assumption that uncontrolled grazing was the main cause of the increased erosion of forest areas, especially in the lower Siwalik belt.

Having said this, the emphasis on “utilising the forest produce to the best advantage of the members” and the FD practise of sharing income from the sale of timber to rightholders (hak chuharam), sharing revenue from the sale of timber and resin to traders, and giving the KFCS the right to profits from the auction of grass, sand, stone, ‘bajri’, (gravel) and minerals from the forest areas, speak of the scheme's far-sighted vision. By allowing some profits from the forest land to flow back to the KFCS, the FD could ensure both the financial viability of the societies and their continued participation in the scheme.

Institutional Analysis

Some of the major characteristics of the KFCS are summarised in Annex 4.

Choice of the institutional form

The Garbett Commission had recommended that this experiment be initiated through the involvement of people and their representatives. In order that these demonstrations be tried out through qualified representatives of the people, panchayats were to be formed and given the responsibility for managing the forests. Although the Indian Forest Act of 1927 had a separate section on Village Forests, the FD did not accept that the village-level institutions envisaged by the commission could be van (forest) panchayats as had been formed in Uttarakhand, not too distant from Kangra. Thus, at the onset of the scheme, when attempting to implement the Garbett Commission recommendations, the FD ignored the possibility of organising van panchayats, saying that since existing panchayats had an administrative role, a separate body for managing forests would need to be formed of the rightholders only. While this might have



Forest on 300 khanals of KFCS Bhagotla's shamlat land. The grass and other usufructs are shared by consensus between the two villages.

been true of some belts, the actual task of organising villages into panchayats began in earnest only after the emergence of independent India in 1947 and was not completed in the Punjab hill areas until 1955. There were no pre-existing panchayats in Kangra in the 1940s and the FD's reasons for creating a different institution are not clear.

A very different situation prevailed in the hill areas of Kumaun and Garhwal in Uttar Pradesh. The British policies for timber and revenue had led to widespread peasant revolts and diverse forms of social protest over restricted access to forests and their over-exploitation by the state. This period of 'van andolans' or forest protest movements by local communities forced the British Government in 1925 to set up a grievance committee to suggest ways to fulfil people's needs for forest products. The system of 'van panchayats' (elected local area body for forest management) was suggested and implemented in the 1930s, and they remain operational to this day. It is not known why panchayats were not formed to manage the forests in Kangra.

Choosing to operate through cooperatives had clear implications as the Cooperatives Department was brought in in addition to the Forest Department and the revenue department. The KFCS were helped by regular inputs from CD staff in organisational matters such as elections, account management, and auditing, while the FD provided the main forestry-related inputs. But there is evidence of confusion and lack of communication between the different departments concerning which had the role and responsibility for managing the different aspects of the new institutions. Government policy at this time seems itself to have confused the issue.

The directions given were that "the Deputy Commissioner will be throughout responsible for the efficient working of the KFCS¹⁵"; the CD was to be responsible for the formation of the KFCS, and the FD was to monitor and support the forestry aspects of the KFCS' functioning. But no mechanism was developed to integrate and coordinate their work.

¹⁵ Kangra Village Forestry Scheme Rules, quoted in Rawal (1968) Volume 2

The other implication for the KFCS was the inherited structure of the cooperative society and its inflexible, pre-structured organisation. Cooperative by-laws were predefined, the structure proposed and handed down by the government was based on thirty years of experience in the process of implementation. This left little space for radical redefinition of the objectives and procedures. At the same time, registration as a co-proprietorship body implementing PFM gave the KFCS a unique strength that could not be undermined by any change of heart and support from the FD. This is precisely why all FD attempts to liquidate the KFCS failed to dent their autonomy as CD-recognised cooperatives. Overall, though, the strengths and weaknesses of the KFCS initiative must be compared with those of the van panchayats formed in other parts of the UP hills.

The lack of a formal forum for regular coordination between the CD, FD, and the administration, each of which was responsible for different aspects of the KFCS work, was a serious institutional weakness. In the initiative's early years, there is evidence in the inspection reports of the heads of the CD and FD jointly visiting successful KFCS and appreciating the efforts made. Later, the preferred mode of coordination became consultation through correspondence, a tedious procedure as a result of the many-layered, inter-departmental bureaucracy.

Criteria for membership

Apart from the usual qualifications, such as being at least 18 years old and not being bankrupt or mentally unstable, the main condition for membership was the member's prior and legally recognised share in the forests being given for management to the KFCS. According to the principles of land settlement, the only people legally entitled to rights over a forest or common land were those who owned agricultural land in their own name (that is, khewatdars). This criterion for membership automatically excluded all landless castes of the village, who had no recorded rights, and most women.

The basic units of PFM were the forest areas being taken up: those with pre-recorded rights to them did not necessarily include the entire village/hamlet. Further, since only khewatdars with recorded rights in the specific forest that the KFCS was to manage could be members, those village khewatdars with rights in nearby forests other than the ones to be managed by the KFCS were left out. The inspection note for Khalet KFCS¹⁶ shows that even after 11 years of operation only 231 of the village's 364 khewatdars were KFCS members. This exclusion of landless people and many khewatdars as well as of village 'bartandars'¹⁷ caused an in-built lack of equity in the distribution of benefits resulting from the KFCS's management of the forests, something pointed out in the Chief Minister of Punjab's note of 1955 (Chapter 5).

Village caste structure at the time the KFCS were formed was rigidly hierarchical, a pattern that was more or less reflected in the KFCS' primary membership. After 1971, however, many KFCS overcame this inequity in participation, to some extent at least. Zealous implementation of the various Land Reform and Sharecroppers Acts ensured that almost all resident families in villages were landed owners of at least 0.4 ha of land. Secondly, families that bought land and settled in a village after the formation of the KFCS were also considered rightholders and in most cases were made members of the KFCS with a share in the forest income. In the Nurpur Tehsil KFCS, many Gujjars and Gaddis (lower caste groups) are members even today, but upper caste

¹⁶ Inspection Note dated 9.9.54 of the Deputy Registrar (Development), Co-op Societies, Punjab

¹⁷ Persons entitled to a right over the land or trees in a protected forested which are the property of another, for example, the government.

control, especially by Brahmins and Rajputs (34% of the district's population), was often manifested by their massive majority in the managing committee. Women were massively under represented as they rarely owned land in their own name. Typically less than 10% of members were women, and often there were none at all. Only one KFCS, Gahin Lagore, has a woman on the managing committee.

Rights

Perhaps this initiative's most fundamental achievement was the effort to re-establish workable systems of community control by redefining the balance between rights and responsibilities. As a necessary precondition to inclusion in a KFCS, each member surrendered his/her individual rights to the society (see agreement form in Annex 2). The society was to manage the forests and ensure availability of benefits to each member as per his/her rights. The primacy of the exclusive demands of any one rightholder, often without any bearing on the ability of the forest to provide for the sum of the recorded rights of all the rightholders staking claims, was thus controlled in favour of the equal distribution of the actual available and extractable surpluses. This introduced controls for making extraction sustainable. It also became the member's responsibility to work according to the instructions of the KFCS management to protect, preserve, and enhance the forests so that the common pool of resources created could provide for his/her needs and those of all the members.

Criteria for selection of areas

Detailed procedures for the organisation of KFCS were notified¹⁸ in 1949. A shortage of staff confined the area of work to the parts of Kangra District north of the Beas River. Although a mauza was to be the basic economic unit, a single tika or a group of tikas could also form a workable unit if any administrative problems arose. This flexibility in the choice of a minimum workable unit depending on the conditions in the field, proved very helpful in making the scheme workable within the complex system of rights that existed in Kangra.

In selecting areas for forming KFCS, the preference was for villages with large and compact areas of unmanaged wastes being eroded and denuded. Villages where old cooperative societies already existed were also preferred. The FD believed smaller numbers of tikas and rightholders would make the organisation work easier. Initially, to demonstrate the experiment's efficacy, villages with good forest on their lands were selected. For example, Tripal was selected to form a KFCS, while many villages in the belt with degraded forest land were not selected. This demonstrates the sensitivity of the approach that made the KFCS popular, despite the farmers' initial suspicion of the government.

Methodology of extending the scheme

The cooperative sub-inspector on forest society duty had primary responsibility for forming the KFCS. After making his selection, he reported to the DFO and he, or his assistant, visited the area with the sub-inspector. If they decided to include the village, a meeting was called with FD staff and the rightholders, who learned the details of the scheme along with the benefits they would get from it. The sub-inspector would enlist members and have them sign agreement bonds. Sectional tika-wise meetings were held to admit the rightholders. Absentees were not ignored; their consent was taken through the prescribed form or their next of kin. Thus the concerned departments' active collaboration was ensured at the field level. Unfortunately, this level of integration was missing during decision making at higher levels.

¹⁸ Letter No.1664 dated 17th May 1949, from the Conservator of Forests, North East Punjab, Shimla

People's participation

The expression 'people's participation' figures nowhere in notifications about the KFCS, but the stress on consulting the society and the villagers¹⁹ during the preparation of the WPs reveals a space for consultative participation, unlike the conventional forest conservancy being practised by the FD in the non-KFCS forests at the time. It is important to analyse the processes the government set in motion when organising people into KFCS in the 1940s. Were these newly created institutions actually community-based or were they merely convenient instruments created by the FD and CD from above to achieve their own objectives? Just as crucial is the issue of which classes within the village accepted the KFCS as a mechanism of community managed forestry. What were their socioeconomic backgrounds and how participatory were the structures established?

Finding a concrete factual record to answer these questions is difficult. Most village people were illiterate in the 1940s. The few who were literate read and wrote only in Urdu, leaving no independent, non-government documentation of people's views and perceptions. Details of the KFCS meetings are largely unavailable, the records of most societies having been misplaced over the last half-century. Oral accounts of the KFCS' early days are equally hard to come by since the generation of leadership active in those days has mostly passed away. The registration files of some KFCS in the offices of the assistant registrars of the CD do, however, contain detailed records of correspondence, memos, inspection notes, case sheets of conflicts and so on.

Detailed analyses of primary data and the meagre secondary data available show that the government promoted the KFCS scheme through locally acceptable village leaders. Even so, the early years of the KFCS' formation were somewhat chaotic, with villages divided over the prescriptions of the WPs. The most bitter conflicts emerged over the issue of closures. Evidence shows various forms of protest by opposing groups, the most common being the boycott and disruption of government organised meetings held to form the KFCS.

After this initial phase of non-participation, membership picked up once income and benefits began to flow to the societies. Members undertook free plantation work: for example, every member of KFCS Paror planted five trees each year. Forest officers and rakhas were paid in cash and kind for their services. Based on amounts decided by the general meeting, most KFCS members supported the rakhas with grain payments in kind (ranging from two seer [1.5 kg] at the time of inception to the current 700 kg per rakha per annum). In some KFCS, the members donated their share of income to the society, which used these funds for development projects. KFCS Khalet built a panchayat office in this way.

The FD's favourite prescription of closures to protect the KFCS forests and the plantation of commercial species (mostly chil) through the KFCS WP demonstrates the rigid control over the forest conservancy and silvicultural systems used by the KFCS to manage their forest areas. Along with a revenue orientation based on commercial forestry, this has led to a situation in which most of the district's KFCS forests contain pure stands of chil. The KFCS thus seem more like instruments to involve village communities in conventional FD forest conservancy systems. The khawatdars participated because of the higher shares of income and benefits they derived from these forests than the same forests under conventional FD plans. The dynamics at work can be gauged from the example of KFCS Bhagotla (see Box 1).

¹⁹ Notification of the Kangra Village Forest Scheme, vide letter No. 568-Ft. dated 27/2/1940 from the Deputy Secretary of the Punjab Govt. to the Chief Conservator of Forests, Punjab.

Financial Systems

The scheme allowed for both paying and non-paying KFCS. What criteria were used for deciding whether a society should be one or the other? Did efficiency and good management make a society financially sound and self-sufficient and thus allow it to become a paying society? Field studies reveal that where a society had the good fortune to receive areas with valuable and revenue-yielding forests for management, this made all the difference. A society's income was largely derived from a share of timber sold, and sale of fuelwood, grass, white earth, sand and grit, and so on. Societies in the tracts of Kangra with chil, khair, and shisham trees eventually became paying. Exceptions exist, such as Khaniyara KFCS, which still earns a large sum from penalties incurred by slate contractors who damage and encroach on its forests from the adjacent slate mines in the panchayat lands.

For those KFCS that received almost degraded lands with poor forests, regeneration (even after protection) took time, as would have the eventual flow of income to the society. These societies were notified as non-paying and for the first ten years of sanction the government bore all expenditure for work and staff in excess of the societies' revenue, as well as paying Rs 600 per annum as grant-in-aid. Sixteen KFCS were paying societies from inception while the rest slowly became so over the years. By the 1970s, all but two or three had become paying societies.

