

**Natural Resource Governance and People's Empowerment:
A Study of Cooperation and Resistance in Participatory Forest
Management Practices in North Bengal, India**

**A Thesis Submitted for the Award of Ph.D. Degree in
Political Science under University of North Bengal**

Submitted by

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*Dedicated to the memory of my Mother who
taught me the first lesson of my life*

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LIST OF ABBREVIATIONS

ADO	:	Additional Divisional Forest Officer
AGM	:	Annual General Meeting
AITUC	:	All India Trade Union Congress
AOFFPS	:	Area Oriented Fuelwood and Fodder Project Scheme
AP	:	Andhra Pradesh
ARDD	:	Agriculture and Rural Development Day
ASTRP	:	Association of Scheduled Tribes and Rural Poor
AUSAID	:	Australian Government Overseas Aid Programme
BARRWU	:	Bengal Assam Rail Road Workers Union
BTR	:	Buxa Tiger Reserve
CCTPW	:	Coordination Committee of Tea Plantation Workers
CFC	:	Clear Felling Coup
CFG	:	Community Forest Governance
CFR	:	Community Forest Resources
CIDA	:	Canadian International Development Agency
CITU	:	Centre of Indian Trade Unions
CNI	:	Church of North India
CPI	:	Communist Party of India
CPIM	:	Communist Party of India Marxist
CREATE	:	Centre for Studies in Rural Economy Appropriate Technology and
CRPF	:	Central Reserve Police Force
CSS	:	Centrally Sponsored Scheme
DFID	:	Department for International Development (UK)
DFO	:	Divisional Forest Officer
DFWJCU	:	Dooars Forest Workers and Jaigir Cultivator's Union
DGHC	:	Darjeeling Gorkha Hill Council
DISHA	:	Developing Initiative for Social and Human Action
DL	:	Daily Labor
DM	:	District Magistrate
DRDA	:	District Rural Development Agency
ECM	:	Executive Committee Meeting
EDC	:	Eco-Development Committee
EERN	:	Ecological and Economics Research Network
EPM	:	Economic and Philosophical Manuscripts
EPW	:	Economic Political Weekly
FAO	:	Food and Agriculture Organization
FB	:	Forward Block
FD	:	Forest Department

FDA	:	Forest Development Agency
FIR	:	First Information Report
FPC	:	Forest Protection Committee
FRA	:	Forest Right Act
FRC	:	Forest Right Committee
GBM	:	General Body Meeting
GEF	:	Global Environmental Facility
GJM	:	Gorkha Janamukti Morcha
GNLF	:	Gorkha National Liberation Front
GO	:	Government Order
Gol	:	Government of India
HMS	:	Hind Majdoor Sabha
IAEPS	:	Integrated Afforestation and Eco-Development Project Scheme
IDA	:	International Development Agency
INTUC	:	Indian National Trade Union Congress
ITDP	:	Integrated Tribal Development Project
ITTO	:	International Tropical Timber Organization
JBIC	:	Japanese Bank for International Cooperation
JFM	:	Joint Forest Management
JFMC	:	Joint Forest Management Committee
JPC	:	Joint Parliamentary Committee
KLO	:	Kamtapur Liberation Organization
LAMPS	:	Large Sized Multipurpose Cooperative Societies
MCPFE	:	Ministerial Conference on the Protection of Forests in Europe
MFP	:	Minor Forest Produce
MLA	:	Member of Legislative Assembly
MoEF	:	Ministry of Environment and Forest
MoTA	:	Ministry of Tribal Affairs
MOU	:	Memorandum of Understanding
MP	:	Member of Parliament
NABARD	:	National Bank for Agriculture and Rural Development
NAEB	:	National Afforestation and Eco-Development Board
NAP	:	National Afforestation Programme
NBRC	:	North Bengal Regional Committee
NCA	:	National Commission of Agriculture
NESPO	:	North Eastern Society for Preservation of Nature and Wildlife
NFC	:	National Forest Commission
NFFFW	:	National Forum of Forest People and Forest Workers

NFP	:	National Forest Policy
NBFWJCU	:	North Bengal Forest Workers and Jaigir Cultivator's Union
NGO	:	Non Governmental Organization
NOC	:	No Objection Certificate
NREGA	:	National Rural Employment Guarantee Act
NSM	:	New Social Movement
NTFP	:	Non Timber Forest Product
ODA	:	Official Development Assistance
OECF	:	Overseas Economic Cooperation Fund
PRA	:	Participatory Rural Appraisal
P & RD	:	Panchayat and Rural Development
PESA	:	Panchayat Extension to Scheduled Areas
PPP	:	Public People Participation
PRI	:	Panchyati Raj Institutions
RSP	:	Revolutionary Socialist Party
SD	:	Sustainable Development
SDJM	:	Sub-Divisional Judicial Magistrate
SFM	:	Sustainable Forest Management
SHG	:	Self Help Group
SIDA	:	Swedish International Development Cooperation Agency
SPSS	:	Statistical Package for the Social Sciences
SPWD	:	Society for Promotion of Wastelands Development
SSB	:	Sashastra Seema Bal
TERI	:	The Energy Research Institute
UF	:	United Front
UN	:	United Nations
UNCED	:	United Nations Conference on Environment and Development
UPA	:	United Progressive Alliance
USAID	:	United States Agency for International Development
UTUC	:	United Trade Union Congress
VFC	:	Village Forest Protection Committee
WB	:	West Bengal
WCED	:	World Commission on Environment and Development
WRM	:	World Rainforest Movement
WTO	:	World Trade Organization

Preface

The blind race for increasing exploitation of natural resources in the name of development has alienated human being from the nature physically as well as spiritually. It was found that this kind of practice resulted in emission of green house gasses, global warming and environmental degradation and thus hit at the very base of survival. Under these circumstances, to restore equilibrium between human beings and nature, new efforts were needed to redefine development as a concept as well as practice. Following the Earth Summit held in Stockholm in 1972, Bruntland Report, Published in 1987, sought to give a new direction to the process of development, commonly known as sustainable development by recognizing that the natural resources were not inexhaustible and insisted that the development process should be aimed at meeting the needs of the present generation without compromising the ability of future generation to meet their own needs. Therefore to fulfill the broad objective of sustainable development conservation orientation of natural resource governance has become accepted as a world wide phenomenon.

The Indian state did not lag behind in this global march for 'paradigm shift'. With the support of the World Bank and bilateral donors the Government of India had adopted the National Forest Policy 1988, which made a significant departure in the management of India's vast forest resources. It was claimed that a radical shift in orientation and attitude took place from economy to ecology, from revenue generation to conservation. The policy advocated for participation of village community in the management of forest resources with a view of satisfying their needs for development. Following the policy, the Government of India's notification in 1990 "envisaged that the communities in lieu of their participation in protection and development of forest areas will be entitled to sharing of usufructs in a manner specified by the concerned state Forest Departments". Hence after a century old alienation of the local people, the new resolution, at first recognized the role of

forest dwelling communities in restoring and conserving forests and made an attempt to integrate the modern knowledge and skills of the Forest Department with the traditional knowledge and experience of the local communities, and to evolve strategies for the joint management of forests. The principal features of this kind of participatory Forest Management Programme which should be implemented under an arrangement between the voluntary agency- NGO, the village community and the state Forest Department are; setting up village Forest Protection Committees (FPC's), establishing and monitoring of management plans by the forest department through them, confining them to local use of grass and non-timber forest products, and giving them a share of the income from the timber sold by the Forest Department. Though the J.F.M was primarily implemented from the 1990 onwards only in the degraded forest areas across the states but with the 2000 guidelines, Ministry of Environment and Forest (MoEF) extended the programme into the good forest areas also.

However the purpose behind this kind of participatory nature of forest management is to *empower* the forest communities in order to achieve the objective of sustainable management of forest ecosystem. The reflection of that purpose has been manifest in the Report of "The Expert Group on People's Participation in Forest Management" in 1993, when it advanced that "The need to involve people in development activities is being increasingly recognized by the government. The purpose is to make them own the process and product, and to empower them to manage it for their common good." But there are contending perspectives on this empowerment process through which people can exercise their control over the development process. One of the perspectives represented by the World Bank viewed empowerment as "the process of enhancing the capacity of individuals or groups to make choices and to transform those choices into desired actions and outcomes." Central to this process are capacity building of the agents by increasing their assets as well as by 'improving efficiency and fairness of the organizational and

institutional context.' The other perspective conceived empowerment as "the opportunity and means to effectively participate and share authority" (Bastian, Fruchter, Gittel, Grear & Haskins, as cited in Simon, 1987, p.382) ³. This process is characterized by delegating legal power or official authority which is seldom linked up with the ownership question. Between these two opposing perspectives in the context of participating forest management practices, Indian state adopted a mixed path of empowering forest communities. There can be no denying that the State largely followed the World Bank criteria of empowerment by capacity building initiatives and by delegating it's legal or official authority to a little extent to the communities but did not provide any ownership right to them which is manifest in the various notifications & J.F.M's policy resolutions. This was the case up to 2006 when due to initiatives taken by the Ministry of Tribal Affairs, The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Bill was finally enacted and the possibility of ownership of land for the forest dwellers was given a concrete shape though implementation hazards and inadequacies are visible across the states. The present work deals with different aspects of this empowerment of forest dwellers and the health of the eco-system in the context of Doors Region of West Bengal.

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- 1 & 2 : Field Study undertaken in Jalpaiguri Forest Division
 3 : Field Study undertaken in Coochbehar Forest Division (Wild Life III)
 4 & 5 : Field Study undertaken in Buxa Tiger Reserve (West)
 6 & 7 : Field Study undertaken in Buxa Tiger Reserve (East)

Plate - I



1. Author in Gossianhat Forest Village recording input from PRA
2. Interview at Garo Basti.
3. Focus Group at Gossainhat Forest Village
4. Author with the respondent at the top of Buxa hill (Lepchakha)
5. Attempting PRA at Khuklung Forest Village
6. EDC members at Santrabari Forest Village

Plate - II



1. Irrigation canal dug by forest villagers
2. Less fish in river: The Ravas now resorting to 'Fasi Jal' (Long Fishing Net)
3. Wide canal dug by Forest Department to keep of wild elephant.
4. Ingenious 'Chullah' developed by Forest Villager that requires lesser amount of wood.
5. Evidence of man-animal conflict: A tong (watch tower) destroyed by elephant.
6. Forest Department with schemes of rural development

Plate - III



1. Intercropping experiment with Saji Kanchu (arum) by forest villagers
2. Saji Kanchu (arum) as produced
3. The land deed at last after FRA, 06
4. Plantation activity
5. Illegal feeling still continues
6. NTFP collection in the Buxa Hill

Plate - IV



1. Martyr's Monument at Gossainhat (with inscribed names of those who died in police firing on 10th June, 1971)
2. Ramesh Roy: the old veteran forest leader
3. Kalicharan Pandey: a leader of the old movement.
4. Jogen Rava: a leader of the old movement
5. Lajrus Orao: a leader of the old movement
6. Nikuddin Kujur: a leader of the old movement.
7. Abhilac Thakur: a leader of the old movement
8. Temba Munda: a leader of the old movement
9. Doll's Drama by Japan Rava narrating the tales of the movement of the 60's against taungya
10. Spectators watching the Doll's Drama on 25th December, 2009 at Gossainhat

Plate - V



1. Lal Sing Bhujel : The convener of NFFPPFW, NBRC & the leader of the new movement
2. The old fire continues: leader of the old and the new movement together (Ramesh Roy and Lal Sing Bhujel)
3. Sundar Sing Rava : a middle level leader of the new movement
4. Gram Sabha at Chilapata Forest spontaneously claiming their community rights after FRA, 06
5. Demonstration to demand enactment of Forest Right Bill, 2006

Chapter-1

Introductory Remarks

1. Introduction

In this chapter we would provide a general overview of our research problem, theoretical framework and methodology. Our discussion spreads around seven sections, divided into separate subsections and enumerated suitably. In this chapter as well as all the subsequent chapters we have followed an author-date arrangement of citation and detailed references may be looked up in the bibliography. In some cases we have also inserted footnotes where necessary. Section 2 situates the study through a review of the concept and practice of sustainable forest management and zeros in on North Bengal, from where some forest villages have been selected for intensive study. In this section again we have provided a background to the concept of empowerment and provided a brief review of social movement and development theories to which the concept of empowerment is linked. Section 3 presents the research gaps and research questions in the light of the review of the concept of empowerment and related theories stated in the previous section. Section 4 happens to be a dense section on our theoretical framework that has been derived as well as suitably modified for use from the original Marx's theory of Praxis. We could have provided an independent chapter on the subject of this section but we have refrained from this as such an effort could lead us into interesting but somewhat never ending theoretical debate that was considered unnecessary in the context of present study with extensive field research. Section 5 describes reflections on methodology and different dimensions of our field research. Section 6 offers a synoptic outline of the present study and section 7 concludes the chapter.