The sources of income for the KFCS were as follows.

Grant-in-aid

This crucial form of government support was not really a special grant, but was in major part the amount the government owed the KFCS zamindar members as their zamindari share. The distribution of this share through the KFCS should be seen less as income and more as the timely payment of outstanding dues by the FD, mostly just enough to pay off the members' land revenue. The sums of grant-in-aid payments varied considerably as shown, for example, in the records of KFCS Tripal (Table 3).

Date	Amount (Rs)
21.7.46	50.00
19.7.48	96.00
14.1.49	120.00
31.3.49	96.00
15.12.49	216.00
30.6.50	25.00
10.2.51	290.00
30.12.52	59.80
28.9.53	1,342.10
3.2.56	335.60
14.8.56	50.00
10.6.57	170.60
14.6.58	367.00
26.5.59	388.00

Source: Financial records of KFCS, Tripal

Records of grant-in-aid received by KFCS Maranda Bhangiar to date

Sale of timber

Trees were sold standing to petty contractors (at trader rates, much higher than zamindari rates). These were converted into parts for the construction of railway lines like sleepers and either floated down or transported by truck to Pathankot. The most eagerly sought timber was chil, poor quality compared to that from higher altitudes of Kangra, but sold at cheaper rates at Pathankot.

Sale of resin

Resin from chil trees was the most important item of export and source of revenue for many of the 15 KFCS in Nurpur and Kangra Forest Divisions. The FD only charged Rs 55 to 65 per quintal (100 kg) of extraction. The FD conducted the resin tapping operations through the offices of the respective DFOs and the resin was sold at open auction or supplied to the government Rosin and Turpentine Factory at Nahan at stipulated rates. The FD deducted the expenses incurred for extraction, collection, and supervision of the tapping operations and gave the net profit to the KFCS. Table 4 shows the average annual amount of resin collected and average annual revenue for these KFCS between 1964 and 1967.

Table 4: Average resin collection and average annual income between 1964 and 1967		
Kangra Forest Division		
KFCS	Resin per year (average in quintals)	Revenue per year (average in Rs)
Palampur Range		
Bhagotla	51	3,680
Gaggal	113	11,830
Khalet	52	2,620
Kusmal	168	10,310
Panapri	137	6,060
Paror	72	3,100
Total	593	37,600
Dharamsala Range		
Gharoh	1.3	70
Sraah	10.3	580
Sadhed	3.2	170
Total	15	820
Jwalamukhi Range		
Danoa	204	10,150
Erla	172	9,990
Gumber	43	2,830
Total	418	22,970
Nurpur Forest Division		
Nurpur Range		
Gahin Lagore	153	11,280
Lahru	78	5,510
Total	230	16,790
Indaura Range		
Rey	133	8,310
Total	133	8,310

Source: Rawal 1968

Copy of Share Certificate of the Shiwalik Cooperative Rosin & General Mills Company Ltd. The company was made a nominal member of the KFCS so that it had representation on the managing committee of the KFCS from which it was purchasing its resin.





The rivulet Maul Khad flows through the KFCs Maniara forest. Until 1980, the mining lease for the extraction of sand and bajri was given by the KFCs.

Between 1964 and 1967, the 15 KFCs in the Kangra and Nurpur Forest Divisions together produced an average of 1,390 quintals of resin per year with a total annual revenue of approximately Rs 86,500.

Income from khair

For some of the KFCs in the Nurpur Division and Dehra Range, income from khair (*Acacia catechu*), an abundant species in the scrub forests of the KFCs in the lower Siwaliks, provided a far more valuable alternative to chil. The khair trees were auctioned and 'katha', a very expensive product used widely for health and medicinal purposes, was extracted from them. By 1965, khair coppice coupes had become very profitable for the KFCs, bringing premium prices of between Rs 2,000 to 3,000 per ha. After 1972 the FD worked most of the khair in the KFCs forests. Katha reached a market value of Rs 10,000 per kg, but this was no longer paid to the societies share (more than Rs 150,000 for KFCs Tripal alone).

Miscellaneous

Fuelwood and charcoal were products of coppice coupes of scrub forests and were also sold standing. They were in heavy demand locally and in military cantonments such as Yol. Stocks of bamboo, found in the KFCs forests of Nurpur Forest Division, were also sold standing. Other secondary sources of income included the sale of grass, auctioned each year, of stones for construction of local houses, of bajri and gravel for government buildings, and of minerals such as 'goluan mitti' (for coating mud chulhas).

Overall management

Overall, the KFCs provided their members with a stable income from the sale of usufructs. This provided a strong incentive to conserve and manage the forests' wealth, with many KFCs affixing a minimum quota of trees for each member to plant every year. FD supervision ensured constant monitoring to check unsustainable extraction.

Funds were kept in bank accounts in the name of the KFCS, and government payments came directly to the bank, the accounts for each year being audited by CD staff. A copy of the audited balance sheet was sent to the DFO concerned, and only after his verification and approval could the next year's money flow to the KFCS. Isolated examples of financial mismanagement and misappropriation did occur, especially in the early years, but these did not involve large amounts and were not organised affairs. The accounting system evolved by the branch of the CD dealing with KFCS in the days of the Punjab was extremely complex, seemingly designed for the needs of the departments and not the KFCS, who required simpler systems with built in checks and balances they could manage themselves.



Share certificate showing KFCS Bhagotla's membership in the district cooperative bank where its accounts are held.

During the late 1960s and early 1970s, the government ended this situation rather abruptly, giving no prior notice and not negotiating with the KFCS. The extraction and sale of non-timber forest products (NTFPs) from Kangra's forests was nationalised and the KFCS were deprived of the right to a portion of the profits from the auction of trees on their lands (hak chuharam). The felling, sale, and profits from the chil, khair, and fuelwood trees now went directly and entirely to the Forest Corporation. The sale of resin was nationalised, with no share of profits for the KFCS. Just when the KFCS were becoming financially viable and independent, most of their sources of income and the incentives that promoted community management of the forests were taken away.

Audited balance sheet of KFCS Arla Saloh, 31 March 2000.

Even worse, the scheme was not renotified after 1973, and the KFCS were declared “unauthorised organisations making illegal profits”, mostly from the sale of grass from government lands. The still operational KFCS have average incomes ranging from between Rs 1,500 and Rs 3,000 per annum from the auction of grass, and a management subsidy from the CD – just sufficient to provide a very small salary to their staff, the forest officers, and the rakhas.

Forest Management Systems

Types of lands under the KFCS

Together, the KFCS managed a whole range of land types as shown in Table 5. Details are given in Annex 1.

Forest Class	Code	Percentage	Area (ha)
Reserved forest	(RF)	3%	636 ha
Demarcated protected forest	(DPF)	30%	6,984 ha
Undemarcated protected forest	(UPF)	49%	11,480 ha
Unclassed forest	(UF)	14%	3,282 ha
Ban maufi forest	(BM)	0.3%	71 ha
Shamlat land	(PW)	0.4%	94 ha
Private wasteland*	(MS)	1%	392 ha
Malkiat shamlat		2%	424 ha
Total			23,363 ha

Note: Society-wise details can be found in Appendix 2

* Land owned by the proprietors of tea estates, farmers, and so on; not subject to government control

Almost all classes of land were given to KFCS to manage, even degraded stretches of reserved forests, which were supposed to be free of all rights of users and generally inviolate. Indicative of the concept’s practicality and how much people accepted it, especially the landed classes, is the fact that many farmers gave the KFCS their private wastelands for management.

Although the KFCS were formed in a prescribed manner and registered with working plans, there was an oversight that later imposed serious legal and constitutional limitations on the KFCS concept. This was the failure in most cases to enter the changes in control over the forest land (‘kabza’) into the land revenue records (‘andraz’), even though the area was clearly prescribed, demarcated, and defined at the site and marked with boundary pillars. When Kangra became a part of HP in 1966, under the Land Revenue Act applicable to the territories of HP, all wastelands and forest areas were vested with the FD which became their manager. Thus, legal title and control over lands under KFCS management was suddenly superseded. Confusion over legal interpretations of this persist and are a stumbling block to the process of the KFCS’ revival.

Systems of forest management

Separate and detailed working plans (WPs) were prepared for each KFCS by the WP officer. The individual working plans covered periods of 10 to 15 years in most cases, including a single revision, before R.D. Rawal prepared an integrated working plan for all the KFCS in 1967 (Rawal 1968). Preparing simple separate plans for each KFCS was a huge effort, given staff strength in the 1940s. A typical example can be found in the WP for Bhagotla KFCS covering the period 1942/43 to 1951/52. The plan contained detailed documentation of the area covered, utilisation of the forest products (methods of exploitation, their cost, agricultural and social customs of the area, lines of export, and so on), FD staff and labour strengths, past and proposed systems of management, and planning and implementation details of the working circles, as well as miscellaneous regulations. It also included a topographical map of the area under the KFCS at a scale of eight inches to the mile.

In practice, these 'individual' working plans were actually small working schemes following a standard pattern, in which the most important objective seemed to be closures that protected the forest areas from open grazing. The different plans show a uniform and limited prescription of certain types of closures summarised below.



Monoculture chil plantations managed by KFCS Maranda Bhangiar for resin extraction.

The chil working circle – was applied to light to open chil forests with interrupted canopies where the standing stock was mostly young but of varying density. This silvicultural system supported regeneration by enforcing closures against grazing. With few exceptions, commercial scale felling of coupes was not feasible and only limited felling was allowed for distribution of timber (TD) among the KFCS members.

The fuel and fodder working circle – 'Charands', open grazing lands close to habitations, were taken under this working circle. The system left the land needed for local convenience open to grazing, while the remainder was closed and planted with useful fodder trees of local importance. Oral evidence suggests that the decision of how much and which section of the charand to close was often a bone of contention between the FD and the village, and within the village there was often disagreement between those who objected to the closures and those who advocated them. Apart from a few KFCS in Nurpur Tehsil, this working circle showed very poor results as a result of the failure to control grazing during the first five years of plantation.

The plantation working circle – Denuded and degraded forests with little or no economically valuable vegetation were separated and made into plantation working circles to be afforested with commercial species such as chil, khair, bahera, harar, shisham, amla, and eucalyptus. Broad-leafed species face a higher risk of being browsed, and the present composition of most of the KFCS forests indicates that non-browsable species such as chil and eucalyptus or shisham and khair were the main commercial species planted. The method employed to prepare the degraded forests for planting did considerable damage, however. The entire coupe was first clear felled, and usually burnt to the ground during winter to destroy the 'weeds' (all bushes, scrub, and new saplings of non-commercial species), exposing the soil to winter rains and the subsequent scorching summer. This is another example of 'scientific forestry' that failed to take into account the fragile ecology of the Himalayas, and the still more fragile Siwalik formations.

The protection working circles – These covered the largest part of the area under KFCS management and comprised closure of an entire area to grazing, allowing natural regeneration supplemented by selective planting. The planting generally showed poor results, but the slow, natural regenerative processes were largely successful.

Rawal's Integrated Working Plan for managing KFCS amalgamated the individual working plans in 1968 and 1969. The FD made a unilateral transition from individual plans drawn up with the

limited involvement of the KFCS but validated in the general meeting, to an integrated WP for the entire area. There are no records of any suggestions, consent, or approval being sought from the general bodies of the 70 KFCS about the prescriptions for this integrated working plan.

Quality of the KFCS forests

The average volume of growing stock in FD and KFCS managed forests in Kangra Forest Circle in the early eighties is shown in the WP for the area for 1981/82 to 1995/96 (Table 6). Given

Felling series	Average growing stock m ³ /ha	
	Dharamsala FD	Dehra FD
FD managed forests, series I	132	113
FD managed forests, series II	104	77
Under KFCS management, series III	171	93

Source: WP for Kangra Forest Circle for 1981/82 to 1995/96

Asset		Area (ha)	Rate Rs/ha	Value (Rs)
Land		23,560	1,000	23,560,000
Growing Stock	Chil	2,060	7,000	14,420,000
	Oak	250	3,000	750,000
	Fuel & others	5,970	400	2,388,000
	Coppices	2,160	1,000	2,160,000
	Bamboo	21	1,500	31,500
	Plantations	3,400	300	1,020,000
	Protection	9,700	1,000	9,700,000
	Wildlife & NTFPs			200,000
	Total			54,229,500

Note: * Based on values of land and prices of forest produce in 1967

Source: Rawal, 1968: Volume I, p. 201.

that most of the forest land the KFCS had been given to manage in the 1940s was degraded and barren, these values show how successful the approach was, with forest stock at the end of the seventies on a par with or better than the best of the FD managed forests. Another example can be found in the forests of KFCS Shahpur, where there is an entire section of oak in good condition (*Quercus incana*, a superior fodder tree) – the last surviving example of an oak forest at such a low altitude in all of Kangra District.