2.1. Situating the Study

Conservation and management of forest as a growing area of concern has caught attention of the policy makers, social activists, development practitioners, intellectuals and academicians in the recent years. The problem of deforestation and degradation is seen as the major component of global deterioration of environment and world ecological crisis such as pollution, climate change and resource depletion. The Earth Summit held in Stockholm in 1972 and the Brundtland Report published in 1987 together recognized the inexhaustibility of natural resources and insisted on redefining the development process with a focus on intergenerational equity commonly known as sustainable development. In this context the conservation orientation of natural resource governance has become a major thrust in redesigning domestic policies worldwide. International cooperation in terms of financing through bilateral donors, transfer of sustainable technologies as well as management techniques and know-how has been sought to substantiate the very process. In India the programme of forest conservation involves a good deal of experimentation and creation of new institutions and procedures in the governance of natural resources. The 1988 National Forest Policy was adopted to strengthen the conservation regime already introduced earlier with the 1972 Wildlife Act and the 1980 Forest Conservation Act. Following the policy joint forest management (JFM) and eco-development programmes were introduced in 90's with the financial and managerial aids from bilateral donors like World Bank in order to translate the concept sustainable forest management into practice throughout the country. While admitting the Forest Department's inability to protect country's vast forest resources and wildlife alone the programmes for the first time invoked participation of village communities in the management of forests and wildlife with a view of satisfying their needs for development. The purpose was to ensure sustainable use of forest resources along with the rapid ecological recovery through the model of PPP (people public participation) where empowerment of the forest communities was considered

both as the process and the product. Hence, after century old alienation of forest dwellers from controlling their resources those programmes recognized their positive role in restoration, protection and regeneration of forests and made an attempt to integrate their experiences, skills and knowledge with the modern scientific management practices of the Forest Department to evolve strategies for the participatory forest management in the country.

The principal features of this kind of participatory Forest Management Programme which should be implemented under an arrangement between the voluntary agency- NGO, the village community and the state Forest Department are; setting up village Forest Protection Committees (FPC's) establishing and monitoring of management plans by the forest department confining local use to grass and non-timber forest products and potentially a share of the income from the timber sold by the Forest Department. Though the J.F.M was then primarily implemented from the 1990 onwards only in the degraded forest areas across the states but with the 2000 guidelines, Ministry of Environment and Forest (MoEF) extended the programme into the good forest areas also. Now accordingly to the latest information compiled by the JFM cell in the MoEF, as on 10th September, 2003, 17.33 million ha of forests area are being managed through 84,642 JFM committees in 27 states (JFM Cell, MoEF, 2003).

In the District of Jalpaiguri the participatory forest management was initiated with the introduction of the Joint Forest Management Programme following the Forest Protection Committees (FPC's) Resolution in 1991 which covered the plain areas of North Bengal excluding the area under Darjeeling Gorkha Hill Council (DGHC). Other than FPC's, a different Concept of participatory management in the form of Eco-Development Committees (EDC's) has also been introduced with a resolution in 1996 to apply the same principles of sustainable forest management in the Protected Areas of wildlife sanctuaries and National Parks of Jalpaiguri along

with the remaining parts of the state. Hence, it was assumed that the condition of forest as well as the forest dwellers will be changed in the positive direction as the objective of those programme was to stop continual degradation of forest to promote sustainable practices by empowerment of the forest people economically as well as socially through ensuring their participation in the forest management of the District. But after more than a decade of experience the performance of J.F.M and Eco-Development is quite frustrating in the region. While assessing the performance of J.F.M activities and status of conservation and development of the forest resources West Bengal State Forest Report 2002-2003 clearly stated that – “There is no denying that performance of FPCs have tended to vary amongst regions endowed with different bio-physical parameter but there is also appreciable difference in the level of performance of FPCs characterized by similar resource parameters. 50% to 60% of FPCs have been identified as good to very good in South-West Bengal whereas only 30% of FPCs can be attributed to this category in the northern part of the state”. In addition to that a field survey conducted by a Siliguri based independent organization in 2000 showed that after being protecting forest for a continuous period of 5 years in case of FPC’s and 1 year in case of EDC’s (minimum years for being eligible for usufruct sharing / revenue sharing as stipulated by state Forest Department) only 18.75% of the total committees under study were benefited from revenue and usufruct sharing and more than 56% committees had not even bank account. This clearly shows the lack of economic empowerment of the community through JFM. The study further showed that how bureaucratic apathy, absence of marketing mechanism, unplanned support activities and unwillingness to relinquish any power to the community contributed largely to the weaknesses of the J.F.M and Eco-Development Programmes this region.

Apart from J.F.M the Panchayats system was introduced in those forest villages in 1999 (See Appendix-I). But as they are not allowed to take any land-based

activities due to absence of land entitlements of the forest dwellers they failed considerably to uplift livelihood status of the community. Moreover, man-animal conflicts increased highly during this period. Though elephants and other wild animals regularly destroyed crop and killed or injured people, compensation schemes of the Forest Development remained largely irregular and inadequate.

All these factors led to the accumulation of grievances among the forest dwellers. Such grievances were quite varied before J.F.M, so were the practices and aspirations throughout the region. Under JFM regime however, their aspirations and grievances were being institutionalized and consequently it paved the way for regional basis of their demands. But the existing forest workers' union by different political parties was unable to redress their demands at the regional level and to provide leadership and organization, as their activities were concentrated locally. This gap, which is palpable between the growing aspirations and discontents among the forest dwellers on the one hand and the operational areas of the unions on the other, leads to further regional crystallization of the objective conditions of a strong movement.

As a result of this kind of deprivation as well as the emergence of National Forum of Forest people and Forest workers (N.F.F.P.F.W) the process of systematic and organized protest started throughout the region. It was on the 10th Dec 2001, on the occasion of International Human Rights Day the forest dwellers of North Bengal held a mammoth rally at Siliguri to protest against the colonial legacy of exploitation and neglect. The movement took a regional character in the true sense of the term as out 173 recorded forest villages in North Bengal, forest dwellers from 168 villages took active part in that demonstration. Since it's formation in 2001 the NFFPFW organized several major programmes against the injustice under JFM in the region those were attended by a large number of forest villagers from entire North Bengal

including the District of Jalpaiguri. In this phase the movement was not limited in demanding the proper implementation of JFM across divisions rather upheld the larger issue of land and livelihood rights of the forest dwellers and demanded for the abolition of all 'black laws' of the Central and the State Government which tended to view them as burden for forest conservation and hence prescribed for their wholesale eviction from the forests. Since 2008, after the notification of the Forest Right Act, 2006 by the Govt. of West Bengal, the movement has gained a new momentum as it resists the biased implementation of the Act on the ground through the formation of Gram Sansad based Forest Right Committees (FRC's) which has violated the letter and spirit of the Act's instruction to form FRC's at the Gram Sabha level.

However the JFM is not the only manifestation of the cooperative or collaborative management of forest in the region rather the collaborative approach in forest governance was introduced for the first time under the taungya system of artificial regeneration during the colonial regime of forest management. Under the taungya the forest dwelling shifting cultivators of Dooars like Rava, Mech, Garo etc were incorporated under the guise of scientific resource management of the colonial forestry where those forest dwelling people made use of their indigenous technique of slash and burn for preparation of the field for artificial regeneration of Sal (*Shorea robusta*) and later on Teak (*Tectona grandis*) species. In order to perpetuate the system the permanent forest villages were established within the reserved forests in the District and villagers were allowed to raise agricultural crops for two years in clear-felled coups between the lines of forest plantation. In exchange of their labor and indigenous technique for artificial regeneration under taungya the villagers were entitled to certain privileges and facilities followed by an yearly agreement with the forest department like free timber and other implements for building quarters, drinking water, limited medical assistance, free firewood and fodder in addition to

cultivable land not more than 5 acres and nominal cash payment for extra work beyond 90 days. However, under the guise of said benefit of the shifting cultivators the taungya system was reduced into a system of exploitation as the villagers were compelled to provide free and compulsory labor for the Department. The system was continued after independence with some sort of distortion in the original framework and was stopped finally with a historic movement of the forest villagers in Dooars during late 60's when five forest villagers were died before police firing at Gossainhat Forest Village under the Jalpaiguri Forest Division. The movement was initiated under the leadership of the North Bengal Forest Workers and Jaigir Cultivators Union and continued till 1976 to maximize agricultural lands, to introduce Panchayat System in the forest village and to drive out corruption from the forests. It was ended up with a Writ Petition at the Kolkata High Court by the Organization against the illegal and forceful eviction process by the Department in the wake of national emergency in 1975.

Keeping these two kinds of development in the region i.e. collaborative framework for forest governance from the above and the forest dwellers movement from the below in mind the main problem before us is to understand how these two affect the relationship between empowerment and natural resource governance. If we look at the frameworks of JFM in West Bengal we find a connection between degraded forest in South Bengal and greater number of participatory structures in terms of FPCs and the reverse in North Bengal. Does it mean then that empowerment is taken up as a serious agendum only where capacity building of forest dwellers or economic empowerment will not be at the expense of the extractive power of the State? If so, then, is an alternative way of political empowerment through movement that we find in north Bengal is a switchover from cooperation to resistance or both run together in some form or the other? In other

words, do we need an altogether different concept of empowerment in approaching the goal of sustainable forest management?

In the context of the above we would like to investigate that how far this concept of empowerment is adequate to grab the dynamics of shaping, sharing and exercising of power both in forms of cooperation and resistance in the field situation. Is empowerment relative to a framework of cooperation defined by state mediated participatory forest management practices or also to the forms of resistance to those practices? Can analysis of power be carried out in the field situation without theorizing the very process of generation of needs and capacities of people and the relation of the specific forms of empowerment to those needs and capacities? Again, how does one understand the nature and extent of empowerment through both state mediated practices of participatory forest management and episodic resistances to those practices? There is also a problem of understanding success and failure of empowerment in specific ways. Is failure of one particular problem is to be judged in terms of its target or in terms of its broad result? If the result apparently goes against target, does it also lead to empowerment, if the so called failure of the programme be a basis for a movement for sustainable forest management practices and a source of empowerment as well?

2.2. Reviewing the Concept and Practice of SFM

The term Sustainable Development (S.D) was introduced in 'Our Common Future' – a report published by the World Commission on Environment and Development (WCED) also referred to as the Bruntland Report. The very definition set out 'the two fundamental principles of intragenerational and intergenerational equity and contains the two key concepts of needs and limits'. The concept of sustainable development while refuting the current state of technology and discriminatory social organization urged for consequent moderation in our demand from environment. It

'requires meeting the basic needs of all and extending to all the opportunity to satisfy their aspirations for better life' (WCED, 1987:44) It , therefore, involved a process of transformation in which core components of society- resources use, investments, technologies, institutions and consumption patterns come to operate in greater harmony with eco-systems.

Since the United Nations Conference on Environment and Development (UNCED) held in Rio-De-Janeiro in 1992, Sustainable Forest Management (S.F.M) has been a leading concept in the management of forest resources. The term S.F.M can be traced to the so-called 'Forest Principles' and chapter 11 of Agenda 21, which were prominent outputs from UNCED (FAO, 2003 *cited in* Schlaepfer *et al*, 2004)). The term is defined by the Ministerial Conference on the Protection of Forests in Europe as 'the stewardship and use of forests and forest lands in a way and at a rate, that maintains their bio-diversity, productivity, regeneration capacity, vitality and their potential to fulfill, now and in the future relevant ecological, economic and social functions at local, national and global levels and that does not cause damage to other ecosystems'. (MCPFE, 1993)

Whereas Sustainable Development is concerned with the ecosystem as a whole, the Sustainable Forest Management is concerned only with the forest ecosystem. This concept of Sustainable Forest Management may be considered as an offshoot of the concept of natural resource governance, which encompasses all the three components of sustainability, viz. ecological, economic and socio-cultural well-being. It was defined by the International Tropical Timber Organization (ITTO) as 'the process of managing permanent forest land to achieve one or more clearly specified objectives of forest management with regard to the production of a continuous flow of desirable forest products and services without undue reduction of its inherent values and future productivity and without undue undesirable effects on the physical and social environment' (Tajbar *et al*, 1994:996). However, the guiding principles of

Sustainable Forest Management are same as other ecological sustainable resource management which cut across ecological, economic social and cultural dimensions (Text Box 1).

Text Box 1: Guiding Principles of Ecological Sustainable Resource Management

- Inter-generational equity: providing for today while retaining resources and options for tomorrow
- Conservation of cultural and biological diversity and ecological integrity
- Constant natural capital and 'sustainable income'
- Anticipatory and precautionary policy approach to resource use, erring on the side of caution
- Resource use in a manner that contributes to equity and social justice while avoiding social disruptions
- Limits on natural resource use within the capacity of the environment to supply renewable resources and assimilate wastes
- Qualitative rather than quantitative development of human well-being
- Pricing of environmental values and natural resources to cover full environmental and social costs
- Global rather than regional or national perspective of environmental issues
- Efficiency of resource use by all societies
- Strong community participation in policy and practice during the process of transition to an ecologically sustainable society

Source: Hare, W.L. et al., 1990: *Ecologically Sustainable Development*, Australian Conservation Foundation, Fitzroy, Victoria (Cited in Ramkrishnan, 2008:20)

This concept of S.F.M can be characterized as an outcome based approach stressing upon the management aspect and deals largely with one kind of ecosystem, incorporates simultaneously the ecological, economic and social consideration with a view to sustain the flows of different sets of forest goods and services. Moreover in order to fulfill a broader range of environmental and social objectives S.F.M ascribed 'global values' to the forest 'that often do not correspond to the values perceived by local people and attempted to decentralize the control of forest from national governments to regional, municipal and local governments and communities though centralized forest agencies still the norm'. However, this decentralization of control in managing forest resources initiated by the centralized forest agencies is an essential criterion for S.F.M, which invoked the idea of empowerment of the forest communities as a principle prerequisite to achieve sustainability, which is in turn related dialectically with the former.

However, a lot of works have already been done on the practice of sustainable forest management in India. A number of literatures have dealt with different aspects of participatory forest management, its problems, prospects and its impact on the empowerment process. From a vast body of literature we have selected the following on the basis of relevance to the present study.

The famous book "Village Voice, Forest Choices: JFM in India (Edited by Mark Poffenberger and Betsy McGean, Oxford University Press, 1996) offers a comprehensive examination of radical changes which have taken place in the management of Indian forest in the last two decades. Divided into three parts, the book examines the resurgence of community forest management in India and its social, political institutional, economic and technical consequences. Part – I reviews the historical background and the current status of grassroots forest management initiatives nationwide, and assesses the policies being enacted to support local environmental protection initiatives. The book advocates that under given a favorable environment, forest communities can quickly re-established their control over the use of forests and grassland resources, thereby reversing a long process of alienation and disempowerment. Part – II of the book explores the role that people and institutions can play in forging new joint management partnership between communities and Forest Departments. It analyses how India's diverse rural communities and their local institutions can work effectively. Madhu Sarin describes the processes and obstacles involves in linking people with forest. Palit examines the challenges facing Indian Forest Departments as they attempt to build new skills and capacities to work closely with rural communities in microplanning and ecosystem management. At last the book examine some of the constraints to promote the JFM programme such as the weak legal and organizational framework for joint management of forest, problem of corruption among the forest dwellers and a large number of new settlers in a forest village who have no traditional rights in forests, as their ancestors did not live in the village at the time of Forest settlement. In brief the book explores the historical roots of deforestation, the alienation of tribal peoples and their re-entry into resource management programme.

Akheleshwar Pathak in his book "Forest: Whose Domain? State's or Forest Dweller's?" (1994) advanced his study by examining the 'crisis' of forest depletion and marginalization of forest dwellers in the backdrop of the 'complex relationship' among the state, forest and forest dwellers, their changing role (forest dwellers and the state) and relationship (contradictory) over the years in accordance with the change in forests. However, regarding JFM he concluded it is nothing but a strategy of reducing the cost of plantation project and it is opposing 'the forest dwellers idea of subsistence agriculture' and would get support only from rural elites and thus it cannot be able to stop the crisis as mentioned above.

Madhu Sarin et al in their famous book "Who is Gaining? Who is losing? Gender and Equality Concerns in J.F.M. (1998) showed "the gap between the promises generated by JFM and actual practice". Sarin explained how women and 'less powerful groups' are being neglected on the one hand and richer and 'higher cast men' appropriated the benefit of J.F.M. and "making all the decisions and controlling the shares". After highlighting those problem the author suggested among other things "holding separate meetings for women....creating all women's organization for JFM" and providing them leadership positions within JFM and also in the forest department.

Dr. N.C. Saxena in his 'thought provoking works 'The Saga of participatory Forest Management in India' (1997) reviewed at first the historical roots behind the adoption of "new forest poling of 1988 and consequent resolution of J.F.M. in India which claimed to be paved the way of peoples participation in the protection, regeneration and development of forests and emphasized the need to adopt proper mechanism for 'procurement, storage and marketing' of N.T.F.P's in order to accelerate the participatory process. The book further argued in favor of proper women representation in the JFM committees. However the book explored certain serious weakness prevailing within the J.F.M. mechanism and their resultant consequences which adversely affects or impedes people participation in the forest management. F.D did not bother about the people's wisdom regarding forest protection, weak mechanism of N.T.F.P. procuring, storage and marketing and under

representation of women in JFM committee. After reviewing these he concluded “the progress made JFM in the country since its inception that the adoption of JFM has not made any major change in the prevailing position of relations between the state and the people nor has it heralded the beginning of a new era of people’s power.” He further adds “state government look upon JFM as cost effective method of forest protection and economically rewarding activity for the people. The aim is neither to empower people nor to make committees autonomous”.

Rabindranath and Sudha in their edited book Joint Forest Management in India, Spread, performance and Impact, 2004 (which is the product of a series of studies conducted by the Ecological and Economics Research Network [EERN] in different states such as A.P., Gujarat, Karnataka, Rajasthan, W.B., Tripura and so on) showed that the J.F.M. programme could be considered as a mixed success. The findings are –

- In terms of vegetation status and the protection of forest from illegal extraction the impact was quite good. Enhancement of leadership qualities in the community to promote the programme was also significant phenomena. In terms of relationship, the JFM fostered a better relationship between the community and the Forest Department compared to pre-JFM period in all the states, with about 95% of the JFMC in the study area reporting an improved relationship.
- In terms of the financial empowerment of the communities through the usufruct sharing and income generation the impact of JFM was moderate. The aspect of women’s empowerment could come under the same category.
- In terms of administrative empowerment through the capacity building, in terms of gender and equity aspects, in terms of community involvement in decision-making process and micro planning, the JFM had been largely failed. The study showed that ‘the decision-making power and final authority lies with the Forest Department.’

Archana Prasad in her book *Environmentalism and the Left* (2005) showed that though in West Bengal the experiment of J.F.M. became quite successful, in terms of showing mechanism between the F.D and the village communities and also in terms of regenerating forest cover as well as benefits received from the NTFP by the villagers, under the influence of progressive social and political movements but in other states where such social engineering had not taken had not taken place before the introduction of J.F.M. programme, the programme was virtually disempowering the community as well as the women by replacing their spontaneous efforts of forest protection and management with superimposing the JFM in the name of participatory forest management. Prasad claimed that several organization like the Ekta Parishad, Kisan Adivasi Sangathan and Adivasi Mukti Morcha in central India raised their voice against this kind of practices. In this way JFM, 'reinforced the department's claim of being the monopoly holder and controller over forests and knowledge about them, thus disempowering the Panchayats.'

Achut Das in his article "Joint Forest Management in Tribal Areas: Conflicts and Resolutions" published in the Mahapatra edited book "Forest Management in Tribal Areas: Forest Policy and Peoples' participating (1997) showed the variability and status of J.F.M. throughout the country and by examining the relationship between tribals and forest officials pointed out different areas of conflict such as conflict 'between State priorities and local needs' 'between management of common property resources and concerns of earning daily bread', 'between supply of firewood and demand,' between 'forest managers and tribals', 'between investment policy and utilization policy for revenue', between price and wage and 'conflict within forest administration' and after that the author proposed solutions in order to resolve such conflicts by building up a mutual trust and confidence among people, forest managers, local users and policy makers and advocated for team work right from planning to harvesting and emphasized need for socio, political economic and environmental awareness and the skills to strength people's management of forest.

K.K. Mishra in his article "Forest Policies and Forest Communities in India: Customary Rights, State Intervention and Participatory Management" published in the book "Peoples and Environment in India" (2001) edited by Misra and Murty viewed the changing nature of forest policies right from Ancient India to the recent adoption of 1988 forest policy on the one hand and also a brief history of the forest movement for preindependence to the post independence period on the other in order to reveal the relationship in between the state and the forest dwellers in the historical context and thereby tried to reveal the rhetoric of peoples participation in participatory forest management under the present JFM regime. After reviewing the real nature of current forest policies and practices by the FD and the State in reality the author argued that neither the present concept of JFM is an exception from the earlier 'top-down' development programme nor it intended to secure peoples participation in the management but it further widened the scope of state intervention in the management of forest resources.

Ellora Puri in her article 'Understanding Participation: Theoretical Foundations and Practical Implications (EPW, June,12-18,2004) conceptualized participation historically and viewed it as 'a tool of empowerment and equity' in the contemporary context. Following this perspective she argued that though from a utility based approach JFM can be considered to be a relatively successful programme but in terms of achieving participation everything have been confined to the formal procedures. The objective of women's empowerment by involving them is yet to be realized. She advanced that assuming community as a homogenous group by the JFM is another drawback of the programme. To conclude the author recognized the need to build up a link in between the programme and the 'statutory village authority of the Panchayat and thereby establishment of proper legal mechanism to rule out the hierarchy within the community. She emphasized the need for an overall 'democratic framework of the state' in order to make success the participatory process in reality.

Sanghamitra Mohanty in her article 'NGO's, Agencies and Donors in Participatory Conservation' (EPW, Sept,7-13,2002) concentrated mainly on the

'internal dynamics of government agencies'. Her study addressed that how the nature and form of relationship among NGOs, agencies and donors affect the participatory conservation programme. She further discussed that how the hierarchical structure of FD, organizational dynamics of the State agencies and NGOs as well as the culture of the tribal community impede the process of participation and empowerment of them. The author highlighted the need to build up a good relationship in between organizations and agencies that she perceived as key ingredients in developing participatory conservation programme.

Manish Tiwary in his article 'NGO's in Joint Forest management and Rural Development: Case study in Jharkhand and West Bengal' (EPW Dec. 27, 2003- Jan 2, 2004) explores the role of NGO's in Joint Forest Management and how performance of N.G.O's affects influence the villages involvement in the participatory management as they expected a lot from NGO's as an agency for rural development.

Sanjay Upadhyay in his 'JFM in India: Some Legal Concerns (EPW Aug 30-Sept.5, 2003) highlighted the 'validity and legality of J.F.M' and argued that the J.F.M circular issued in 1990 has no legal validity and violation of that circular would entail no legal consequences. He pointed out under the weak legal footing of J.F.M people can not be expected to participate fully and the programme thus could not be able to utilize/realize 100 percent of their effort and further state that by weakening the legal footing of J.F.M the present JFM order across the country clearly fail to grant security of rights to the communities and thereby adversely affect participatory process. He also criticized the adhocism in benefit sharing mechanism and advocated to render it a legal basis. He also stated that the inter-institutional conflict between PRIs and JFMC's should be mitigated in order to seen the equal opportunities and rights to the communities participating in J.F.M programme.

Emmanuel D'Silva, B Nagnath in their article 'Beharoonguda', A rare success story in Joint Forest Management" (EPW Feb.9-15, 2002) analyzed the reason for the success of J.F.M from the experience of Behroonguda, a forest village of A.P where the authors pursued their case study. They explore how pro-people attitude of the

forest bureaucrat, using of participatory technique by the local NGO's, local leadership and organizations of the tribal people, providing attractive incentive to the local people appropriate policy framework and above all people's emotional attachment to the forest together formed the basis of successes of participatory mechanism such as J.F.M in the management of natural resources.

R.C.Sharma in his article 'beyond Joint Forest Management (Indian Forester, May 2000) analyzed that how the role and importance of the complex social value of the forest villages and their attitude are the product of history, culture and tradition which apart from policy resolution and their enforcement play an important role in the success of participatory management.

Mohan Jha in his article "Channelizing People's Power towards Protection and Management of protection Areas", (India Forester, Oct 2000) which is based on a case study of 'Gyanganga' sanctuary in Maharastra showed that how local forest communities controlled the illegal sheep grazing by the 'Kathiwardis' the illicit felling and fire and took an effective role in the protection, regeneration and management of local forest resources despite not having any financial support from any corner. They benefited themselves from the sale of Anjan leaves and grass. The author argued that it can be considered as a successful example of participatory management in the protected areas.