In 1967, the FD calculated that the KFCS forests were worth a total of Rs 540 million. The breakdown is shown in Table 7.

This evidence supports the stand taken by the members and MCs of the KFCS that, except for non-functional and defunct KFCS, they managed forests better than the FD. FD staff echo this opinion unofficially, feeling that in many respects the control of the forests by local villagers was more sensitive to what people actually needed from their forests. Present FD practice is criticised

by the societies. For example, they blame the FD for using too much acid to speed up the resin flow on the channels dug into the boles of chil trees, causing the bark to burn. In storms and strong winds these trees snap, leading to a loss of mature trees in the KFCS forests.

Forest offences

A detailed notification²⁰ clearly states, “It has to be made absolutely clear that primarily the Societies and their officials are responsible for protection work and these duties devolve more

²⁰ Vide Para. VI (v) of Annexure III (a) to the Code of Procedure for KFCS: “standing orders regarding procedures to be adopted in the forest societies of Kangra District in forest offences under section 68 of the Indian Forest Act and other allied matters”.

particularly on the rakha and the forest officer.” DFO and FD staff were intended to guide KFCS staff. Elaborate and precise definitions were laid out of what constituted forest offences, how they were to be recorded, and the powers of the KFCS staff. Where the offender was a member of the KFCS, the forest officer or the KFCS rakha had the power to register a report of the damage, seize the implements, capture the forest produce, and arrest and compound the offender. Where the offender was a non-member, the report was to be transmitted to the range officer within one week along with the statement of the accused and witnesses and an application to compound. If the KFCS wanted to prosecute an offender, the case was forwarded to the DFO for prosecution. Thus, while the power to book offenders rested with the KFCS, the DFO carried out the actual punitive action, using the powers handed down by the Indian Forest Act.

The physical proximity of the forest officer and rakha to the KFCS forests and their intimate knowledge of the village and its topography meant that few offences escaped their notice, making their monitoring more efficient than that of an FD beat guard whose beat covered hundreds of hectares. This system only failed where poor monitoring of the rakhās by the forest officers left them free to reach their own accommodations with offenders.

The procedures and rules for registering offences were elaborate and complicated, however. In the 1940s, when most forest officers and especially rakhās did not even know Urdu, KFCS staff must have had a difficult time enforcing the compounding of offences. The tedious procedures made the bringing to book of all offenders and prosecuting the more hardened ones through the DFO a difficult process, especially since the forest officers and rakhās received no training to acquaint them with the written procedures. Further, confusion continued on the part of the FD throughout the official time of the KFCS about granting the KFCS forest officers and rakhās the power of legal enforcement. They were notified as forest officers, only to have those powers revoked time and again. For the offenders, this made the legitimacy of the people implementing and monitoring forest management in the field questionable.

At present, the FD does not accept the power of KFCS staff to catch and compound forest offences, resulting in a chaotic field situation. Even now, both FD and KFCS staff are booking



Map of KFCS Bhagotla included in a working plan document. It clearly lays out the different categories of land and their management systems.



The rakhas and secretary Mr. Anant Kumar (foreground, right) of KFCS Maranda Bhangiar.

offences, filing damage reports, and collecting fines. This favours hardened offenders and organised timber smugglers, who can in some cases pay and reach an accommodation with corrupt FD and KFCS staff. Once the offence is booked, the FD blames the KFCS and the KFCS blames the FD for allowing it to happen. In an extreme case, this led the DFO to seize the registers and permit books from KFCS Kusmal. Examples can be

found of FD staff seizing and auctioning off forest produce, especially timber, seized from offenders by KFCS officers, and in some cases, even fallen dead and dry trees auctioned by the KFCS.²¹ The FD claims that the auctions are merely mechanisms found by KFCS to give away expensive illegally felled trees at low rates to members.²² It feels that this encourages illegal felling of trees, a way of skirting the ban imposed on KFCS not to sanction trees to its members.

For most functional KFCS, the present annual income from compounding forest offences ranges between Rs 1,500 and Rs 2,000.

Timber distribution

Timber distribution (TD), that is granting trees to rightholders at subsidised rates, was previously done on the recommendation of the KFCS MCs, even though technically the DFO was the final sanctioning authority. The members of the MCs state that they considered the applicant's need and the actual availability of standing stock in the forest, and only then recommended sanctioning a tree to a member. If the member was known to be non-cooperative in putting out forest fires, some KFCS refused to endorse his request. The rakha and the KFCS forest officer would accompany an FD staff member and the applicant to the forest, select a mature tree, and mark it with a hammer. This cross verification by responsible KFCS officers was a check and balance which thwarted attempts by FD or KFCS staff to grant immature trees or to favour any applicant over another.

Since 1973, however, there have been overlaps between the KFCS and the grass roots level FD staff in their roles, rights, and responsibilities, and the FD has largely ignored the KFCS when selecting applicants for the sanctioning of TD. While in most KFCS, the MCs continue to give recommendations as per the members' requests for TD sanctions, no legal rule binds the DFO

²¹ In Bahnala KFCS, in May 1995, a fallen mango tree was auctioned by the managing committee to a member. The FD raided and seized the tree on the charge that the KFCS had no powers to auction trees. The tree was then auctioned by the FD. The KFCS has now filed a case against this action of the FD in court and has demanded that the FD produce evidence to support its statement that the KFCS stand dissolved.

²² "These rates do not comply with the compensation rates laid down by the DFO concerned and nor is the amount deposited in the Treasury." Internal FD Notification, source unknown.

concerned to heed their recommendations. The DFO's style of functioning determines whether or not the MC's recommendations will be considered. This can mean that KFCS staff, although still supported by the village community to manage and protect the forests, are not informed by FD staff and may be unaware why a certain tree in their forests is being cut. Has it been sanctioned as TD to the said person or is someone cutting it illegally with the collusion of the guard?

A similar confusion exists over the previous KFCS practise of giving out small, dry trees to members to cover an urgent need for wood in the event of the death of a family member or any ritual being performed ('khushi' or 'gami'), and for marriage ceremonies ('cheiye'). Most KFCS now give dry, thorny trees for this purpose against the earlier practice of giving good fuelwood trees, but the FD may object even to this (as in the case of KFCS Shahpur).

The unclear situation in terms of responsibility and support has had a disastrous impact. Since 1973, the wealth of the KFCS forests has been plundered. There are reports of camels and taxis being used to smuggle timber out of KFCS Rey, with the non-colluding elements within both the FD and the KFCS unable to stop it. Village communities have become less interested to help in putting out forest fires in their forests. Further, emboldened by the situation of continuing flux, in some places influential villagers have encroached upon KFCS forests. When some KFCS lodged complaints with the DFO and revenue department (KFCS Bhagotla, for example), teams came and re-demarcated the forests and marked out the encroachments, but nothing was done to evict the encroachers. Equally in some cases, KFCS have allocated parts of their UPF areas to government departments for the construction of badly needed public utilities in the village, such as schools and dispensaries, and the FD has treated these as encroachments and asked the KFCS to evict the permanent structures built on them.



Meeting of KFCS Maranda Bhangiar in 2001 to decide the Timber Distribution (a rightholder's share of timber at concessional rates for house construction/repair). Mahila Mandal representatives were specially invited as women are members of the KFCS.

five

the standoff between the stakeholder institutions

Clearly, there is considerable confusion about the roles, present status, and future of the KFCS initiative. On the one hand, the initiative is considered by some to have ended in 1971 with the creation of the new state of Himachal Pradesh and cessation of all grant-in-aid or payment of revenue, on the other many of the cooperatives are actually still functioning, notwithstanding the adverse situation. Viewed from a strictly legal perspective the cooperatives continue to have a de jure existence. The de facto position remains more complex as in some areas the cooperatives continue to manage areas originally under their management in collaboration with the Department of Forests while in other areas they do not play any active role in forest management. The roles played and the positions taken by each stakeholder institution are analysed below before attempting to look for solutions. A brief summary of the present position, commented by the author, is given in Box 3.

Role of the State Governments

Punjab Government (1937 to 1966)

As early as 1955, in independent India, the political apparatus had misgivings about the continuation of the KFCS in the given form. On July 1, 1955, the Chief Minister of the Punjab, Sh. Bhimsen Sachar, made the following observations.²³

1. The KFCS scheme in fifteen years of operation had spread to only 73 societies, covering 60,000 acres of a total 600,000 acres of land in Kangra District. This was very unsatisfactory progress and he thought probably resulted from the Rs 50,000 limit placed on grants-in-aid to KFCS.
2. Before agreeing to increase the outlay, the scheme should be thoroughly revised under the following principles.
 - a) The cooperative societies should be eliminated and management of these forests placed in the hands of the panchayats. The cooperatives were not sufficiently broad based as membership was confined to khewatdars, and even they were not fully represented. The principle that the profits of the natural resources of a village should go to a restricted group and not the body of the entire village (bartandars) was incorrect. Secondly, the distribution of profits as dividends to individuals is not correct. Thirdly, the government's avowed responsibility was to strengthen the development of panchayats, which now covered the entire territory and so should be utilised.

²³ Note dated 1.7.1955 from Sh. Bhim Sen Sachar, Chief Minister, Punjab, reproduced in Rawal (1968) Volume 2, pp. 125-26

- b) The scheme should be given up if it did not cover the entire forest territory. It amounted to unjustified preferential treatment by the government of those 73 villages with KFCS as they receive special monies as grants-in-aid while the remaining 513 did not.
- c) Reserved forests should be removed from the KFCS' purview as the focus of the KFCS scheme was only to improve the condition of the UPFs.

Based on these considerations and worried over the government's continued financial commitment to the programme, Sh. Sachar asked the FD to prepare a comprehensive scheme. No records are available that tell us whether this was done or whether a revised scheme covering all forest areas was proposed for the entire district. However, in 1955/56, the department abandoned two societies that had been formed in Hamirpur Tehsil and which were merely awaiting formal notification, and they never came into existence. The withdrawal of political will and support for KFCS seems to have developed from this point in 1955. It speaks of the FD's inability to convince the chief minister of the experiment's goals and aims and of its demonstrated strengths and achievements, and thus to win his political patronage and support for its continuance.

The government decided not to further expand the KFCS scheme without discussing or negotiating with the KFCS, which in the author's view demonstrates a lack of political vision and support within the Punjab Government. Despite this, the KFCS scheme continued and in 1961 the KFCS actually became more autonomous, receiving their revenue receipts back in place of the grant-in-aid.

Himachal and Himachal Pradesh Government (1967 to 1997)

When the Punjab was reorganised in 1966, Kangra District was merged into Himachal. Himachal Pradesh became a fully-fledged state of the Republic of India in January 1971. Two factors played against the future of the KFCS. The first was the lack of any knowledge and experience about an initiative such as the KFCS amongst the new state's political establishment. In some respects, the KFCS can be seen as a casualty of the bitter infighting between the 'old' and 'new' Himachal. Some people allege that the HP Government of the time, with strong representation from 'old Himachal', was not favourably oriented towards funding and supporting an initiative such as KFCS. Vested interests of local forest contractors in the considerable standing volume of timber in the KFCS forests are also thought by some to have played a role in reducing political support for the KFCS initiative.²⁴

The new state of HP inherited a unique institutionalised attempt at PFM from the Punjab, and had an excellent opportunity to look sensitively at people's management of forests, and to develop the approach as a sustainable and viable demonstration model for the hills as a whole. For whatever reasons, the FD decided instead to use its newly acquired control over the KFCS to strike a final blow at the initiative. Nevertheless various attempts were made to revive or take a fresh look at the societies over the next few years. In 1980 the forest minister appointed a committee²⁵ to give recommendations for renewing financial support to the KFCS. In 1981, the committee recommended that the KFCS be allowed to carry on their work as before. This issue came before the legislative assembly, and in a subsequent meeting, the forest minister approved the resumption of financial aid to the KFCS from 1982 onwards. Nothing came of these assertions, however. The HP Government notified²⁶ the formation of another committee in

²⁴ According to interviews with senior retired Cooperatives Department officials.

²⁵ Referred to in a report appearing in the newspaper Jansatta, dated 27.9.1996

²⁶ HP Govt. letter no. COP:F/S/-29/89 dated 6.10.1990

1990 to look into the rehabilitation of the KFCS, but the state legislative assembly was dissolved soon after and the committee could not fulfil its mandate. Then in 1993, acting on instructions from the registrar of cooperatives, the assistant registrar of cooperatives at Dharamsala selected five representatives from the KFCS for a state level committee for the revival of KFCS. However, these members have yet to be called for a formal meeting.

Role of the Forest Department

The role played by the FD in initiating and supporting the KFCS can be divided into four phases.