Jitendra Sharma in his paper "Joint Forest Management – some Fundamentals Reviewed" (Indian Forester, June 1997) reviewed some of the possible 'counter productive dimension' of JFM programme and advocated for tight monitoring by the department as necessary to minimize the risk factor of peoples involvement in the management of forest resources. It also highlighted the 'changing needs and response of the forest communities in different types of socio-economic set up and pointed out conflicts between local communities under JFM and emphasized the need to address it carefully in a holistic manner by the FD.

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Alined Rastogi in his article "confide Resolution. A challenge for JFM in India" (Indian Forester, June 1999) argued in favor of evolving conflict resolution

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mechanism in order to strengthen J.F.M programme to solve ecological conflicts arising out from socio-economic changes, ‘technological intensification ‘ and changing consumption pattern” which may in long term weak the very basis of J.F.M. therefore there is an urgent need to evolve conflict resolution mechanism to make a balance in between competing goals and contesting interest to strengthen J.F.M programme.

Chetan kumar, TERI, Delhi, India in his paper on “Institution reforms in J.F.M. reflecting on experience of Haryana shivaliks” examined the case of J.F.M programme in Haryana, at first he carefully reviewed the institutional evolution of J.F.M in India from a historical perspective and thereby from the case study in Haryana he concluded that the mere adoption of J.F.M programme did not guarantee the implementation of new participatory form of forest management in the field level. The major bottleneck to participatory management is the departmental rigidity (F.D) to its approach which paved the way for building an apathetic attitude of the people to the J.F.M programme and thereby the author emphasized the need to changes the role of bureaucracy to build up a cordial relation with the people and to make it a genuine participating framework for forest management.

2.3. Review of the Participatory Forest Management in North Bengal

However, a few literature is available regarding the participatory forest management in North Bengal which have been reviewed below

In his thought provoking book namely Participatory Forest Management and Democratic Decentralization in India: Focus on the Pioneer State (2004) Prof. De criticized the ‘Statist control regime’ that dominated the participatory forest management practices which undermined its participatory basis. While highlighting the West Bengal as carrying forward this type of participatory forest management programme he pointed out the unutilized stock of social capital due to sidelining of PRI institutions in the participatory development strategies which in turn impede the

process of protecting forest and environment as a whole. The author thereby suggested for revitalizing the Panchayat institutions and thus building a meaningful partnership with the JFMC's in order to achieve a viable basis for sustainability. (De, 2005)

Besides, a field study undertaken by B.G. Karlsson in Buxa Tiger Reserve during 1989-95 showed that the Ravas, indigenous community of the region, were left out completely from the decision making process and the Forest Department forced them to take part in the scheme without which they would have been thrown out from their villages by the Department. He found that both FPC's and EDC's were lacking popular support and community involvement and for villagers the JFM was like any other scheme imposed on them by the Government (Karlsson, 1997:159-164)

In a case study undertaken by Indian Institute of Forest Management, Bhopal on firewood collection and migration in 2000 in North-West Bengal it was found that the JFM efforts in North West Bengal was disappointing in contrast to the excellent quantitative and qualitative performance of JFM in the southern parts of the State. The Forest Protection Committees (FPCs) formed in the area are the result of unilateral efforts of the Forest Department, with the local population or the so-called FPC members, being ignorant of the spirit and purpose of JFM. (FAO, 2001)

In a separate study by an NGO, CREATE on JFM in North Bengal revealed that the success of monitoring activities by communities depends on achieving a balance between sacrificial and rewarding activities (such as the people having some control over harvesting and sale of forest produce) and such a balance was absent in the present condition. The Study therefore concluded: 'sustainability of JFM hinges upon an agreement among the powers that be in acceding to their long standing demand of the forest dependent people to be armed with legal backing to harvest and sell forest products'. (Chakraborty *et al*, 2003)

In addition a comprehensive field study on JFM in North Bengal conducted by a Siliguri based NGO in 2000 showed that after being protection of forests for a continuous period of 5 years in case of FPC and 1 year in case of EDC (minimum years for being eligible for usufruct sharing or revenue sharing as stipulated by the JFM resolution, 1999 and EDC Resolution, 1996) only 18.75% of the committees under study were benefited from revenue and usufruct sharing and more than 56% committees had not even bank account. Moreover more than 50 and 60 percent of total forest and forest fringe mouzas in Jalpaiguri and Darjeeling district remained outside of JFM and among approximately 300,000+ households in those mouzas only 50,000+ households (a meagre 19%) joined the Committees. The Study observed the extent of participation of the members of FPCs and EDCs were not wide, a general lack of awareness about JFM concept and registration process prevailed among the members. Further, the irregular election of JFM committees, involvement of the Committee members in illegal extraction of timber and commercial operation, absence of control of the member over NTFP trading and little interest of Panchayat members to involve in the process undermined the very essence of the Joint Forest Management in the region. This clearly showed the extent of economic empowerment of the communities through JFM. The study showed that how bureaucratic apathy, absence of marketing mechanism, unplanned support activities and unwillingness to relinquish any power to the communities contributed largely to the failure of JFM and Eco-Development Programmes in the region. (Ghosh, 2000)

2.4. Review of Concepts of Power and Empowerment

In a nutshell the very concept of empowerment has been conceived in the dominant paradigm of development as a multi-dimensional social process that helps people to gain control over their own lives. (Page and Czuba, 1999) However, there are contending perspectives on empowerment which differs considerably to each other regarding the way peoples can exercise their control over the process of development. One of the leading perspectives as represented by the World Bank

viewed empowerment as 'the process of enhancing the capacity of individuals or groups to make choices and to transform those choices into desired actions and outcomes. Central to this process are actions which both build individual and collective assets, and improve the efficiency and fairness of the organizational and institutional context which govern the use of these assets.⁴ Accordingly, the four key elements of empowerment are 1) access to information 2) inclusion and participation, 3) Accountability and 4) local organization capacity. The other perspective defined empowerment as the 'opportunity and means to effectively participate and share authority' (Bastian, Fruchter, Gittel, Grear and Haskins, cited in Simon, 1987:382) This process is characterized by delegating legal power or official authority which is seldom linked up with the ownership question. In the context of Joint Forest Management (JFM), the policy and practice of SFM inclined largely towards the World Bank model of empowerment following capacity building initiatives through participation the communities in the forest management. However in praxis a little attention was paid to delegate the legal or official authority to the forest communities while ignoring the ownership question of them over forest resources. In spite of that the JFM programme provides impetus to community participation in forest management through a decentralized approach aiming at financial and administrative empowerment of local communities for managing the forest resources where empowerment has been considered at three levels of active participation or patrolling to protect forests, participation in decision making for micro-planning at the village level and usufruct sharing from net sale proceeds of the forest departments to improve financial capacities of the communities. The key to this process of empowerment is participation at the micro-level under institutional arrangements of VFCs/FPCs or EDCs as specified by the concerned state forest departments to ensure sustainable use of the nation's forests to meet local needs together with the achievement of broader environmental goals. (Poffenberger & McGean, 1996). This particular notion of empowerment as practised and followed by the F.D in the programme of JFM contains the following assumptions:

- Firstly, this concept of empowerment views power as ability to access and control over the resources. Thus it conceptualizes power from the 'ability' perspective.
- Secondly, it considers a particular form of power i.e. co-operative power which assumes that power flow occurs only in the same direction, which results in co-operation among the actors.
- Thirdly, it relies on de-concentration or diffusion of power without which the process of empowerment can not be possible.
- Fourthly, According to this paradigm empowerment occurs only through a hierarchical relationship whereas the authority delegates its power to the lower level.
- Finally this concept of empowerment assumes that the people are virtually powerless to carryout a project successfully.

In short, this particular idea of empowerment advocates for granting power to the communities in order to abolish social economic, cultural and psychological barriers of the communities and converts them from being "passive recipients of government programmes to "active participants and managers of their own affairs". It requires the full participation of people in the formulation and implementation of decisions determining the function and well being of the communities. In the forest sector, participatory management calls for a re-orientation of the hierarchical control and regulation oriented structure of state forest management where Forest Departments would play a supportive role, encourage community initiatives and share management responsibility with those very people. But this overall perspective of empowerment employed by the GoI in JFM in particular and in the process of development in general received harsh criticism from different quarters as it derecognizes the process of empowerment through an appropriate dialogical form of education to bring about 'concretization' and through this the transformation of the self to make peoples free from all forms of oppression. (Harriss, 2007:2717) It

has been criticized for putting excessive emphasis on formal institutional arrangements involving 'an external upper level agency to grant power rather than people below seizing it in the course of struggle'. (Mohanty, 1995:1436) The limitation of this process has been exposed further as it undermines the radical and perceptible redistribution of power, especially in the context of Indian society divided into classes, communities and gender, through the expansion of the civil, political and social rights of citizenship. (Beteille, 1999) Finally, this process of empowerment through the institutionalization of participation in the state initiated process also diverts attention from the people's movement challenging the dominant paradigm of development and instead of providing a challenge to the existing power structure; the restricted participation actually paves the way for a legal and suitable medium for enhanced domination of the existing elites. (Narayanan: 2003:2486)

Thus empowerment paradigm as practiced under the participatory forest management used to promote a partisan view of power where empowerment was seen as an intended consequence of two faced intervention of decentralizing control and capacity building within the development process. The one sidedness of the concept proves the inability to grab the whole gamut of shaping, sharing, distribution and exercising of it in the field situation. Therefore to judge empowerment process the study concerning implication of power in its wider dimension is imperative. There exists a vast body of literature showing different dimension of power from different perspectives. Some of them are reviewed below

The contemporary well known debate on power regarding its conceptualization started with the publication of the famous articles "Two Faces of Power" by P. Bacharach and M. Baratz (1962) in the American political Science review and the "Decisions and Non Decision: An Analytical Framework in the same journal in 1963, where they severely criticized the pluralist's 'one dimensional view' of power as given by Robert Dahl, who in his "The concept of Power' (1957)

(Behavioural Science, 2:201-215, later on published in his 'Modern Political Analysis') visualized power by the most often cited definition as '(individual) A has power over (individual) B to the extent that A can get B to do something which B would not otherwise do'. Barry Barnes in his article 'Power' published in Richard Bellamy edited "Theories and concepts of politics, An Introduction (1993) argued that Dahl's definition represented a specific view of power which is conceived as an attribute of individuals" securing compliance and can be understood in terms of its effects. In response to this view Bachrach and Baratz argued that Dahl's conception of power was promoting merely an 'one dimensional' view of power as it confined the scope of exercising it (power) only in case of decision making and observable behavior of individual actor. Against this they assumed that power could be exercised in case of preventing one self by the other from doing something. They claimed that power has two faces. The first face has already been considered by pluralists, according to which 'power is totally embodied and manifested in "concrete decisions" or in activity learning directly upon their making'. The other face of power could be understood by considering decisions that were not made as it could be inferred indirectly or covertly. Therefore to understand the exercise of power in a given political relationship more fully one should examine both decision-making and non-decision making. This non-decision making aspect is important because prevailing political values and procedures limit decision-making and mobilize bias in favor of some groups as opposed to others. However these two faces of power advanced specific notion of power whereas self defined interests and conflict of individual agents is necessary for a power relationship.

Steven Lukes in his Power: A Radical view (1974) criticized this two dimensional liberal view of power as inadequate for its methodological individualist position as well as its failure to recognize the potential issues and latent conflicts of interests within the political process. Contrary to the first two faces of power Lukes argued that power might be exercised under a situation where one individual is

willingly doing something according to the desire of the other. Apparently it seems that there is no conflict of interests but Lukes argued that there may be a latent conflict of interests if the willingness of the individual led oneself against his objective real interests which can not be self defined but determined by the 'socially structured and 'culturally patterned' behavior of groups and practices of institutions. Therefore according to Lukes power may be a means of shaping perceptions and preferences of others as against their objective real interest.

Lukes' three-dimensional view of power has come under sharp attack from several dimensions. As Terence Bell in his *Transforming Political Discourse* (1988) pointed out that some critics argued that Lukes understood power in negative terms where he equated 'exercising power' with 'causing harm' and thereby discarded the possibility of exercising power through "rational persuasion and even in beneficial or benevolent ways". Other critics argued in favor of Lukes by admitting the 'concept of objective interests' and its importance in the discourse of power. The another group of critics as mentioned by Terence Ball, viewed power as an 'essentially contested' concept and therefore argued that this 'three dimensional-view' can not be claimed itself as superior to other 'alternative conceptualizations'.