Phase 1: 1940/1 to 1954/5

The FD pioneered a very different and unique approach when it started the KFCS, a big departure from the very conservative system of forest conservancy usually applied at the time. Separate financial and technical allocations were made and strictly implemented through independent institutional structures set up to closely support the KFCS initiative. The concept approach was considered to have achieved its objectives, and it was recommended in early 1955 that it be extended to Hamirpur tehsil and in Nurpur tehsil.

Phase 2: 1955/6 to 1966/7

After 1955 the Punjab Government's support for the scheme dropped sharply, financial provisions for the initiative were reduced, and the FD stopped extending and expanding the concept to newer areas. This change became even more marked after Kangra was integrated into 'Himachal' following the Punjab reorganisation in 1966.

Phase 3: 1967/8 to 1972/3

The originally more or less autonomous functioning of the KFCS was further curtailed through the introduction of R. D. Rawal's centralised 'Integrated Working Plan', which was published in 1968 and remained in effect until 1985. By then, the fundamental basis of the KFCS initiative had already been undermined, and the FD had begun to lose interest in managing these forests through the cooperatives. In effect, the FD appropriated the right of management to itself, despite a clearly laid out autonomy and the power of each KFCS to approve its own management plan. In the opinion of the author, the FD was simply interested to regain control of and profit from forest land that had been successfully rehabilitated and regenerated through the hard work of the KFCS members.

In 1971 Kangra became a part of the state of Himachal Pradesh and the KFCS experiment moved to the new Himachal Pradesh FD. The KFCS scheme was initially not sanctioned beyond 1971, and for almost a year its very foundation was questioned. The HP government then gave in to pressure from the KFCS and superseded the FD, renotifying²⁷ the societies for another two years ending March 1973, on the same terms and conditions as before. Among others, this meant a resumption of the grant-in-aid to the KFCS for 1972 and 1973, but in fact

²⁷ Letter No. 4-55/70-SF dated 31/3/1973 from Forest Secretary to CCF, FD, HP. The same notification however increased the inspection fees payable by the KFCS as follows:
for first Rs 1,000 surplus income of the KFCS = 10 %
for the next Rs 4,000 = 12 %
for the next Rs 5,000 and above that = 15 %

these funds were not released to them until the 1980s. In 1973, using a legal loophole provided by the act of transfer of the district to HP, the FD refused to renotify the scheme. This completed the uncertainty about the KFCS' role and confusion over its legal status, as they were co-operatives they were still registered. The FD and the KFCS now held diametrically opposing views about their respective legal rights to manage the forest land under dispute. This is illustrated by the incident in KFCS Gahin Lagore (see Box 2).

Box 2: An Anecdote from Gahin Lagore Forest Cooperative Society

The old men in the village recounted this anecdote, their eyes dim but their memory clear, about the early days when the DFOs were kings of all they saw. The forest cooperatives had just been formed and had started working as people's organisations. I have no way of verifying the truth of this anecdote, but still feel that the story should be told.

A new DFO who had just joined Nurpur Forest Division came to Gahin Lagore and was met by one of his forest guards, whose daughter was to be married. The guard requested the sahib to grant him a dry tree to be used as fuelwood for the ceremonies. As was the fashion in those days, the DFO then and there sanctioned a tree. FD staff went to the nearby forest, which belonged to the Gahin Lagore Forest Cooperative Society, marked a suitable tree and chopped it down.

The KFCS president was appalled by this circumvention of all norms and took it as humiliation to the society, since its permission and concurrence was necessary before the DFO could take such action. He reached the site along with the society's forest officers, seized the implements from the FD staff and registered a damage report against the forest guard concerned.

This society's presumption angered the DFO, who felt that his powers were being challenged and he filed a complaint in the police station against the president, alleging harassment of forest staff intent on their duty. When the inquiry began, the question arose as to how these powers over forests, which were under absolute ownership of the DFO, could have been given to some people's 'society'. The managing committee explained, but being ignored, checked its own records for the notifications setting up and empowering the KFCS. Finding nothing, they asked the FD and the CD staff at Nurpur for copies, which were located. No photocopying machines existed at that time, so the documents were photographed with a camera and the prints produced as evidence in the police station.

The president and KFCS members requested all the sahibs who had come from Dharamsala to help them, but nothing came of it. The president felt cheated by the government's behaviour, on one side creating the society and legally giving it a role, and on the other not forcing its own departments to honour the concept. He went on to file a case against the DFO for defamation, but after the active intervention of the CD, he was ultimately convinced to drop it.

Things did not end there as the DFO in question later become Conservator of Forests for Kangra District. He was responsible for the WPs that were under preparation and included the role of the KFCS. He had never forgotten his humiliation when a mere 'society' had questioned a forest officer's acts. Holding such a crucial position, this conservator was instrumental in creating the FD's position that since the grant-in-aid was being paid to the KFCS to manage forest and shamlat lands which were now once again vested with the department (although technically they were not), the grant-in-aid need not be continued. From that point onwards, the FD used technical excuses to ensure that grant-in-aid was not available to the KFCS after 1973, and they were left to fend for themselves.



The high level of erosion in one part of KFCS Maranda Bhangiar's forest. For many years members have wanted to plant trees here but have been prevented by the fact that the forest department does not recognise them under the law.

Phase 4: 1973/74 to 2000/01

Nationalisation of NTFPs and the state's legal takeover of forest management, including the right to fell timber, led the FD to discontinue, without providing any reason, its old agreement with the khewatdars to give them their zamindari share of the revenue from timber felling. Thus within a few years, the KFCS, after successfully regenerating degraded forest land, lost not only the legal right to manage these lands and the technical advice and backup of the FD, but also their sources of income – grants-in-aid and their zamindari shares. Forests in this belt require a minimum 30 to 40 year cycle for the trees to reach harvestable maturity. The KFCS lost authority over their forests almost 30 years after they had first received the degraded lands, at a time when the decades of KFCS protection, plantation, and controlled extraction had rehabilitated these forests and brought them close to the peak of their capacity.

Despite the complex inter-institutional linkages and different types of support given to the KFCS, the main responsibility for the initiation, implementation, technical input, and facilitation of the KFCS lay with the FD. After 1973, the FD completely disregarded their existence and its responsibility towards these 70 institutions.

In the early eighties some DFOs entrusted a few societies (such as Bhagotla) with the responsibility of implementing the activities planned in Rawal's WP, essentially planting and protection of allotted areas. The KFCS were not involved in other forest divisions. Later the FD discarded the separate integrated working plan for KFCS, and included the individual KFCS forest areas in the respective plans of the territorial divisions, without seeking the opinions of the KFCS about this step. The reasons for the position taken by the FD are detailed in Box 3.

The KFCS have had difficulty reconciling themselves with the FD's loss of faith in their ability to manage and protect their forests, even though many continue to work on management

principles laid down and followed since 1942. In reality, the legal ambiguity and unclear demarcation of roles seems to be the real basis of the problem.

Role of the Cooperatives Department

The FD and the CD played different roles in supporting the KFCS, and there was often considerable confusion about who was responsible for what. As the KFCS were registered under the Cooperatives Act, final responsibility fell on the CD. Staff sensitive to the experiment provided administrative support (e.g., accounting and auditing of accounts) and organisational management inputs (monthly meetings of representatives of KFCS to discuss common problems and plan) through a special wing created at the inception of KFCS called the forest societies section. With the transfer of Kangra to Himachal Pradesh, these responsibilities were amalgamated and devolved to the new CD of HP, which neither created a special wing, nor deputed special staff to provide support to the KFCS. The responsibility for managing the month to month working of the KFCS, including accounts and audits, which had previously been handled by specially trained staff of the development branch of the Punjab CD, now fell to the overburdened staff of the general Cooperatives Department of HP. They were neither trained in the special accounting heads of the KFCS accounts nor oriented to getting support for these cooperatives from the FD. Although the CD continued to provide administrative support and facilitated some irregular meetings, the KFCS were essentially orphaned after 1971 (or even 1966) and the department seems not to have accepted any responsibility for continuing the scheme.

At the end, the CD found itself the parent department to a set of primary cooperatives that no longer had any legal assets (forests) from which to generate income. The institutions responsible, the FD and the state government, have remained insensitive to their pleas despite much correspondence exchanged over the last 23 years. Files in the office of the additional registrar, CD, Dharamsala, are full of letters to the CD headquarters at Shimla concerning the revival of the KFCS. Letters were also written to the conservator of forests in Dharamsala asking him to involve the KFCS in the implementation of the social forestry scheme, and later in the Van Lagao Rozi Kamao (VLRK) scheme. Despite their best efforts, and resolutions from the KFCS demonstrating their readiness to become involved in these schemes, the FD refused, arguing that the targets given for the Kangra Forest Circle were too small, and that these schemes for people's participation were to be carried out through community organisations other than KFCS as laid down in the schemes, although the guidelines for the social forestry and VLRK schemes betray no such narrowness. The CD continues to audit the KFCS accounts annually and since 1993 has been providing a management subsidy of Rs 1,200 per annum per society. The role of the CD is limited, however and the department has not succeeded in supporting the societies in their struggle.

Role of the KFCS

The KFCS were slowly stripped of the benefits of preserving their forest wealth, losing successively the zamindari share incomes, the shares of proceeds from resin and timber sales, and the grants-in-aid. Further the legitimacy of the societies, the root for effective community forest management, has diminished through confusion over their legal right to control their forests, and the FD taking over management of the forests and implementation of the working plans.

Although a few KFCS, such as Khalet, Tripal, and Gahin Lagore, possessed strong leadership, their attempts to oppose the status quo were mostly limited to letters, petitions, and resolutions

sent by individual KFCS to officials of the FD, the CD, and the political hierarchy. Until recently, KFCS members made few collective efforts, and there was no organised network of KFCS that could mobilise others to oppose the FD moves to isolate the KFCS from their forests. Long distances between the KFCS, the relative inaccessibility of the areas in which they lie, and the lack of institutional mechanisms to bring together the 70 odd societies to discuss common problems and plan their common future, prevented the KFCS from mounting an effective joint opposition to the new state's approach. The erosion of a feeling of ownership amongst the members, resulting from the loss of any direct benefit from the onerous task of protecting and maintaining the forests, also contributed to the inaction.

At present, the average KFCS member distrusts the existing KFCS status and feels that the forests managed by the KFCS were both far superior to those managed by the FD and infinitely more beneficial and responsive to people's needs. When asked whether panchayats should manage forests, people in KFCS areas say no. They make a clear distinction between the panchayats, which in practice are run by political parties and groups, and the KFCS, which they see as central to people's management because of their apolitical character. The internal dynamics of the KFCS is an interplay between different sections of a village's forest user groups and can be designed to ensure equity and sustainability.

Despite being scattered and limited, KFCS leadership did use the state's political apparatus effectively on two occasions. In KFCS Gahin Lagore, in the Nurpur forest range, the land survey for a link road went through the KFCS forest; it required the felling of 40 khair trees in UP 29. There was an imperative need for the link, so the KFCS felled the trees and took them under its control. When the KFCS wrote to the DFO to explain the situation and ask for his advice, he declared the move illegal, found the number of trees the rakha had recorded were fewer than those actually felled, and seized the wood and auctioned it – causing great resentment within the KFCS. The FD then publicly auctioned some mature khair trees; these were marked in the KFCS forest, but the field level FD staff had more trees felled than were marked. The KFCS closely monitored the felling and immediately complained to the HP forest minister and convinced him to visit the site. The minister saw both the stumps of the 40 illegally felled trees and the 50 khair sleepers that had been stored in the local school in collusion with the lower level FD staff. He ordered the DFO to suspend the range officer and FD staff concerned and called a review meeting at Dharamsala.²⁸

In the second case, the government's failure to pronounce any clear policy on KFCS prompted the leadership of a few societies to approach a local member of the legislative assembly (MLA) to have a question²⁹ raised in the assembly on the KFCS's status and the HP Ministry of Forests' plans for their future. The forest minister went on record to state that the HP Government had extended the scheme and paid grants-in-aid in 1972 and 1973, and not thereafter. He rejected the demand for unconditional release of grants-in-aid to all KFCS, saying that "the possibility could be considered for those KFCS that were working properly."

District forest cooperative societies union

In the early 1990s, the active leadership in the district decided that the lack of an organised platform for concerted action was an important factor limiting their efforts to effect change. A 'sangharsh samiti' (advocacy committee) was formed to lobby for the revival of the KFCS, but it was not very active and did not last long. Subsequently, the KFCS formed the Kangra District

²⁸ Reported in the daily newspaper, *Dainik Tribune*, 5/2/1996.