However Peter Digeser in his article *The Fourth Face of Power* (1992) argued that these three faces of power could not exhaust the extent of the debate in conceptualizing power. Hence he described Foucault's unique idea of power as 'the fourth face of power' because in the radical view given by Lukes power is understood not only to explain action but beliefs also. Foucauldian concept of power carries forwarded this movement by identifying the relationship between subjects and power. Contrary to other three faces in this fourth face, according to Digeser, subjects are understood as social constructions and not presupposed or biologically given, "In Foucault's conception, power has not been defined in opposition to freedom as happened in the liberal and radical explanation. Here 'power is coextensive with the social body'. (Foucault, 1980, quoted in Digeser). Power is

everywhere and provides the context of all kind of social practices. Therefore to Foucault each and every kind of relationship can be termed as power relationship. More interestingly to him (Foucault) power is not only everywhere but it is never “anybody’s hands”, individuals are merely the vehicles of power because it is conveyed through their practices and interactions. It is put into operation when we participate in discourse and norms (which governed the social context) and does not exist independently of those practices. Moreover power is not only the part of each and every interaction among individuals but by nature it is an productive element which “produces things, induces pleasure, forms knowledge, produces discourse” (Foucault, 1980 quoted by Digeser). In this production power is conveyed by acting upon specific intentions and goals and thereby it is both “intentional and non-subjective as claimed by Foucault. For its peculiar character there can not be any kind of “comprehensive or all encompassing” theory of power rather the form of power can be understood through specific practices and that’s why Foucault argued that it “comes from below” (quoted by Digeser from Foucault, 1980). Moreover, according to this conceptualization power is always accompanied by ‘resistance’. In forging a particular kind of subject, in imposing a particular form upon a human being, the exercise of power creates its own resistance. Resistance implies that individuals are not predestined to be rational, responsible and self disciplined as assumed under the three faces of power. Foucault wrote about histories of most visible form of resistance such as the mad, the sick, the criminal, and the abnormal. These histories’ revealed the disciplinary character of power that implies power in society can be creative as well as oppressive, disciplines can enable as well as oppress. Due to this character of power individuals are shaped, manipulated, restricted and oppressed by webs of power relations of which they understood little.

Thus the contemporary mainstream debate on power focuses on the changing faces of power starting from liberal pluralist position to post modernist viewpoint via radical perspective. This phenomenon of changing faces pointed out to

the legacy of changing perceptions on power. If we start with the beginning of the modernist paradigm we would find the same legacy. To start with Hobbes should be logical as he defined power systematically for the first time in history from a general outlook and then applied it to the specific context of his study in the realm of politics.

Hobbes defined power in its broadest and generalized sense as “the present means” of a man “to obtain some future apparent good”. He thought it as a natural attribute of a human agent such as extraordinary strength, good looks etc and then reduced to it as an instrumental asset acquired through those natural qualities like richness, reputation etc which makes a man ‘loved or feared’ by many people or even privileged himself against the other. In short he treated it as a means to reach a definite goal of obtaining some of the ‘apparent good in the future and thus made the concept as essentially teleological and temporal. While mentioning its nature he described it (power) as an ever-increasing phenomenon like fame, which ‘increases as it is produced’. Through this definition Hobbes made the exercising of power as a conscious activity of a human agent because without any idea of ‘goods’ power exertion is simply impossible by an agent. Moreover the concept became a relative and dependent one as the idea of ‘goods’ used to vary from man to man. (Hobbes: 1962)

Unlike Hobbes, Locke provided a ‘two fold’ concept of power from his general understanding of human nature. He perceived it as “the ability to make a change and the ability to be changed”. One he called active power derived from active form of action and the other, passive power denoting the passive form of action. From this dualist viewpoint he, for the first time, described the power as a relational concept. This new conceptualization significantly added a new dimension in understanding the power flow. Whereas in Hobbes power flows are unidirectional in case of Locke the flow must be reciprocal in nature i.e. it used to flow from both the ends, one who is exercising the power and over whom it is being exercised. Thus for Locke both forms of power co-exist in actual happenings i.e. one is the condition of existence of

the other. He identified power with certain actions that brought about changes in the present state of the phenomena and unlike Hobbesian means he conceived power as a functional attributive. Thus he provided a wider conceptualization of power. (Locke: 2004)

Like Hobbes and Locke, Rousseau did not make any systematic expositions of the concept of power rather his usage of the notion can be characterized full with ambiguity. From his apparently inconsistent putting of the word as well as diversified application of it in the different contexts and above all the idealistic logic in his arguments made it extremely difficult for oneself to formulate any general understanding of the very concept. From his texts namely “Emile” and “The Social Contract” where he dealt majorly with the concept, one can get impression that there are many concepts of power in Rousseau where exists a constant dilemma of dilution of the one version by the other. Amidst this confusing and controversial footing it is quite impossible to form any general argument on power by means of simple deduction. Nevertheless from his different usage we can extract at best the essence of the concept to search out the common thread in order to reach the explicable singularity of power as maintained by Rousseau.

Like Hobbes and Locke Rousseau did not conceptualize power as qualitative attribute but he conceived it as a relative disposition that can be ascribed to those primordial qualities essentially possessed by the divine entity, animate being as well as the body politic. This disposition unfolds itself as casual phenomena constituting the sufficient condition behind any specific operation. For example while talking about the relationship between man and nature he asserted that nature “gives him (man) only such desires as are necessary for self preservation and such power as are sufficient for their satisfaction” (Rousseau,1961:44). To him every free action of an individual is produced by the concurrence of the two causes, one is will ‘which determines the act’ and the other is the power ‘which executes it’ (Rousseau, 1938:49). Though he excluded the will as form of power but in another context

regarding the description of 'the human quality of free agency' in order to obey or resist the command of the nature in opposition to the brute he considered human will as power which is 'purely spiritual and wholly inexplicable by the laws of mechanism'(Rousseau, 1938:184). The reason behind that is the will here is not only determinants of the action but constitute the sufficient condition behind the operation of obeying or resisting the command of nature. Again when he was talking about body politic he divided sovereignty into two components one is sovereign power the other is General will. Here he treated General will as moral phenomena which used to direct the sovereign power to promote the common good (Rousseau, 1938:253). Regarding Sovereign power he argued that it is 'nothing less than the exercise of the General Will' and a 'compelling force, in order to move and dispose each part as may be most advantageous to the whole' (Rousseau, 1938:22 & 26). In case of identifying motive power behind the guidance of one's behavior or action he advanced that for God it is will or animal it is instinct for human being it is conscience and for the body politic it is the General Will. It should be worthy to mention here that despite the presence of instinct and will he put the conscience for human being as motive power because only it constitutes the sufficient condition as a guide to action of the human behavior whereas the other two qualities i.e. instinct and will merely provide the necessary condition behind this particular action. Not only human being in other cases (God, animal and body) also the principle behind the identification of power remained the same.

From these above examples it can be assumed that the power, according to Rousseau is a dispositional property which refers to the sufficient condition for occurrence of any action. In other words any quality may take the form of power only when it fulfills the criteria of being casual phenomena by denoting the sufficient condition for any specific operation. Naturally any quality, which is devoid of that particular dispositional property, may be treated merely as an attribute. Now ontologically this kind of disposition is purely relative in its orientation at least in the

two senses. For the first it is due to its conceptuality which we found in the above example and secondly for its transmissibility. For Rousseau power can be transmitted from one entity to the other as he mentioned in the social Contract while talking about the inalienability of the Sovereign Power that the power of the body politic can be transmitted but the will can not. Therefore it can be said that Rousseau conceived power as a relative disposition.

Hence, this legacy of changing dimensions of power within the Contractualist tradition was further carried forward by the utilitarian, Marxists, critical theorists and the feminists. In each and every bit of unfolding history of political literature one may discover new faces of power, which unequivocally made it (power) a multifaceted phenomena. Without apprehending this multi-dimensionality inheres in the concept it would be quite difficult to trace out the historical root of the empowerment concept as well as understanding its (empowerment) procedural and substantive aspects in a concrete field situation.

2.5. Review of the Developmental and Social Movement Theories

Situating empowerment and sustainable development theoretically requires us first to look at development theories generally. The post-war great triad of development theories, namely, modernization theory, dependency theory and world system theories, consists today of several low and middle range theories like Global Commodity Chains theory, post-structural/postmodern turn in development theory, new comparative international political economy, institutional theories of development, feminism and gender studies and the like. These suffer from a dilemma of linking up the fact of historically evolved global capitalist economy and struggles among social forces with pronounced political contents (Robinson, 2000). The dilemma may stem from their lack of engagement with the questions concerning historical processes of change. These seem to be concerned only with developmental problems and issues as things and preoccupied with technical and managerial

aspects of development. These are over conscious of intentional and negligent of *immanent* development (Hickey and Mohan, 2005). Sustainable management as part of this type of development discourse thus suffers from *ahistorical* and *apolitical* orientation. These are influenced in a significant manner by the neo-liberal perspective on development that initially tried to replace both market and entrepreneur by State and Experts respectively and tried subsequently again to provide correctives, qua Post-Washington consensus, by emphasis on human development and so on. Situating empowerment and sustainable development therefore requires one to relate it to history and politics, intentions and structures, subjectivity and objectivity. The existing development scenario offers a domain that is overtly political. The entrenched powers seek to condition the nature and extent of empowerment and sustainable development from the above and there is a continuous attempt from below to enhance empowerment and sustainability. If we imagine people to have needs and capacities with which they face the constraints of life they must be seen as continuously deciding strategically where to change and how and with what instruments as they have also to live their lives. We must situate empowerment and sustainability in that very process.

A look from *ahistorical* and *apolitical theories* of development to theories of social movement shows remarkable consistency. Initially theories of social movement were strongly influenced by crowd psychology and were generally seen as irrational outcomes conditioned by subjectivity and at a later date, as outcome of reaction to social marginality. Later, thanks to Rational Choice Theory these were started to be seen as rational actions and popularly conceived within Resource Mobilization Theory (Crossly, 2002). A further development in this regard was represented by the Political Process Approach that focused on the interaction between the political processes within the political system and the social movements (Jaspers, 1997). In recent times the discourse on social movements is animated by New Social Movement formulations that try to focus on the nature of political

conflict somewhat differently. Habermas (1987) for instance sees NSMs as a response to the colonization of life world and tries to create a space for conventional social movements within the discourse of NSMs. In a different vein NSMs have been shown to be one of the manifestations of a tendency toward global civil society in which cooperation around common concerns seems to be the driving force amidst conflicts spawned by forces of globalization. Nevertheless the debates around NSMs have not produced commensurate theoretical insights (Calhoun, 1993) for a theoretical effort that seeks to be concerned with political and historical processes of empowerment and sustainable development. Such an orientation must see social movements as continuous and developing as both from the top and from the below, struggling to establish and contest respectively hegemony and as related in a fundamental way to the processes of sustainable management and empowerment. Social movements seen in this way can be consistent with concern for a political and historical approach to social development in general and sustainable management in particular. Development when seen as inherently conflicting and political implies that developmental problems like sustainability and empowerment are not to be seen as 'things' the distribution of which can be managed by experts or scientists but aspects of developments of needs and capacities of human being, aspects of interaction of active subjects with changing objective reality in which both cooperation and resistance around particular context are connected by the dynamics of praxis.

3. Research gap and Research Questions

From the above it is quite clear that Joint Forest Management has been attracting lot of attention from scholars and both descriptive and analytical works are present in abundance. Several works have been produced in the area of sustainable development and only a few on natural resource governance but they do not link up with studies on social movements. Moreover social movements as an area has been attracting lot of attention but systematic works on the narrow specialized area of

forest based movement is very rare in general and particularly in India. It is necessary to understand the linkage between forests based social movement and participatory forest management practices. Moreover, there has not been any research linking both cooperation around forest management practices and resistances to them from the perspective of power. This is quite strange in the sense that empowerment is said to be the purpose of both cooperative framework and of resistance. We need to focus more on power before we debate on the nature, extent and means of empowerment as the core concept of power is contestable, a fact shown by our merely illustrative list of literature on the concept of power. Our literature review also shows absolute lack of any field based study of forest based social movement and its relationship with practices of participatory forest management in North Bengal region where all the elements of cooperation and resistance around natural resource governance can be found. Keeping the gap in mind the following research questions have been selected to undertake the present study.