²⁹ Question No. 799, taken up and answered by the Forest Minister in the HP Legislative Assembly on 5/4/1994.3

Forest Cooperative Societies Union as a union of all KFCS; the Union was registered on 27 July 1996 (Registration No. 418) as a cooperative headquartered in the Ghurkari KFCS. In its first meeting after registration, the Union decided to seek the intervention of the High Court³⁰, and if need be, the Supreme Court of India, to stop the FD from taking over management of their forests. The KFCS maintain that the government failed to denotify the Kangra Forest Scheme, and the CD did not liquidate the KFCS. Other demands include reinstating the legal sources of KFCS income (hak chuharam, resin, grant-in-aid), as well as reviving their power to plan, implement, and protect their forests and supervise timber allocations, especially for ceremonial use at home (for cheiyi and other rituals), particularly important now that lack of wood has become a major problem. The KFCS accept the need to amend their by-laws to ensure that women and bartandars are more actively involved and they agree with basic joint forestry management principles. The union believes that community management through the KFCS concept will stop the degradation of the Himalayan forests; one aim is for KFCS to be expanded to all of Himachal Pradesh over the coming years.



Local MLA of the area, B.B.L. Butail planting trees in the KFCS forest during the van mahotsava, organised in 1999.

³⁰ The union has collected funds from all its members and hired the services of an experienced advocate in the High Court Shimla. At the time of writing, the petition has been filed.

Box 3: The Positions Taken by the Stakeholder Institutions

The various arguments are summarised and commented upon by the author.

The Position Taken by the Forest Department

The FD uses various contradictory arguments for having taken over the management of lands that were under the KFCS.

1. *The FD maintains that the lands given to KFCS were panchayat lands and since the HP Common Land Vesting and Utilisation Act of 1974 gave legal ownership of shamlat lands to the FD, it sees no reason for allowing KFCS to manage these lands nor to support the costs of their management in terms of grant-in-aid.*

In reality the KFCS were formed and given ownership of these lands in 1945 whereas the shamlat lands were given to the panchayats only in 1961. Besides, the proportion of the KFCS land that is shamlat is less than 1% of the total. Perhaps other factors are simultaneously acting on this state-people's interface over rights of access and use of forests. As a part of the Land Reform Acts between 1972 and 1974, the government transferred to the FD the ownership of all shamlat land, which by its own settlements had been vested with the khewatdars for more than a century. This seizure, done without any discussions or granting of compensation to the rightful owners, has further reinforced the idea that the state is non-participatory and self-seeking, leading to a situation of open access extraction and resulting in a typical 'tragedy of the commons' situation.

2. *The FD claimed that "the Govt. of HP was now the owner of all forest land (including KFCS managed lands) and the legal guardianship of all forest land was vested with the Forest Department³¹" and maintains that the amended Indian Forest Act of 1980 puts all categories of forest land in the different states under the ownership of the respective FDs, and thus that no cooperative can legally claim any right over such lands.*

This is partly the result of the application of the HP Revenue Act to the unique forest management initiative of KFCS, without consideration for the special order that created them when under Punjab State. This argument is further extended to say that the KFCS cannot claim any rights ('malkiti hakuks') arising out of ownership of forest/common lands, nor does the KFCS have any right to remove non timber forest products from the forest areas under their management. The FD refuses to acknowledge that it was itself responsible, as legalised through a government notification and a special order, for the creation and sustenance of the KFCS, and for handing over the said forests to them for management. Lacking clear guidelines from the government, the FD appears to be attempting to hide behind technical arguments.

3. *The FD claims that since the government extension of the KFCS scheme expired in March 1973, these societies are now illegal, working in an unauthorised manner, and getting revenue from the government forests by irregular means – and the FD has no reason to draw up WPs for them.³²*

The KFCS legally exist as cooperatives, as they were formed under the Punjab Cooperatives Act (II of 1912) and are presently governed under the HP Cooperative Societies Act of 1968. Even after 1973, most have continued electing their MC's every two years and having their accounts audited annually by the CD.

The same FD had drawn up WPs for the same areas to be managed under the KFCS up to 1983, refuting their own objection that the KFCS were functioning illegally after 1973. Such double standards demonstrate the FD's lack of a cohesive long-term PFM policy.

³¹ From Choudhary, CF Dharamsala, *Parawise Comments on the Report on 'Revival of Cooperative Forest Societies in District Kangra and Cho Reclamation and Soil Conservation Societies of Una District'*, by the HP Institute of Public Administration. (undated document, probably 1990)

³² Ibid.

4. *Giving a reason for its volte face, the FD asserts that “the present situation is totally different from that of 1935. At that time, undemarcated forests were in a deplorable state and the government was short of funds. These forests have now been planted; no more areas are available for planting and there is no dearth of funds.”*³³

This seems to imply that the creation of the KFCS and the support the FD extended was simply a device the FD used since it lacked the funds necessary to manage such badly degraded forest areas. Now that the forests have, by their own admission, been successfully rehabilitated, they feel compelled to take them back from the KFCS before the main benefits (timber) can be reaped. There can be no better admission of the state’s vested interests in forest resources than this and it suggests that the recent pronouncements on JFM and ‘people’s participation’ are not being made with the seriousness they deserve.

In 1989 a senior forestry professional went on record to say³⁴ that

“...since the government has not accorded sanction of continuation of the Societies from 31.3.1972 onwards, the forests given to the Societies are no longer under the control of the KFCS. The management of the forests has been taken over by the FD and henceforth, all activities connected with these forests (cognisance of forest offences, trees for bartan etc.) will be done by the DFO only, and under no circumstances by the Society.”

During the period 1973 to 1995, the FD seemed to assume that it legally controlled the forest areas that were under the KFCS. However, CF Dharamsala (district headquarters of Kangra) accepts that the management of these forests still legally resides with the KFCS. The present CF at Dharamsala believes that until recently, old colonial thinking prevailed in the FD, which opposed participatory forest management programmes in general, and KFCS in particular. He maintains that the present thinking in the department is to rehabilitate the KFCS and empower them once more to manage the forests. It does seem that the FD previously had a strong commercial interest in forests in terms of timber and the revenue generated, but after the period of rapid deforestation in HP from 1970 to 1985, when even the FD lost control over forests which were exploited to an unprecedented degree, the department priority is now conservation. This assertion, however, has yet to be reflected in a clear policy on PFM in general, and specifically with regard to the KFCS scheme.

The Position Taken by the Cooperatives Department

The views of the assistant registrar of the CD on KFCS can be gauged from the document “Parawise Comments for Revival of KFCS”, brought out by his office. The assistant registrar blames the improper functioning of the KFCS on the “lack of financial and technical assistance to the KFCS by both the FD and CD.” He feels that the policy of extension of the scheme by small, one to five-year increments was detrimental to a plan for the development of the forests, which is a long-term issue. He suggests a blanket extension for a thirty-year period.

The Assistant Registrar (AR) states that the KFCS that were financially weak “collapsed because of the non-payment of grant-in-aid since 1973.” He recommends that the pending grant-in-aid should be released immediately to the concerned KFCS so they can revive their forestry operations. He says that the FD must provide the management and the employees of the KFCS with technical guidance so they can undertake the improvement, protection and management of the forest lands. He also suggests that a special cell again be created within the CD to provide support to the KFCS, as was the practice in Punjab. The AR finds the lack of coordination between the FD and the CD to be one of the reasons the KFCS received no proper guidance. He recommends the formation of a district-level coordination committee, consisting of the DFOs, the deputy registrar, and the assistant registrars of the CD (the FD holding the chair). Thus far not much has come of these suggestions, as meetings and correspondence have continued to flow between the FD and the CD without any concrete results, the actual decision making power resting with the politicians. In addition, the CD itself has no clearly stated policy for its KFCS wards.

³³ Ibid.

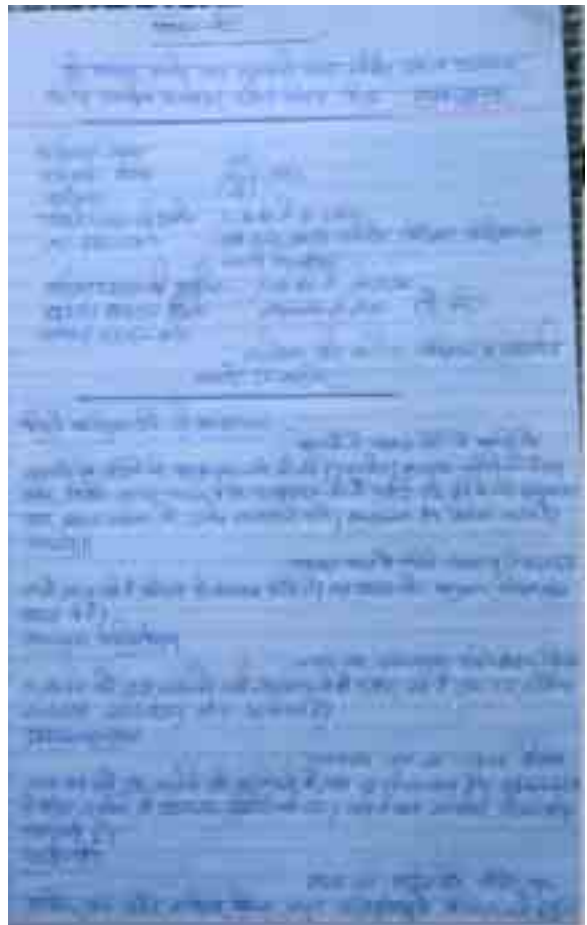
³⁴ Vide his letter (No.F:9-45/3810, dated 12.6.1989) to all DFOs, and subsequently through Range Officers Jwalamukhi (15.7.1989), to all KFCS of Dehra Division.

six what lies ahead

The Present Scenario

The situation at present can be summed up simply. While the government technically assumes the KFCS to be in a state of suspended animation, at ground level the organisations themselves (at least some of them) are alive and active. The people are annoyed and angry at being sidelined from managing and using 'their' forests, and at the way in which the state has sought to unilaterally appropriate the basis of their rights and their existence. The issue of reviving these KFCS is important in itself, as well as being one aspect of the overall fight to ensure an appropriate and enabling environment for participatory and sustainable forest management in HP.

The KFCS represent one of the oldest state-led attempts at PFM in HP, but overall the activities of the state seem more to have been designed to alienate local communities from the forests than to integrate them. Since the 1980s, the FD in Himachal Pradesh has continued to try out different forms of PFM, mostly to similar effect. The recent history of these attempts may help to forecast what could lie ahead, and to suggest a better path forward.



Report of the inspector of the Cooperatives Department for Arla Saloh KFCS 1999–2000.

Recent History of Participatory Forest Management in Himachal Pradesh

Indo German Dhauladhar Project (IGDP)

The IGDP was conceptualised around the assertion that problems in the Himalayas have an interdependent environmental and socioeconomic character. This multi-sectoral integrated project covered about 100 villages in the upper catchment of the Binwa River in Kangra, at the base of the Dhauladhar mountain range, from 1980 to 1989. The project initiated a strategy for securing people's participation called TRUCO (Trust and Confidence). A separate social development section played the main role in reaching out to village communities. The IGDP accepted village level institutions (VLIs) as the best agents for change in mountain systems and helped form and strengthen approximately 53 VDCs and 73 youth clubs and mahila mandals (MMs).

At the beginning, a series of meetings was held in each 'key village'. Thereafter, the local community had to request the project that it be taken as a partner. With the help of IGDP staff, each selected village formed a VDC. Gaining trust in itself and confidence in its abilities, the VDC gradually took up planning and implementing IGDP programmes. The notable achievements were:

- plantation of broad-leafed trees to serve as future fodder banks, and establishment of village nurseries to provide saplings continuously to communities;
- plantation of community orchards and fodder crops;
- popularising stall feeding and developing an equitable system for the distribution of grass from strips within closed and planted belts;
- upgrading breeds and reducing non-productive livestock, thus increasing farmers' returns;
- promoting smokeless 'dhauladhar chulhas' for better kitchen hygiene and women's health; and
- increasing agricultural production due to better agricultural awareness and extension.

Building the trust and confidence of local VLIs in their ability to undertake community-based management of local resources was a remarkable and significant step for PFM in Himachal Pradesh. However, no government department (including the FD, IGDP's major partner) recognised these IGDP-created institutions as focal points for mobilising village communities, so they were neglected and eventually became defunct after the project ended. The FD, again the main force behind the experiment, apparently failed to internalise any lessons from the success of this community-managed forestry.

Social Forestry Project

The National Social Forestry (umbrella) project was implemented in HP between 1985 and 1993 with a total budget of Rs 570 million. Its main aims were to raise income and employment amongst the rural poor by increasing the production of fuelwood, fodder, and timber, and to arrest the erosion of the natural environment caused by deforestation. The scheme included tree tenures for the poor and landless, community woodlots (self-help and rainfed), regeneration of degraded forests, farmers' nurseries and distribution of seedlings, as well as the planting of a variety of trees on private non-arable lands. The 'Van Lagao, Rozi Kamao' scheme, announced later, was one of its components.

This project covered all of HP's 12 districts and attempted to implement its activities through villagers or in consultation with villagers. The FD started the dialogue with the villagers through

'gram panchayats' (GP) or other existing VLIs such as MMs. Village forest development committees (VFDCs) were set up in many villages for the first time to implement the scheme. However, attempts to seek the active participation of an entire village community by including one woman (from the MM), one representative from the scheduled castes, and one from the GP, were not very successful (Sood 1994). The VDCs evolved neither participatory mechanisms nor bottom-up systems for planning and management. The lack of representation of local forest users and domination by the elite reduced the experiment to pro forma 'involvement' of the people. As ex-officio member secretary of the VDC, the FD forest beat guard formulated the integrated resource management plan (IRMP) for the village, leading to FD rather than community ownership. While on paper the social forestry programme succeeded in planting over 100,000 ha of plantations, community participation was limited and the FD continued choosing the species to be planted (like eucalyptus), without reference to the needs of the community – leading many communities to call it 'un-social' forestry.

Joint Forest Management – a national strategy

By the early 1970s, many foresters throughout India were having serious doubts about the effectiveness of the forest conservancy systems they had inherited and were practising. Instead of continuing to limit people's rights and drive them out of forests, they began involving people in managing and protecting forest land from illicit felling, grazing, fires and encroachment. In return, the users were granted access to intermediate products and a share of the final harvest. These approaches were initiated in West Bengal and then spread to Orissa, Gujrat, Haryana, and later UP and Bihar.

The success of these experiments and movements influenced national policy makers and led to a new forest policy in 1988. Reversing the previous focus on commercial timber production, it emphasised the importance of ensuring environmental stability and ecological balance, and accepted that the 'first charge' on forest produce was that of tribal communities and other poor people living within or near the forests. In 1990, the Ministry of Environment and Forests GOI complemented the 1988 policy with a government order (GO) to all states that participatory forest management of degraded forest land be adopted with communities, through NGOs wherever possible. The GO provided guidelines for developing mutually binding working arrangements between the various partners. Called 'Joint Forest Management' (JFM), this represented a major policy shift from the authoritarian forest management previously practised by the FD. In 1993, HP passed its government order notifying guidelines for JFM in the state.

The notifications and government orders for the Kangra Forest Cooperatives and for JFM were separated by almost five decades. On paper the two have somewhat different social, political, and forest management objectives, but actually when one examines the relevant issues in the context of the current situation the differences seem less impressive than the similarities. The comparison between the approaches of the FD and other stakeholder institutions provides useful insights and lessons related to the PFM approaches that could help future implementation of PFM in HP to be more successful. The comparison indicates that that the 1993 government order for JFM was more or less 'old wine in a new bottle', the positive aspects being the better provision for ensuring equity in participation and benefit distribution.

In practice, the guidelines for JFM were not passed on in any meaningful way to the territorial forest divisions of the state. By 2001 less than 1,000 village (or tika) forest development committees (VFDCs) had reportedly been formed from some 20,000 villages comprising maybe as many as 120,000 hamlets (tika). The extent to which these institutions are genuinely

participatory is also questionable, since no in-depth training was imparted to FD staff before they were asked to initiate JFM. Their approach, as in the social forestry programme, continues to be authoritarian and non-participatory.

The Indo-German Changer Project and the Himachal Pradesh Forestry Project

A more extended 'joint participatory forest management' (JPFM) approach is being tried out in two bilateral projects. Although both projects have been running since the early nineties, this experiment is still confined to the pilot areas. The approach emphasises both developing genuine 'bottom-up' and participatory planning with the emphasis on user communities rather than on individuals, and large-scale capacity building within the FD itself to reorient staff and train them in communications and facilitation skills.

The Indo-German Changer Project (IGCP) started in 1993 with a planned implementation period of 15 years supported by German Technical Cooperation (GTZ). It covers an area in Kangra district of a little more than 400 sq.km with 570 villages. It is an integrated development project that includes forestry as one component. The emphasis has been on strengthening village self-help organizations followed by participatory integrated land use planning.

The Himachal Pradesh Forestry Project (HPFP) is funded by the UK Department for International Development (DFID – formerly ODA). It was launched in 1994 in the Kullu and Mandi districts and is ongoing in 2002. The project focuses on process learning and monitoring; the aim was to build people's participation into the normal functioning of the FD and the project emphasised changing the attitudes of FD staff at all levels. Compared to the methodology used for KFCS formation 50 years earlier, the approach is very slow and cautious. An impact assessment study indicated significant concern about the achievements of the project's first phase. The process of working with communities proved lengthy and costly; the groups formed tended to be too large and unrepresentative so that the needs and priorities of the poorest were not reflected in micro-plan activities; and the micro-plans themselves were too oriented towards forest enclosure and replanting. Micro-plan funds were effectively providing wage labour opportunities as temporary compensation for lost grazing, fuelwood, and fodder benefits from the forest. Despite considerable training in sensitisation and methodology with territorial FD staff, the perception of DFOs and conservators did not appear to have changed much in favour of PFM, although ground level staff have found JFM to be very useful and are now committed to it in principal. Emphasis in the second phase shifted towards sustainable livelihoods as this is the strongest reason for any community to engage with the FD and undertake any meaningful and long-term participatory forest management

Overall the FD's emphasis in these two projects was to accumulate examples and gain experience. Nearly ten years later it seems, in the opinion of the author, that JPFM is becoming yet another of the FD's 'oasis experiments,' new initiatives being tried out in small spaces while the mainstream territorial policies and attitudes remain unchanged.

Sanjhi Van Yojna

The Sanjhi Van Yojna scheme is a new effort in PFM somewhat similar to JFM but financed from the state budget. It was launched between 1998 and 1999 with an initial outlay of 100 million rupees (approximately 1.3 million US dollars). This scheme adds the gram panchayat (the elected village level body for local self-governance) to the list of social institutions that can be involved. It aims both to regenerate degraded forest areas and to increase social, non-forest related, infrastructural assets (up to 25% of the total budget), although these two would seem to

be mutually exclusive. The scheme also promises that the village forest development committees (VFDCs) to be formed will be registered by the DFO as welfare societies (VFDS)(non-government organisations) under the Societies Act of 1860. One step forward has been made in the provision to send the grant money for the approved micro-plan by cheque to the official joint account of the VFDC. Also new is the ‘usufruct-sharing’ model at the time of final harvest. The sale proceeds from plantations on government lands will be distributed as follows.

- 25% to the VFDS executive committee – to be distributed amongst members
- 25% to be deposited in the joint account of the VFDS and village development fund
- 10% to the gram panchayat within which the VFDS falls
- 40% to the government treasury

In practice, however, the Sanjhi Van Yojna scheme suffers from the same shortcomings as the JFM in the Himachal Pradesh Forestry Project, including imposing the forest guard on the Village Forest Development Society as ex-officio secretary. It seems likely that this scheme will also be unsustainable beyond the first five-year micro-planning cycle. Having started PFM in some 400 villages throughout the state, the programme is already bogged down by a shortage of funds in the third year of implementation.

Ongoing Plans and Activities

Draft PFM rules

The draft of a new GO to replace the 1993 government order and detailed PFM rules are both awaiting government approval. The drafts provide for increasing the institutional autonomy of village forest development committees by registering them and vesting their presidents with the power of a forest officer for compounding offences. There still seem to be considerable shortcomings, however. The village forest development societies are expected to play a primarily policing function on behalf of the FD. The rules propose continuation of contemporary micro-planning with all its shortcomings. Annual implementation plan formats attached to the rules imply that the micro-plans will take the form of even more tree plantation and closures than under HPFP, with little space for integrating the diversity of existing livelihood dependencies on forest land into the micro-planning process. Grassland and pasture development are not even mentioned in the micro-plan format. Some of the main features of the draft rules are summarised in comparison with the characteristics of the KFCS in Annex 3.

A more problematic provision, carried over from the 1993 order, is for sharing 50% of the net income with the VFDS “at the time of final harvest of the crop (of at least 20 years rotation).” This is clearly an inappropriate incentive for livelihood focused PFM, particularly in Himachal Pradesh where most VFDS members already have legal timber distribution rights and are unlikely to be willing to share the timber harvest either with the government or with non-right holding residents. A shift in focus to participatory resource management would seem to be a more appropriate incentive for making PFM sustainable in HP. This would improve livelihoods by providing real choices for increasing the continuing flow of multiple benefits to the most resource poor women and men, irrespective of their legal rights, and devolving management (and not just protection) authority to the VFDSs.

The draft rules increase inclusivity by opening membership to all adults not just households, thereby entitling all women and other adults within larger households to independent membership. Ironically, whereas the current 1993 PFM order provides for 50% of the VFDCs’ executive committee members to be women, the new draft rules reduce this to 33%.

At present, even rightholders are not entitled to sell surplus produce such as grass and firewood from their JFM areas; the rights are for bona fide domestic use only. This has become a major obstacle for older VFDCs in generating a common fund. Participatory forest management rules need to clearly empower them to raise income through such means. A more equitable, longer term goal of PFM should be to create consensus in favour of replacing individual rights with community rights, thus facilitating genuine needs-based community resource management and undoing the distortions created by settlements made a century ago. It would be desirable to explore the idea of declaring village common lands, traditionally used for grazing livestock (and now legally notified as 'forests') as 'village forests' under Section 28 of the Indian Forest Act along the lines of the van panchayats in the UP hills. This would provide a statutory mechanism for devolving control over their management back to the resource users in line with the move towards devolution in other fields.

A major shortcoming in the draft rules is that they do not grant the VFDS any security of tenure over the PFM forest land area in cases of dispute with the Forest Department. Disputes are to be resolved within the FD structure, making one party to the agreement the ultimate arbiter of any dispute. In the context of Himachal Pradesh, tenurial security for the VFDS may remain a problem as the FD itself has no clear jurisdiction over Class III 'undemarcated protected forest' categories of 'forest' lands as these are still the subject of dispute between the FD and the revenue department. The draft rules assume, however, that the FD has the authority to enter into PFM agreements related to UPF lands as well as for other government lands over which it has no jurisdiction. This anomaly may prove problematic.

The envisaged process for constituting VFDS is too rapid and lacks mechanisms to ensure informed participation of poor forest-dependent women and men. It is prone to capture by village elites, as has happened with most of the VFDCs formed so far.

Forest sector review

The Himachal Pradesh Forest Department carried out a comprehensive review of the forest sector (FSR) in 1999/2000. The review aimed to provide basic information and a consensus on which to build the future policies and strategies of the department and other key institutions so that they would meet the needs of key forest stakeholders and ensure sustainable management of forest resources, integrating forest sector planning with socioeconomic development.

The FSR analysis and discussion raise three groups of related issues:

- participation in forest management for livelihood needs,
- increasing the goods and services available through improving forest management, and
- coherence in governance, law and policy to achieve the above.

The FSR has identified four key principles that need to be adopted in HP as a basis for defining policies and programmes towards sustainable forest management.

Multiple forest values – The many forest values that sustain local livelihoods and economic growth – from energy, food, and fibre production to cultural values and environmental services – should be recognised in order to allow a continuous flow of benefits for different stakeholders.

Multiple forest stakeholders – The many stakeholders involved in the forest sector must be recognised – from those dependent on forests for subsistence needs, through state-level institutions charged with looking after HP forests, to national and international stakeholders. Good policies and programmes should be implemented to give them access to information and

decision-making processes, and to emphasise participation in sharing the costs and benefits of forest use.

Changing conditions – Since economic, environmental, social, and institutional circumstances and needs are changing rapidly, both within HP and outside, policies and programmes need to be capable of regular review and adaptation, and should include a precautionary approach to protect important forest assets.

The need for a lead agency to coordinate the transition to SFM – This is necessary because all stakeholders expect the FD, as the recognised authority, to coordinate the transition to sustainable forest management: therefore the department must be given considerable support. Also necessary is a regular, equitable, participatory system through which stakeholders themselves can meet, debate strategic issues, consider optional solutions, and form partnerships – facilitated by the FD itself.

Ultimately, these principles imply a significant re-negotiation of forest stakeholder roles that are both realistic and acceptable to all. Already a recognised need, this cannot occur without a shared vision of SFM, based on a participatory policy process.

This re-negotiation is likely to herald the beginning of significant institutional change over the coming years, and will possibly be the main outcome of the forest sector review. A process of decentralisation of forestry is needed to handle local complexities, but there must be enough centralisation to ensure greater policy coherence both within and outside the state.