- Q.1 How does one conceptualize power to understand and measure empowerment in relation to participatory forest management?**
- Q.2 How do empowerment and sustainable forest management in particular and natural resource governance in general relate to each other in field situation?**
- Q.3 How to understand popular cooperation and resistance within the terms of empowerment as objectives of participatory forest management in India?**

4.1. Theory of Praxis

Admittedly, an approach like this can derive resources from the Marxist theory of Praxis. The present crisis of development and environment has increasingly been regarded as the problem of praxis. The policy delinked from praxis proves to be absurd in providing any material solution. It has been realized that praxis has its own

logic as well as consequences, which should not be underestimated in structural planning laid down in advance. In this context, conceptualization of praxis seems inevitable. Modern discourses assume its transitive character by narrowing down its significance. Marx's concept of praxis reveals newer scope to be engaged with it. One is aware that the notion of praxis was developed by Marx as an ontological category to overcome the dualism of subject and object. What is often overlooked is that praxis also is the substance as history of development. As Marx observed, some basic needs must be fulfilled in order to live and the capacities are needed to fulfill those needs. However, needs and capacities are not opposed as such but are mediated through human praxis. Through labor, capacities for need fulfillments are developed and thus capacities become needs themselves. As he observed:

...the first premise of all human existence and therefore, of all history, the premise, namely, that men must be in a position to live in order to be able to make history.....the satisfaction of the first need (the action of satisfying, and the instrument of satisfaction which has been acquired) leads to new needs; and this production of new needs is the first historical act.

(Marx, 1964:39)

Needs and capacities are thus dialectically related. Needs are dynamic so are capacities. Empowerment seen in this way is both objective and subjective, a relationship of both needs and capacities and like the process of immanent social development a product of struggle. While the immanent and intentional developments are all inseparable parts of praxis and human way of making history, the immanent development arrays the specifics of social movements into movement from the top and movement from the below , into powerful and powerless and struggle for empowerment through cooperation and resistance as capital gets more and more organized . The new found attraction for people's participatory structures and common property resources within capitalist mode of production is relevant to

social movement from the above and connected with immanent nature of development. As Marx observed:

...as soon as the capitalist mode of production stands on its own feet , then further socialization of labour and further transformation of land and other means of into socially exploited and therefore, common means of production ,as well as the further expropriation of private proprietors , takes a new form....This expropriation is accompanied by the action of immanent laws of capitalist production itself , by the centralization of capital ...the transformation of the instruments of labour into instruments of labour only usable in commonthe entanglement of all peoples into the net of world market....

(Marx, 1936)

In the light of the above empowerment flows out of praxis which engenders new needs and new capacities for satisfying those needs which in turn generate further needs. Such praxis is of course not an outcome of rational calculation by individuals but a product of social being experiencing through mediation of subjective awareness and objective conditions of life. Evidently the experience contains many semiotic and cultural aspects. The specific forms of social organization are both constituted by and constitutive of such cultural and semiotic mediation (through tools and signs for example). These have to be learned for deployment of needs and capacities under the conditions of social nature of production. Within those condition empowerment is expressed through cooperation and resistance, through learning and changing, through conscious reflection and social actions for deployment of needs and capacities. There is of course a conflict between entrenched dominant structure of needs and capacities that is reflected in the movement from the above and 'empowerment from without' and that strives to counteract those through social movement from below or 'empowerment within'

through complex interplay of cooperation and resistance. Sustainability is conditioned by the nature of interaction between these two kinds of needs and capacities and in the long run its positive realization is coextensive with people's empowerment.

The connection between development as understood above and sustainability has been the central stuff of Marxist ecology. Contemporary Green Theory asserts the ontological and material priority of the natural world and a part of it is critical of Marxist view of history as essentially anthropocentric. Nevertheless the dialectical ecological element in Marx is more often missed than not. Marx's denial of any universal purpose before history and his notions of man's 'natural metabolism' and the concept of 'metabolic rift' under capitalist production shows time and again the weakness of contemporary Green theory. (Foster, 2000), its absence of dialectical understanding. Sustainability is not a goal but a condition of mediation of nature and history, as Marx tried to point out while raising objections to Feuerbach and Bruno Bauer.

Now a days 'praxis' has been regarded as a '*transitive* concept' both in the developmental and the environmental discourses while criticizing overestimation of structural arrangements to get rid out of the problems. The concept of *transitivity* attempts to incorporate the logic of praxis in the planning process by opposing the Enlightenment philosophy as well as social evolutionism where "history unfolds its potentialities in an immanent and natural process of *intransitive* character'. (Linkenbach, 2007, 104) As a perspective, it stresses upon the activeness of human agency in shaping up the course of history. However, this activeness cannot be exhausted in mere *transitivity* but on the contrary; it affirms the *transcending* character of the concept of praxis as propounded by Karl Marx. As a concept, the limitations of *transitiveness* have manifested in its idealistic expression of intentionality where primacy has been assigned to subjectivity over and above the objective mode of being of subjects. It cannot make difference between activity

under hegemonic compulsion and free conscious activity born out of historical necessity. It cannot explain the transgressing nature of human being against constraints within and without. Now, to uncover the 'veil of ignorance' embedded in *transitiveness* understanding of praxis as *transcendence* is crucial to comprehend as well as to guide human action in its right course for shaping the future.

4.2. Praxis in Marx

The discourse on Marx's concept of praxis used to be revolving around mostly within two popular versions. One of the version imbued with Petrovic's proclamation of Marx's specific usage of 'praxis' as practice equates praxis with practice (Petrovic, 2000, 437-438) where both the terms 'praxis' and 'practice' have often been used interchangeably. Another version is inspired by Labriola's understanding of praxis as the unity of theory and practice where a cyclical movement of theory and practice will go on in a continuous pace (Nemeth, 1980, 24). The inherent problem that lies within those interpretations is that the former confines human activity to mere expression of specific form and the latter fails to draw a distinction between the product and the process. To Marx, the division of labor, indeed, results into differentiation between the theoretical and the practical forms of human activity. The theoretical form is associated with the production of consciousness and the practical form refers to the applied part of human activity. Nevertheless, the significance of human activity cannot be exhausted only by understanding its formal expression. Realization of essence and its dialectical relationship with forms is inevitable to grasp the meaning of praxis in its comprehensive realization of human activity as laid down by him.

It is true that Marx does not provide any systematic exposition of the notion of praxis like the theory of surplus value or the theory of capital etc. However, careful reading of Marx would reveal two complementary usages of the term, which leaves opportunity behind the construction of a perspective on praxis while keeping

the spirit intact with his dialectical penetration to human activity. It is seen from the review of his works that he often uses the term praxis as generic category of human activity or action in opposition to non-praxis or passive mode of being. It is generic in the sense that he uses it to denote any kind of activity of significance irrespective of its forms and manifestations spanning across his early to later phase of writings. As for example, in his note to doctoral dissertation when he advances that 'The practice (praxis) of philosophy ...is itself theoretical.' (Bender ed. 1972, 15) Here he perceives praxis as man's theoretical activity but on the contrary, in *Capital*, he put forward that 'One of their first consequences was that in practice (praxis) the working day of the adult males in factories became subject to the same limitations,'. (Marx, 1936, 310) he understands praxis as man's practical activity. Again, in his different works he uses the term to refer a concrete sphere of activity, such as in 'The German ideology', he mentions about 'bourgeois praxis' and in the Communist Manifesto about 'political praxis' etc. Thus, the word praxis cannot be limited to any specific form or manifestation of human activity in Marx though some authors tried to render a specific meaning to the word by equating with the term 'practice'. But, Marx uses a German word *praktisch* corresponding to the English word 'practice' and interestingly from *EPM* via *German Ideology* to *Capital* one can find the co-existence of both the words 'praxis' and 'praktisch' even in the same paragraph in which 'praktisch' denotes always the practical or applied part of human activity in juxtaposition to theory. One of the examples of his distinctive usages of the terms praxis and *praktisch* can be drawn from the *EPM* where he argues that 'The extent to which the solution of theoretical riddles is the task of practice (praxis) and effected through practice (*praktisch*), the extent to which true practice (praxis) is the condition of a real and positive theory,...'. (Marx, 1993, 116) However, as generic category the term praxis in Marx acquires its specific meaning in specific context by fulfilling certain general criteria of being active as against of being passive. In its active mode of being, human activity is quite different from passive mode of being. Active mode assumes the role of human agency where it is acting upon the structure

or conditions of life. On the other, in case of passive mode of being, agency is being usurped due to illusion or compulsion by the structure, which results in loss of transitiveness of human activity. Though Marx is not explicit about that passive mode of human activity or non-praxis in opposition to praxis but undoubtedly he is aware about the fact, as it has implicitly been expressed in his dealing with 'religious estrangement in "Contribution to Hegel's Philosophy of Right'. He maintains religion as 'inverted consciousnesses and continues to say that 'The criticism of religion disillusion man so that he will think, act and fashion his reality as a man who has lost his illusions and regained his reason; so that he will revolve about himself as his own true sun. Religion is only the illusory sun about which man resolves so long as he does not revolve about himself.' (Bender, 1972, 46) Thus religious activity can't be treated as praxis as the human agency has lost its activeness due to illusory consciousness and hence, instead of 'doer' man becomes passive receiver of the blessings from God and realizing himself in the 'other world'. Therefore, the correct understanding of praxis as generic connotation in Marx, as pointed out by Adolfo Sanchez Vazquez is that 'All praxis is activity, but all activity is not praxis' (Cited in Jun. 2006, 135).

In this context of transitiveness of human activity, Marx seems to be inspired by Aristotelian legacy of viewing praxis as 'action' oriented human activity leading to the distinction between praxis and non-praxis though unlike Aristotle he includes theoretical activity within the radius of praxis. However, despite the continuity, Marx registers a fundamental break with that legacy by investigating the generic essence of human activity and its relation to specific forms. The break is inevitable because of the limitations contained in the transitive character of praxis. If praxis can be conceived of merely as transitive, the problem of opposing rationality in action embedded in contradictory praxis between bourgeoisie, prolétariat will remain unsolved, and the revolutionary praxis will be devoid of any significance. Therefore, Marx is convinced that despite having transitiveness human praxis may not

represent always the true reality of things due to alienated positing of it under conditions of fetishtic forms of objectivity. Marx therefore makes another distinction, which he mentions in the *EPM*. The phrase 'true praxis' therein implies the existence of false praxis. The understanding of true praxis leads Marx to conceptualize praxis as transcendence by conceiving of the generic essence of human activity and its dialectical conformity with the specific forms such as theory and practice where absence of that conformity results the false notion of praxis. The following section deals with that perspective on 'true praxis'.

Marx, in the First Thesis on Feuerbach, conceptualizes praxis as 'sensuous human activity' representing the generic essence of human action. It is generic because that essence of human activity as characterized by 'human' and 'sensuous' mode of being can be comprehended only in relation to genus. In his understanding of humanness, he holds that despite his individuality, man enjoys his real existence as social being and 'as a totality of human manifestation of life.' (Marx, 1993, 100) He further argues while criticizing Feuerbach that human essence is nothing else but 'the ensemble of the social relations' (Marx, 1964, 646) Thus, to him the manifestation of humanness has been affirmed only in both the awareness and actualization of species character which presupposes the identity between the 'thinking' and 'being' despite their distinctive existence. In Marx's word, 'In his consciousness of species man confirms his real social life and simply repeats his real existence in thought, just as conversely the being of the species confirms itself in species consciousness and exists for itself in its generality as a thinking being.' (Marx, 1993, 99-100) Regarding 'sensuousness' Marx observes two kinds of sensuousness while dealing with natural science as 'science of man in the *EPM* i.e. 'sensuous consciousness' and 'sensuous need' where senses affirm themselves 'as essential powers of man' by relating themselves to the thing or object of senses. Through these human senses, the process of objectification of human essence takes place in general. Nevertheless, under private property regime, the senses, in their

estrangement condition, have been reduced to the 'crude practical need' and become 'restricted senses' by losing the quality of humanness. Therefore, 'sensuous human activity' refers to that essential property of activity, which affirms human senses of species consciousness in order to recognize the human needs of species being. However, this essence of human activity cannot be actualized in reality until and unless it has been conformed by the specific forms of activity as the manifestation of essence always takes place through specific forms and on the other, specific forms can realize its fullest expression or development only by conforming to the generic essence. Thus, the dialectic of essence and form shows that the unity between the two where each conforms the other and constitutes the whole gamut of human activity. Here, theoretical form affirms the 'sensuous consciousness' of species character as in Marx's realization, 'The activity of my general consciousness, as an activity, is therefore also my theoretical existence as a social being' (Ibid, 99); and practical form recognizes 'sensuous needs' of *species being*. Therefore, praxis in Marx refers to that kind of activity where the contradiction between forms and essence disappear along with the contradiction within forms and consequently human activity acquires the transcending character by going beyond the bondage of 'alien powers' which governs their life process in general. The transformation of subject and object coincides leading to the 'conscious mastery' over those powers and human activity becomes 'free, conscious and life activity' aiming at humanization of the world where human being will no longer lose themselves in their objects as it happens under alienation. In this context, Marx conceives of revolutionary praxis as transcendence manifests in the form of 'practical-critical' activity, which goes beyond the mere unity between the two but understands that unity as by product of praxis representing dialectical conformity between essence and form. In this way, the perspective of praxis, which traditionally refers to the transitivity of human activity, acquires higher status in the hands of Marx by indicating transcending capacity of human activity in their specific forms of manifestations. The praxis becomes an objective and historical category. It is

objective because it produces and transforms material life in order to realize the 'objective essence' of human being. It is historical because through that production and transformation of material life men make their own history.