The FSR has recognised most of the factors that can help PFM and forest management in general to become a sustainable and profitable option for the state and the communities involved. It identifies the fact that this can only happen through policy and institutional change within the FD, but fails to adequately define what factors would lead to such a change occurring.

The future of the Kangra Forest Cooperative Societies

On 20 March 2000, the HP State Cooperatives Development Union organised a one-day seminar called “The Problems and Challenges Before the Forest Cooperative Societies” in Dharamsala. Chaired by Sh. Rikhi Ram Kaundal, Honourable Minister for Cooperatives, the seminar brought together the FD, represented by the conservator (Kangra), and the CD, represented by the assistant registrar (Kangra). Many representatives of KFCS from throughout the district also attended. By the end of the seminar, clear consensus had been reached that the KFCS had been badly treated. The CD accepted its inability to fight for the societies and a committee was formed under the chairmanship of the additional registrar of the CD to discuss how to revive them.



Mr. Vasudev, guard to the three KFCS around Maniara.

The FD accepted that the KFCS are PFM institutions capable in their present extent of managing up to 9% of the district's forest land and that, with minor changes in the existing PFM schemes, they could continue this role.

The KFCS accepted that their by-laws harked from an earlier era and must include equity and gender concerns as well as a broader membership base, and they agreed to undertake these changes at once. Some of the changes needed are as follows.

Rationalisation of the forest areas – The growth and movement in populations over the last fifty years has put pressure on the forest area under the KFCS. Those that started with one or two hamlets today have 10 to 15 villages and are large and unwieldy.

Open membership – Membership must be opened to all forest users, not just rightholders. Special provisions for involving women must be included in the by-laws.

Transparency – Lack of ordinary members' participation and centralised management committees have made the societies non-transparent, and requires adjustment.

Legal control over forests – If the societies are to effectively manage their forests, long-term and legally clear tenurial systems ensuring their stake are required.

Role vis à vis panchayats – It is necessary to consider how these cooperatives would coordinate and benefit from the decentralised governance system of the panchayat. While the autonomy of forest-based user group forestry has its own strengths, the coordination and support of the panchayats can strengthen these institutions.

The PFM approach will be vindicated in HP if the cooperative societies are revived. Real PFM, however, with all its benefits, can only come about when the basic tenets outlined below have been achieved.

Lessons from the History of Participatory Forestry Management in Himachal Pradesh

Common themes

Technically, the task of managing HP's official 37,600 sq.km of forest land (67% of the total geographical area, but only about one third actually forested, see below) falls upon approximately 4,400 FD field foresters. In reality, the direct day-to-day work of the village communities – 91% of the total state population of 550,000 – has the most impact on forest use in the state. Forests are an integral part of farming systems, including horticultural development and livestock management, and they provide fuelwood, wood for agricultural implements, fodder, compost, timber, staking and fencing material, and food for these communities. Studies have shown that in terms of value forests contribute 19%, 20%, and 26% respectively of the total production of food grains, fruit, and vegetables in the hills (Gulati 1996). Further, they contribute 49% of requirements for animal husbandry, and 90% of the domestic energy requirement of the rural population. According to FD estimates, the direct tangible removals from HP's forests exceed a value of Rs 10 billion every year.

There are central themes common to all previous attempts at PFM in HP, from the very first KFCS in the 1940s to more recent schemes. These shared features are as follow.

- The attempt at PFM takes the form of a temporary scheme or a time-bound project.
- The FD allows the village community to form new, transient village organisations to protect and manage usually degraded (open access) forest land, with closure and plantation as a uniform prescription.

- The main benefit is disguised wage-work for non-forest based asset creation (footpaths, spring wells) or plantation work for an initial period of only 2 to 3 years. During this time the closed-off areas show considerable improvement and benefits in terms of grass production, but the planted trees need at least 8 to 10 years to grow. Pressure on the demarcated protected forest nearby is lifted temporarily as a result of the wage-labour and the creation of non-forest assets.
- The ‘jointness’ has a very clear definition: the village committees (VDCs, VFDCs, Village Eco-development Committees) take over the most important (protection) roles from the FD: the removal of encroachments, ensuring the closure of disputed open access grazing lands, distribution of grass and loppings, conflict resolution, and other vital work. However, legal recognition of these institutions, their control over the land they manage, their power to fine offenders, and their right to manage forests as well as enjoy major long-term benefits such as timber, and high value NTFPs (resin, khair, and so on) are left undefined and very much in the control of the FD.

To date, mainstream forest management systems attempt to define forest lands as a property only of the state, the FD is landlord of 66% of HP’s geographical area.

On the other hand, the village communities define the forests not merely as ‘resources’ to be exploited, but as the very essence of their existence and livelihood. This is asserted through centuries-old customary systems of community forest management and use that are based on mutually recognised rights of access and extraction that members of the forest user groups in each community accept and respect.

These systems, the only systems on which true forest management can really be based, are not mentioned in the WP documents or other planning and implementation mechanisms of the FD. Most forest guards admit that when transferred to a new beat, the village community provides the exact location of the boundary pillars defining forest land under their control. In fact, given the large size of their forest beats, most learn about illegal felling and timber smuggling only from the forest users themselves.

The idea behind experimenting with PFM is to develop a new path on which forestry can develop, but tragically it has become a footpath into the wilderness. The HP Forest Department currently uses the idea of PFM as a means to attract substantial foreign donor contributions and also to relieve some of the communities’ pent-up anger over their alienation from their forest wealth and their lack of access and control. Unfortunately, the department seems not to have found it expedient to integrate the lessons learned from the PFM experiment into its forestry management systems.

The questions the FD should be asking, and which all those concerned with the future of HP’s forests and the well-being of the people of HP should ask are:

- What lessons and experiences do these initiatives hold for the future of sustainable forest management in HP?
- What should be the future of the KFCS themselves?

Emerging lessons for the future of sustainable forest management in Himachal Pradesh

For sustainable forest management to succeed, existing PFM attempts must be transcended. Fundamental changes are required.

Mainstreaming PFM

Failure to re-notify the KFCS scheme, and experiences from JFM and Sanjhi Van Yojna, suggest that the FD considers these simply to be trials and experiments to show that PFM is possible. All these initiatives, however, seem both peripheral to mainstream forest management, and also to lack any inbuilt sustainability. PFM should now become **the** forest management system rather than a single, isolated experiment. Participatory forest management must be how the FD manages **all** forest land with a high population-forest interface. The FD should see the community as forest managers, with the necessary powers deriving from the Forest Act and PFM rules. PFM must be a system of forest management with clear milestones written into the working plans and designated forest areas handed over to communities on a long-term lease arrangement.



Maniara has fertile agricultural land irrigated by this 'kuhl'. Maniara KFCS contributes a share for the annual maintenance of the kuhl.

traditional village common lands acquired by the state in the mid-70s. Even today, most of these are heavy-dependence open grazing lands or pastures with bush regimes, many of which the FD attempts each year to close and plant, with poor survival rates for obvious reasons.

The FD must realise and accept that different areas in the hills have different land uses supporting local livelihoods. These are being destroyed and resource-dependent groups alienated from the forests due to bad prescriptions and monoculture plantations. Thus pastures, rangelands, and others should be considered a correct use of a proportion of the land in the hills – and different management systems should be reflected in the silvicultural prescriptions and norms in the WPs.

Changing forest land use

In theory, the FD considers trees to be the optimum land use for HP's forest lands. However it must be remembered that the most recent legal definition of 'forest land' uses the idea of an 'ecosystem' as the basis, forest land is by no means necessarily forested. According to FD statistics (and although not reflected in the revenue department's land records) of the 37,600 sq.km land legally classified as 'forest' (67% of the state's geographic area), of which 37,000 sq.km is under FD jurisdiction, only 12,500 sq.km is actually forested (crown density of more than 10%) and only 9,600 sq.km of this has dense forest (Bhatia 2000). As much as 11,300 sq.km is actually incapable of supporting tree cover as it lies above the tree line at altitudes above 3,000 to 4,000m and is covered by alpine pasture or permanent snow. This means that some 24,500 sq.km of forest land is capable of supporting forest cover and about half of this is actually forested. Much of the 'forest land' consists of 'undemarcated protected forest' and

Reclassifying forest lands

It may be both useful and necessary to reclassify forest land on the basis of who has primary responsibility for its management and the use to which it is put. One suggested classification is as follows.

- **Community forest:** forests managed exclusively by communities along PFM principles for local use (with technical expertise and support from the FD). There could be two designated types.
 - a) **Supply forest:** managed to supply fuelwood, fodder, timber, and NTFPs. Livelihood development for local communities through technical, financial and marketing support should be provided. Extraction, processing, and export rules will have to be changed to achieve this.
 - b) **Conservation forest:** areas around villages where the primary objectives are land stabilisation of severely eroded areas, watershed management, and biodiversity conservation. These areas would become forest resources under long-term rotation.
- **State forest:** managed primarily by the FD, these areas would provide for the nation's ecological, timber and industrial needs. There could be two designated types as follows.
 - a) **Supply forest:** forest areas with a minimum of community extraction, devoted to supplying national needs for timber and NTFPs (including cultivation)
 - b) **Conservation forest:** alpine areas and protected areas along peripheries where community dependence is low and participatory conservation management could ensure the continuance of biodiversity elements. The preservation of Himalayan habitats and the benefits thereof to the nation – such as water and carbon fixation – could be ensured.

Converting individual rights to community rights

Individual rights are clearly difficult to regulate, especially with a regulatory mechanism that is external to the community of forest users. One important lesson that emerges from the KFCS experience is that if the forest resource is community property and extraction a community right; and if the community institutions are equity-based and supportive to forest dependent groups; internal regulation leading to sustainable extraction is possible. The FD's role then shifts to one of external monitoring and conflict resolution.

Strengthening sustainable forest-based livelihoods

Unless forests generate and support short-term benefits and thus strengthen sustainable livelihoods, communities will have little interest in PFM. Involving people in activities that rehabilitate and rejuvenate the natural resources that their communities depend on is the most difficult task that conservation-oriented attempts face. Over the years, community dependence on, and hence interest in, most common property resources (CPRs) has decreased. To promote involvement in and eventual community control of CPRs, each individual user group concerned with a specific natural resource use should be mobilised. Real mobilisation generally has an economic dimension, it is triggered by a perceived increase in benefits from the resource/asset in question, thus these benefits must be secured in both the short and the long term. In general, there needs to be a tangible short-term benefit to push otherwise reluctant vested interest groups to renegotiate resource use practices and to resolve existing conflicts for long-term investments in resource conservation and utilisation.

The forest-based livelihoods approach can focus all initial efforts at demonstrating increased short-term benefits and clear cash incomes to identified stakeholders through production-based initiatives. This creates interest in each stakeholder to work for that activity, and to settle

differences and organise themselves together into a collective. Once the collective starts earning sustainable income from a certain resource use, interest in resource conservation and resource enhancement and management is also created. Thus forest-based livelihoods could bring people together to take up ecological restoration and management of natural resources.

Rationalising the role of people's institutions

The present scenario presents a bewildering variety of people's institutions created or recognised for PFM by the FD and the government. The state has created village forest development societies (VFDS), village eco-development societies (VEDS), village development committees (VDCs) and, significantly, has placed forests among 14 line departments to be managed and supervised by the gram panchayat. These institutions are distinct from the popular traditional local institutions that previously played a significant role in forest management, the 'devta' committees, 'sudhar sabhas', mahila mandals and others.

JFM and PFM have thus far allocated only superficial and inconsequential legal roles and powers to the institutions created to implement them. But these institutions have demonstrated an ability to garner people's involvement at a time when communities are distancing themselves from line departments. As demonstrated in the KFCS case, local institutions can play a much greater role in sustainable forest management, but must be given a clear and central role. Given the present social and political scenario regarding forests, the FD itself has to initiate such changes, providing clear-cut milestones and indicators for restructuring and handing over the agreed functions to village communities.

Conclusion

The history of forest management in HP shows that neither the FD nor any other government institution changes on its own. Himachal has seen no significant people's resistance or revolts against the alienation of the forests for the last 150 years. Modern development agendas, large-scale government employment between 1970 and 1990, and the opening up of trade and market opportunities post-1990 have absorbed such pressures. Large-scale investment by the central government has fuelled a shift from forest-based livelihoods to tertiary options.

As India's economic scenario is now undergoing a dramatic change, with a shortfall in available subsidies, economics will force the state to look again at forests and their economic value and to plan larger community involvement in the co-management of forest wealth for economic and ecological gain. The HP Government should play the role of change manager, considering these realities and setting in motion changed policies, institutions, and implementation in order to achieve these gains.