With this special understanding of praxis as transcendence, from the standpoint of dialectic between the generic essence and the specific forms, Marx overcomes the duality of specific forms, theory and practice, which prevail in the Aristotelian legacy of differentiation between theory and praxis. He, on the contrary, conceives of the unity between specific forms or between theory and practice not as mere spatial co-existence of the two but as the consequence of the conformity between essence and forms. In this conformity, both practical and theoretical forms of activity can be considered as praxis depending upon their capacity to affirm the generic essence. Moreover, if one of the forms translates itself into praxis then it becomes the basis for developing the other form. This is obvious in his argument when he says in the *Thesis on Feuerbach* that 'All social life is essentially practical (praktisch). All mysteries which lead theory to mysticism find their rational solution in practice (praxis) and comprehension of this practice (praxis). (Marx, 1964, 647) Here, praktisch or practical form of activity becomes praxis as it conforms to the generic essence and thereby forms the basis of 'a real theory' by affirming it at par with that essence. In this regard one should look into Marx's differentiation between the two kinds of practical activity i.e. alienated labor and self activity where the later only conforms to the generic essence of 'human' and 'sensuousness' and therefore can be treated as praxis. Marx views labor as the negative form of 'self activity'. It is 'negative' or 'subordinate' because under the condition of 'estrangement' labor 'makes man's species life' merely 'a means to his physical existence.' (Ibid, 74) and thus individuals fail to realize their development through the confirmation of their real self. In opposition to that, he conceives of 'self-activity' (positive) as the confirmation of human essence through the comprehensive appropriation of the productive forces. This life activity constitutes the realm of development and

enjoyment of life and thus negates the antagonism between activity and enjoyment. However, in communism with the abolition of private property and consequent 'fixation of social activity' as is determined by division of labor the antithetical character between production of material life and 'self-confirmation' will disappear along with the antagonism between activity and enjoyment. It will happen due to the process of 'objectification of human essence' through the appropriation of human's 'comprehensive essence in a comprehensive manner'. In this stage, the 'self-activity' will lose its two hierarchical forms of manifestation i.e. negative as well as positive and will reach to a new higher stage. From this viewpoint Marx asserted that "Only at this stage does self-activity coincide with material life, which corresponds to the development of individuals into complete individuals and the casting-off all natural limitations. The transformation of labor into self-activity corresponds to the transformation of the earlier limited intercourse into the intercourse of individuals as such." (Marx and Engels, 1964, 84) Hence, it is 'self activity', which in its practical form manifests the generic essence of human activity and thereby producing corresponding forms of consciousness in which enjoyment as an mental attribute will no longer conflict with practice. On the other hand, despite its practical form of existence (practice) labor cannot be treated as praxis as it is devoid of the human essence. There is another side of the same coin also where theory exhibits its conformity with the generic essence and becomes praxis. Marx has expressed it in that classic statement, - "It is clear that the arm of criticism cannot replace the criticism of arms. Material force can only be overthrown by material force; but theory itself becomes a material force when it has seized the masses." Moreover, the theory will seize the masses only when "it fulfills the needs of the people." (Marx, 1975, 182)- It is evident in the argument that theory, while recognizing the human sensuous needs of the people by inculcating the essence, it has been transformed itself into material force by producing corresponding practical form of human activity. Therefore, each specific form of human activity may be of theory or practice can build the unity with the other form only by translating itself

into praxis and any kind of aberration in that process the unity becomes mere mechanical or abstract unity as the human activity loses its transcending character. In short, the duality of forms i.e. theory and practice can only be overcome by a dialectical process. The very process is marked by the transformation of specific forms into praxis by conforming themselves to the generic essence resulting actualization of transcending character of human activity. In this process, the leading form will invoke the supplementary form of activity in accordance with that essence in order to establish a promotional unity between them where human activity restores its holistic expression by making itself free from structural differentiation.

4.3. Dialectics of Praxis

Understanding the dialectics of praxis following Marx is to understand contradiction inherent in praxis. This contradiction refers to the contradiction between the forms of praxis i.e. theory and practice marked by both the dialectics of antagonism and unity between the two. For Marx, both the theoretical activity (theory) and the practical activity (practice) are derived from and determined by the material condition of life that includes already existing conditions as the product of history and conditions produced by the activities of human being referring to ongoing practices (Marx and Engels, 1964, 31). These material conditions of life are governed by the contradiction embedded in the objective structure of the society namely the contradiction between the productive forces and the production relation. This contradiction in the objective structure, however, results the contradiction within the material conditions of life leading to contradictory material existence of human being. Now as far as the material conditions of life is itself contradictory, the theory and the practice derived from that condition will no doubt be contradictory. Moreover, this contradiction between the theory and the practice generates further contradictions within theories and practices.

However, the material condition, which gives birth of the contradiction between the forms of praxis, is nothing but the division of labor, before that, as Marx put it, "the production of ideas, of conception, of consciousness is at first directly interwoven with the material activity and the material intercourse of men, the language of real life." (Marx and Engels, 1964, 37) The identity between the theory and the practice which has been broken down due to the primary development of the productive forces along with the consequent division of labor which creates the scope of antagonism between the two. Marx views it as "Division of labor becomes truly such from the moment when a division of material and mental labor appears. From this moment onwards consciousness can really flatter itself that it is something other than consciousness of existing practice...from now on consciousness in a position to emancipate itself from the world and to proceed to the formation of "pure theory", theology, philosophy, ethics, etc." (Marx and Engels, 1964, 43) The antagonism, as a byproduct of the division of labor, makes theory and practice mutually exclusive to each other. The very process of this exclusion used to be culminated in complete separation of the two and resulting alienation in both kind of practices. On the contrary, alienated activity also leads to the separation between them. Two fold alienation in human activity have been taken place where the theoretical activity (theory) becomes "illusory" or merely speculative while lost its relation to the material life and the practical activity (practice) becomes "abstract" while being divorced from 'true consciousness' or 'positive theory'. Marx views speculative philosophy as an example of theoretical alienation and shows labor as a form of alienated practice. The alienated activity becomes the fundamental characteristics of the ruling class as Marx perceives that "The division of labor...manifests itself also in the ruling class as the division of mental and material labor, so that inside this class one part appears as the thinkers of the class, ...while the others' attitude to these ideas and illusions is more passive and receptive, because they are in reality the active members of this class and have less time to make up illusions and ideas about themselves." (Marx and Engels, 1963, 61) These

alienated activities subvert all the possibility of 'true praxis' as they engage in conflict with each other due to not conformation to the 'human essence' and simultaneously derecognize the unity between the consciousness and action. This subversion of true praxis leads to the negation of the "species character" of the human being in their specific forms where human activity loses its transcending character and becomes mere reflection of "estranged life" which is governed by the 'things' and is being manifested in the private property and all forms of its expression. Thus human activity in its alienated form fails to realize the true essence of life while reproducing the existing structure of the society or 'inverted' material conditions of life and finally becomes regressive in character.

Besides this antagonism, there is another side of the same contradiction that represents the reciprocity between the theory and practice marked by a dialectical unity between them as Marx observes, "Thinking and being are thus certainly distinct, but at the same time they are in unity with each other." (Marx, 1993, 100) The material condition responsible behind this dialectical unity is nothing but the ontological status of human being as 'sensuous' and 'active' being which manifests itself in its species character informed by 'the actual physical nature' which make them distinct from the animals. Hence as an 'actual' and 'living species' "he treats himself as a universal and therefore a free being." (Marx, 1993,72) In addition, as far as the "development of human energy...is an end in itself, the true realm of freedom, which, however, can blossom forth only with this realm of necessity as its basis." (Marx, Capital Vol. III, Part VII) According to Marx this 'realm of necessity' at the societal level appears truly when in a historical epoch the productive forces in a given society become destructive forces under the existing relation of production and as member of the non-ruling class individuals have "to bear all the burdens of the society" resulting from that 'mischief' and as a consequence "from which emanates the consciousness of the necessity of a fundamental revolution". (Marx and Engels, 1964, 85) Hence, the unity of theoretical (consciousness) and practical

activity (means producing activity) becomes evident in the realm of necessity where forms of activity conform to the generic essence and individuals as species being find themselves in the class struggle as a member of the revolutionary class in order to overthrow the existing structure of the society which acts merely as 'fetters' in realizing the true essence of their life. This unity, however, produces the mutually promotional relationship between the two forms of praxis. There are two dimensions of this kind of promotion where theory is derived from the apprehension of reality and turns itself into practice and on the contrary, the practice, which is shaped up by the material reality or circumstances, produces theory and in turn is guided by that theory. Due to the very process it is not only practice which always promotes theory but simultaneously it is theory that promotes the practice also. The nature and the agent of promotion used to be depending upon the context where the unity is taking place between the two. It is due to this mutually promotional relationship between theory and practice "circumstances make men just as much as men make circumstances" (Marx and Engels, 1964, 50). Because it is through practical activity or practice men make their circumstances and that circumstances in turn make men by affecting or changing his consciousness or theoretical bent of mind. This unity of theoretical and practical activity assumes the conformity between forms and essence and creates the possibility of true praxis where human activity acquires the transcending character and therefore starts transforming man and the material conditions of life aiming at 'conscious mastery' of 'alien powers'. In this context, Marx talks about revolutionary praxis, which he advances in the in the Third Thesis on Feuerbach. "The materialist doctrine concerning the changing of circumstances and upbringing forgets that circumstances are changed by men and that it is essential to educate the educator himself....The coincidence of the changing of circumstances and of human activity or self changing can be conceived and rationally understood only as revolutionary practice." (Marx, 1964, 646) To Marx, this revolutionary praxis symbolizes the unity of "practical-critical activity" for

changing, men and their circumstances aiming at total transformation in human life and its material conditions.

4.4. Praxis in History

Marxism has often been understood as “philosophy of praxis” which is nothing but the reduction of historical materialism merely into the affairs of human agency while underemphasizing the importance of structural contradictions in which human activity is being generated. This approach seems to ignore the dialectics between praxis and material conditions of life shaped up largely by the mode of production, which in turn is conditioned by the past. The dialectics is reflected in Marx when he expresses that, “Men make their own history, but they do not make it just as they please; but under circumstances directly encountered, given and transmitted from the past.” (Marx, 1975, 96) The dialectics depicts that no form of praxis can be judged independently of the mode of material production of life in general in which each specific form of praxis has its origin and development and to which that praxis intends to transform. Marx uncovers the dialectical relationship between the two while he deals with capitalist mode of production.