Many states have taken the other path, bringing in private industry as the facilitator, using private benefit as the precursor to improved economic management of the state forests. This has created two problems – bringing larger incomes for a few individuals at the cost of entire communities, especially forest users; and leading to economically productive but ecologically destructive forest use practices, thus destroying the foundation of a long-term asset base. While this approach can be followed in state supply forests, in most forests the livelihood options available to local communities must be developed as the main precursor to creating and increasing their stake in sustainable management. This will create local incomes as well as self-perpetuating and self-regulating forest management practices.

Himachal Pradesh must now choose between the two paths. This decision will determine what will happen to the future of the forests and the people whose lives depend on them.

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annexes



Annex 1: Details of Individual Kangra Forest Cooperative Societies

	NCS Village	Year of Registration	Management Transferred on	Age of NCS in 1973 (Years)	#F	#FF	#LF	#LCF	#BN	Share/lot
1.	Darya	4.12.41	2.0.41	32		317	246			
2.	Darya	4.12.41	2.0.41	32		298	640			65
3.	Edn	4.12.41	2.0.41	32		232	700			
4.	Pratap	4.12.41	12.2.42	32		272	234			
5.	Bhatnagar	14.11.41	2.0.41	32		448	344			
6.	Bhatnagar	20.1.42	21.0.41	31	134			170		
7.	Pratap	2.11.42	23.12.42	31		08	298			
8.	Pratap	17.3.42	21.0.41	31				00	41	20
9.	Bhatnagar	2.0.42	10.2.43	31						
10.	MIL	2.11.42	23.12.42	31			287			
11.	Darya	2.11.42	28.7.43	31			032			
12.	Karni	4.0.42	4.0.42	31				181	137	
13.	Darya	2.0.42	10.0.42	31		220	230			
14.	Chhatra	24.8.42	6.1.43	31		81	73			
15.	Ladnun	2.0.42	2.1.43	31		00	200			
16.	Darya	17.11.42	26.4.43	31		204	1100			
17.	S. S. S.	2.10.43	8.8.44	30			700			
18.	Pratap	21.2.43	13.10.44	30		03	246	38		540
19.	Pratap	22.2.43	18.2.43	30			271	30		
20.	Karni	22.2.43	12.6.43	30		101	03	38		
21.	Son	14.3.43	14.0.43	30	43			303		
22.	Darya	1.0.43	1.11.44	30						15
23.	Pratap	8.12.43	13.11.43	30		220	402			
24.	Ladnun	14.12.43	13.11.44	30		137	445			
25.	Chhatra	21.12.43	2.4.44	30	400		112			
26.	Ladnun	17.1.44	10.3.45	29	100			220		
27.	Pratap	17.0.44	13.11.44	29		187	398			
28.	Pratap	28.8.45	28.8.45	29	204			1718		
29.	Pratap	10.7.44	30.12.44	23			284			
30.	Son	12.1.44	7.8.44	29		134	451			
31.	Darya	1.3.45	24.6.45	28			146			
32.	Son	1.3.45	24.6.45	28			305			
33.	Son	10.1.45	6.11.45	28			103			
34.	Darya	10.1.45	24.6.45	28	130			400		
35.	Karni	10.1.45	24.6.45	28				294		
36.	Pratap	2.2.45	2.12.45	28		300	100			
37.	Darya	13.3.45	0.8.46	27						
38.	Pratap	21.3.45	1.2.47	27						
39.	Karni	21.3.45	21.10.45	28		1192	1000			
40.	Darya	21.3.45	13.7.45	28		08	272			

Annex 1 Cont.....

	NFCS Village	Year of Registration	Management Transferred on	Age of NFCS in 1973 (years)	HF	HDF	HLPF	HLPF	HCF	HBM	Shambhat
01.	Evil	20.06.75	13.12.75	28			215				
02.	Chandi	20.7.75	16.06.76	27		333		683			
03.	Sialan	20.7.75	16.06.76	28		228		670			
04.	Chand	20.7.75	20.3.76	28				204			
05.	Chand	16.1.76	8.3.77	27				223			
06.	Chandi	2.1.76	8.3.77	27				65			
07.	Evil	1.6.76	23.10.77	27				435			
08.	Chand	1.6.76	27.10.77	27				540			
09.	Chand	7.2.76	23.10.77	27	121				138		
10.	Chand	20.1.77	1.5.77	26			93				
11.	Chand	16.6.77	0.12.78	26		255		328			
12.	Chand	26.7.78	30.3.79	27							
13.	Chand	10.1.79	18.2.79	24		102		238			
14.	Chand	4.8.79	22.8.79	24		60		64			
15.	Chand	23.5.79	31.3.79	24				313			
16.	Chand	23.5.79	8.7.79	24							
17.	Chand	23.5.79	8.7.79	24							
18.	Chand	1.5.79	1.12.79	24				232			
19.	Chand	6.5.79	27.3.79	24				198			
20.	Chand	6.5.79	1.12.79	24		31		105			
21.	Chand	13.3.79	25.7.79	23							
22.	Chand	27.7.79	16.7.79	23		52		63			
23.	Chand	24.10.79	28.12.79	23							
24.	Chand	18.11.79	22.5.79	23				632			
25.	Chand	12.10.79	21.8.79	23				295			
26.	Chand	18.12.79	7.8.79	23				1632			
27.	Chand	0.3.79	7.7.79	22				178			
28.	Chand	25.1.72	20.10.74	21				16			
29.	Chand	25.1.72	22.8.72	21				305			
30.	Chand	25.10.73	10.2.73	20		220		143			
31.	TOTAL				1321	1704	3003	6002	178	178	231

HF: year in force; HDF: no. of NFCS in force; HLPF: no. of NFCS in force; HCF: no. of NFCS in force; HBM: no. of NFCS in force; Shambhat: no. of NFCS in force.

Annex 2: Form of Agreement to be Signed by a Member of the Cooperative Forest Society Limited (in Urdu)

I _____ son of _____

Village _____ Post Office _____

Tehsil _____ District _____

being a member of the _____ Cooperative Forest Society Limited,
do hereby agree to abide by the following conditions:

- 1) I shall be bound by the Working Plan for the management of the forests under the control of the Society as prepared from time to time, accepted by the Society and approved by the Punjab Government in the manner provided by the By-laws and Rules framed by the Punjab Govt. for this purpose, and I undertake that all the rights whatsoever owned by myself in any property affected by such Working Plan shall be subordinated to the rights of the Society or Punjab Government, as the case may be, and subject to administrative control of the Society through its officers in accordance with its By-laws and Rules. I further agree not to transfer, sale, mortgage, give or otherwise to a non-member any right over any area made over to the administrative control of the Society.
- 2) In case of a breach by me of any By-laws of the Society, I agree to pay the Society such fine, not exceeding one hundred rupees, as may be imposed upon me in accordance with the by-laws of the Society.
- 3) In the event of the cessation of my membership, my rights in land shall continue to be in possession of the Society until released by the General Body through a proper resolution.

Witnessed:

1. _____

2. _____

Signed

Annex 3: Comparative Features of Kangra Forest Cooperatives and Joint Forest Management in Himachal Pradesh

Characteristics	Kangra Forest Cooperatives	Joint Forest Management
Forest Types	The KFCS were authorised to protect and manage all classes of forest – reserved, demarcated, delimited protected, undemarcated protected, and unclassed forests.	Barren or degraded areas only.
Unit of Management	One economic unit, together with any land under private ownership which the owner wished to entrust to the management of a society. Revenue estate/mauza. Could be a single tika or a group of tikas from two or more mauzas. Stressed a preference for smaller sized mauzas.	Stresses the option of having small areas.
Longevity	Initially started as an experimental measure subject to review after five years. Reviewed and continued from 1942 to 1973.	Order makes no mention of longevity.
Criteria for Participation	Rightholders according to settlements. Non-rightholders could become members but could not receive shares of income which were due only to rightholders.	One adult male and female member of each family can become a VFDC member.
Benefit Sharing	<ul style="list-style-type: none"> • 25% to rightholders as per forest settlements • 25% of profit to FD as inspection fees • 1% to reserve fund • 10% to forest improvement fund • 9% to common good fund for the benefit of the community • 5% to cooperative education fund Balance to be distributed to the members in proportion to their rights. Thus individual incomes were permitted. Note: Rightholders' share was determined according to the revenue they paid to the revenue department. Called 'mamla', this was calculated on the basis of quantity, quality, and income potential of the private land. The higher the mamla the higher the share of income from the society. All usufructs to be given free to the KFCS. Resin: After deducting service cost by the FD, the profits from the auction of resin went to the KFCS. Khair: Included in 25% zamindari share after auction of trees by FD	25% of the net sale proceeds of the final harvest will be given to the VFDC and kept in a common fund to be utilised for village development works with the approval of the general house and in consultation with the DFO concerned. Usufructs will be distributed as per forest settlements. This includes fuelwood, grasses, NTFPs. Resin: While the order makes no mention, current policy does not allow for sharing of incomes from resin with the VFDCs. Khair: Order makes no mention. Excluded from share as only degraded areas are eligible for JFM. Areas with khair will not be brought under JFM.

Characteristics	Kangra Forest Cooperatives	Joint Forest Management
Process of Formation	Elaborate rules, procedures and guidelines related to the formation of societies provided along with mention that process "may not be rigidly adhered to but may be varied". However, it is suggested that the "process of admission must be finished in one visit to the village without any break".	The JFM government order remains the only guideline. Rules and procedures have not yet been issued in the 3 years since notification.
Institutional issues	Dependent on co-operation and linkages with cooperative department and revenue department	Hardly any dependence on order; departments specified.
Concern for Equity	Equity compromised in membership access and sharing of income. Mamla was the basis for defining income share from society; large landowners thus received large shares.	Provides affirmative support. Mandatory to have member from antodaya family in executive committee. Membership open to all households regardless of land ownership.
Conflict Resolution	Envisages a role for cooperative department staff who will "resolve difference of opinion" within societies or between societies and the FD	DFO in consultation with general house is to decide on such matters. Final decision on appeals is vested with conservator, who has to give his decision within one month, no further appeals being possible.
Dissolution	The scheme was notified by FD every few years. It was not re-notified after 1973. As cooperatives, the KFCS cannot be dissolved by the FD.	DFO has total powers to de-register a VFDC.
Gender Issues	No mention of women's participation in membership and decision making. Patriarchal system usually placed all land in the men's names. Women's membership almost negligible due to membership criteria which qualify only mamla paying male landowners.	Membership guaranteed to women from each member household. Provides for 50% women's membership on executive committee. Allows for one mahila mandal member to be nominated to executive committee.
Financial Grants	Provision for grant-in-aid to societies.	No provision for any financial assistance is specified in the GO.
Forest management	Provision to prepare a WP for the areas brought under the societies "in consultation with the Society members". Individual WPs for each KFCS, and an integrated one for all KFCS were prepared by the FD.	A management plan for the areas is to be prepared with the participation of committee members. Duration of working plans not specified.

Characteristics	Kangra Forest Cooperatives	Joint Forest Management
Legal Status	Legal status under the provision of Cooperative Societies Acts -Originally under Punjab Act of 1912 -Now under HP Act of 1968	Committees registered only with the DFO who has power to dissolve the VFDCs. No provision for registration under any other statute.
Quorum	Executive committee: A minimum of three EC members are deemed to form a quorum in an EC of not more than 7 persons. Required to meet when necessary.	Executive committee: Required to meet at least four times a year. Minimum quorum must be 50%. EC can have 9 to 12 members.
General House	Minimum one third or 30 members, whichever is less, is deemed to form a quorum. Required to meet at least once a year.	Required to meet twice a year with a minimum quorum of 50%.
Representation	No statement to ensure broad-based participation of different groups in the committee formation and decision making.	Provides for meetings with small clusters of interest groups in the village to ensure their participation in membership.
Member secretary	As per the Cooperative Societies Act the secretary was to be appointed by society members.	Forest guard will be the secretary. Duties of the forest guard have not been made specific.
Duties and responsibilities of members	To arrange for plantation, improvement, protection, and management of society forests as mentioned in WP, with specific reference to prevention of erosion and utilisation of the forest produce to the best advantage of the members. Measures to spread the knowledge of principles and practices were to be undertaken.	To assist the FD in plantation activities, adhere to the operational plan, forest management, distribution of usufructs, assist in conflict resolution.

about the author

Rajiv Ahal was born in 1964 in the village of his ancestors, Paprola in Baijnath Tehsil, Kangra District, Himachal Pradesh. He graduated as an electrical engineer from Delhi in 1987, and now works in rural development and for the environment. Since 1994 he has been actively involved in the state level mobilisation of activists, academics and NGOs through Navrachna, a state-wide forum of organisations and people working to strengthen participatory and community-based systems of governance and sustainable natural resource management. He also helped form and organise the Samridhi Women's Cooperative, in which marginalised and poor rural women work to convert their surplus forest produce into a thriving business that provides empowerment and a means of livelihood for women in two districts of Himachal Pradesh.