Marx finds mode of production as the basis of history. He states that “This conception of history depends on our ability to expound the real process of production, starting out from the material production of life itself, and to comprehend the form of intercourse connected with this and created by this mode of production (i.e., civil society in its various stages), as the basis of all history;” (Marx and Engels, 1964, 49). This mode of production determines the material conditions of life as it “conditions the social, political and intellectual life process in general”. (Marx, 1976, 3) However, to Marx, the ‘production of material life’ is conditioned by the dialectic of productive forces and production relation in a given society, which in turn results contradictory mode of transformation simultaneously. Therefore, the process of transformation cannot be disassociated

from the production process of material life and praxis cannot be isolated from its material conditions of life. Under capitalism, this contradictory mode of transformation through praxis refers to the fundamental distinction between capitalistic way of transformation and revolutionary way of transformation of the life and society. Capitalistic way of transformation through praxis is limited in mere modification of things, which implies the manipulation of life process both in its relation to society and nature in accordance with 'blind desire for profit'. The transformation process becomes 'subservient to capital'; human objects becomes alien power and ruling over man, man is being alienated from his product, from other man, from nature and from his 'species being'. The process leading to 'dehumanization of man' and tears down man's relationship with rest of the society by reducing him into isolated individual. Further, capitalism distorts the metabolic relationship between man and nature causes 'metabolic rift'. (Foster, 2000, 155)

Thus capitalist praxis transforms the material conditions of life by ignoring the 'essence' of man and their essential relationship with society and nature and hence becomes counterproductive as it is digging its own grave. However, to Marx, there is other simultaneous effect of capitalist transformation, which produces congenial material conditions leading to emergence of 'revolutionary praxis'. As Marx observes, 'As soon as this process of transformation has sufficiently decomposed the old society from top to bottom, as soon as the laborers are turned into proletarians, their means of labor into capital, as soon as the capitalist mode of production stands on its own feet, but with this too grows the revolt of the working-class, a class always increasing in numbers, and disciplined, united, organized by the very mechanism of the process of capitalist production itself.' (Marx, 1936, 836-37) Nevertheless, the formation of the proletariat as the revolutionary class under capitalism does not satisfy the sufficient condition for introducing revolutionary praxis because without a 'revolutionary ideology' the class becomes merely the 'class in itself'. On the contrary, with the emergence of "revolutionary ideology" the class put itself into the revolutionary praxis as

'practical-critical' activity and "becomes united, and constitutes itself as a class for itself." (Marx, 1976, 211) The revolutionary praxis is marked by its transformative capacity of the material conditions of life in its totality. However, the nature of revolutionary praxis cannot be grasped by understanding this transformation as mere manipulation or modification of things rather it can be comprehended only as transcendence. It is transcendence because the revolutionary transformation is characterized by the process of negation of negation where the proletariat as the agent of this transformation attempts to negate the capitalism in order to negate themselves along with all other classes to bring about a classless society i.e. communism. Historically the proletariat becomes the agent of transcendence under capitalism as its particular class interest coincides with the general interest of humanity. Marx views communism as 'positive transcendence' as 'it is the genuine resolution of the strife between existence and essence, between objectification and self confirmation, between freedom and necessity, between the individual and the species.' (Marx, 1993, 97) The process of transcendence through revolutionary transformation of the self and the circumstances can realize only by actualizing the role of the revolutionary class 'which revolts not only against separate conditions of society up till then, but against the very "production of life" till then,'. (Marx and Engels, 1964, 51) Therefore, the basic difference between praxis of bourgeoisie as false praxis and of proletariat as true praxis in shaping up the life process lies in the very fact that whereas every bit of capitalist transformation as modification is ended with the consequent triumph of 'alien powers' over man, the revolutionary transformation as transcendence on the other in its every bit of progress makes man free from the servitude of that powers and thus prepares history.

To conclude, it is to be argued that the concept of transitiveness brings forth illusion about true essence of human activity, which forgets that human civilization cannot glorify itself by reducing man into a doer but by asserting man as an active transformer of the self and society while going beyond the limit and gravitation of

material conditions. Essence of life cannot be exhausted in mere activeness but lies in creation of that life against the forces of death. Human agency cannot actualize itself only by expressing preferences or intentions but can do it by playing its historical role, which coincides with structural needs of transcendence. Therefore, adjustment with structural limitation as an activity often used to be projected as empowerment signifies in reality the incapacity of human agency; it is only through revolutionary struggle man casts that limitation aside leading to conscious mastery over those circumstances. Thus, the notion of transitivity never understands the subtle distinction between impotent activeness and awakened activeness and fails to capture the significance of praxis as an activity of transcendence. In opposition to transitivity, the transcending character of praxis overcomes the dualism between the logic of immanence and the intentionality as transcending activity cannot be separated from the material conditions of transcendence and its inevitability. It is to be remembered that Marx's specific configuration of the proletariat as the universal agent of transcendence may or may not be effective to catch all rhythmic expressions of life under constant flux but praxis as transcendence is still operative as potential force of change (Jha, 2010). It has been exhibited contextually in the localized forms of movement across nations, which finds its micro-agents as the bearer of the spirit of transcendence with the episodic coincidence of their particular interest with general interest. The formation of universal agency is yet to be undergone but humanity keeps its journey on to shape up its promising future on the shoulder of human activity, which is nothing but praxis.

In the field situation we therefore expect to have both cooperation among stakeholders and resistance to 'empowerment from without' as a part of wider social movement. The main research problem can be explained as a conflict between two kinds of movements or two kinds of empowerment. The relative success of empowerment from within may be related to positive realization of sustainability. Further, the cooperation between stakeholders would be of tactical nature, a way of

living with what is bare necessity, but also a way of developing new needs and capacities that is likely to be expressed in a overtly political manifestation. Participatory structures for natural resource governance thus are capable of both integration of needs and capacities of opposed kinds, for preservation of entrenched dominant structures of needs and capacities as well as for outgrowing that integration by a process of empowerment through social learning and experience , cooperation and resistance , a process of movement away from particular social organization to general social organization , from metabolic 'rift' to natural metabolism around cooperative production.

5.1. Reflections on Methodology

While the purpose of a research project often decides the methods and techniques of research and the so called research design, the terms like methods and research design are often confused with methodology which has a broader connotation and is connected with epistemological considerations. The purpose of the present research project can be understood from the questions stated above but some clarifying remarks are necessary here on methodology. Standard reference works on research methodology generally referred to three epistemological positions – objectivism, subjectivism and constructivism (Crotty, 1998). The first looks at objects, as real and the cognate methodology may be positivism. The second disregards objective reality and subjectivity of the researcher is considered as real. Its popular methodological examples include structuralism and hermeneutics. The above positions emanate from and reinforce dualist kinds of understanding. Traditionally historical materialism tried to break with this kind of dualism through its notion of praxis. In recent times constructivism has been trying to bridge objectivism and subjectivism through symbolic interactionism, discourse analysis and the like. However constructivism may or may not make use of dialectical logic, which we proposed to use in our methodology.

There is a possible source of confusion if we lean towards constructivist's methodological consideration. Commonly the methodological textbooks set an artificial opposition between quantitative and qualitative research and constructivist methodology is shown to be leading to qualitative research methods while survey research is connected easily with quantitative research and that in turn with positivist methodology. Qualitative research can always make use of quantitative categories in the use of qualitative techniques like participant observation, interview and PRA techniques. In the present project stress will be on qualitative research methods with an effort to quantify our observations in the light of theoretical framework. The later of course would be influenced by the epistemological as well as methodological considerations stated above.

However, the present study is heavily relied on the qualitative tools and techniques though to substantiate the understanding of the field it also makes use of quantitative method and categories as well. The study undertakes key informant interviews, focus groups and sample surveys on the basis of a triad i.e. the method of random, purposive and snowball sampling. For household survey the present work draws sample size from the universe of 5890 household in six forest divisions in the District. While assuming the normal response distribution as 50%, margin of error as 10% the sample size became 67. Therefore the study decided to undertake seventy household surveys in the selected seven forest villages from the four largest forest divisions in terms of number of villages and household. Out of seventy six forest villages in six forest divisions in the District of Jalpaiguri, the study has chosen seven forest villages for both 70 household surveys and seven focus group interviews along with some key informant interviews by taking two from each three largest forest divisions namely Jalpaiguri, B TR (West) and BTR (East) while taking one forest village from the fourth largest forest division of Coochbehar (Wildlife-III). The seven villages are chosen purposively keeping the progress of two aspects of participatory forest management and forest dwellers movement. Besides in order to get a clear picture

of an earlier movement what is found relevant for the research we conducted almost 100 key informant interviews across 15 forest villages including the selected seven on the basis of snowball sampling.

5.2. Gathering and Analyzing Data

Gathering data from the forest villages has been quite a learning experience for me. There have so many surprises and obstacles that I have had to face during the field works in those villages. The foremost problem has been the lack of communication facilities by both roadways and railways. All the forest villages except one where we went for field studies were situated at a considerable distance from highways or some kind of metalled roads. Except for the Panijhora Forest Village under the Buxa Tiger Reserve (BTR) West Forest Division the lowest and the highest distances of the forest villages from roadways were 1.5 kms and 6 kms respectively and the mean distance of the six villages from the nearest roadway is approximately 3.5 kms. Similarly the lowest and the highest distances of forest villages from nearby railway stations are 1.5 kms and 21 kms and the mean distance of the seven forest villages from the nearby railway station is approximately 13 kms. Naturally in the first phase I had covered the distance from the bus stop or railway station to a village on foot as there was no other mode of communication except the bicycle which only a few villagers could afford. Although in the later phase I had been privileged to hire a motor bike from an NGO worker to cover the BTR (West) and East Division the motorbike remained useless all along the field visits to cover two of the forest villages in the BTR (East) namely Lepchakha and Chunabhati both of which are situated in the Buxa hills. The average distance of the two hill forest villages from the foothills is 6 kilometers and there is still no mode communication from the foothills other than trekking. During my four visits in Lepchakha and two visits in Chunavati I faced extreme difficulty in trekking of more than 12 kms twice and more than 6 kms four times in those villages. However, in case of villages under Jalpaiguri Forest Division I took my own motorbike in the later phase which was approximately 100

kms away from my residence at Siliguri. But in case of Coochbehar Forest Division I had finished my field work on foot all along my field visits. The second problem what I had to encounter was to find out key informants in each of the villages. This proved to be very crucial for my field study as during my first visits in all those forest villages I had found that the villagers were looking at me suspiciously and would not answer my question properly and would rather talk in terms of “yes” or “no”. When I enquired later on about the matter I came to know that the villagers had looked at me as stranger and had thought that I was the representative of the Forest Department with harmful intention as I was asking questions about forest related matters. Despite the assistance from a Siliguri based NGO (NESPON) in introducing local villagers to me and the active cooperation of a local organization of movement (NFFPFW) I often found that my first set of key informants could not work properly and so I had to interact alone with my interviewees. Hence to solve the problem I had to make several field visits before my final focus group interview and household survey for choosing my final set of key informants and building rapport with them. The third difficulty I had to go through was the problem of language. I interviewed villagers belonging to different linguistic communities like Nepali, Jharkhandi Advasi, Rava, Mech and Bhutia. Though most of the Nepalees and Adivasis are more or less fluent in speaking and expressing their views in Bengali I faced problem in interviewing from the Ravas, Meches and Bhutias. It is true that Rava and Meches can speak Bengali but they can do it to some extent and in case of long answers or story telling they often use the proverb, terms, words of their own which I could not understand without the help of my key informants. The situation became extremely difficult in case of Bhutia community who could not speak and did not understand the Bengali and even most of the Bhutias I interviewed did not know even Hindi. In two Bhutia villages of Lepchakha and Chunabhati I had to hire local interpreters who knew both the languages of Bhutia and Bengali. The fourth hurdle what I had to overcome was the problems of staying for a couple of days on the spot. Except my targeted field visits in Jalpaiguri and BTR (West), I spent nights during most of the

field trips in those villages ranging from 2 days to 7 days at a stretch in each village. With my middle class background and habits I had to face difficulties particularly in terms of food, bath and toilet habits. Besides, during winter I had to carry extra blanket to the spot for night staying as the villagers are habituated with little warm clothes. Last but not the least was the set of difficulties arising out of natural reasons. During the entire rainy seasons the villages were virtually inaccessible and the visit of the outsiders into the forests was totally prohibited by the Forest Department. The only seasons to undertake fieldworks were summer and winter. Moreover, in winter there was a considerable threat from the wild elephants which used to roam around the forest villages except the villages in the Buxa hill in order to eat paddy from the cultivated land of the forest villagers. During the period there were high chances of falling before a herd of elephants and so to avoid the problem we had to change the shortest route frequently while going from one village to another. Despite our cautious approach and repeated telling of the villagers about the criteria to combat the situation I met the tuskers thrice in my approaching road to another village. Though at those moments I forgot all the tactics told by the forest dwellers I had the good fortune of seeing those elephants moving away on their own. As a whole conducting the field study in forest villages was not a matter purely academic in nature!

5.3. Early field Trips

My early field trips, which started before preparing my synopsis, were both remarkable and resource full which contributed to reorient my approach towards the field and helped me to gain new insights about the practice of participatory forest management and the movement of the forest dwellers. I went to the field with a lot of preconceptions about those people and their day to day practice of living. Before visiting to the field I met several forest officials at the Divisions and the State levels. Most of them strongly believed that the forest dwellers were largely

associated with the forest thefts and the upliftment of their livelihood conditions alone would keep them out of these kinds of practices. My next preconception was formed by surveying the vast body of literature on participatory forest management in India and from a few field based studies earlier conducted in North Bengal. Both the sources were largely relied upon the binary that if empowerment of the forest dwellers was not taking place through the participatory forest management then there was a problem of disempowerment of the forest communities. In a word most of the reviewed studies on participatory forest management at the national, regional or local level either engaged in proving that either the communities were being empowered through the success of JFM like the case of south West Bengal or being disempowered with the failure of participatory forest management such as the cases of central India or Uttar Pradesh. In my earlier field trips I got the evidences to interrogate both the perceptions. Firstly, I found that only a section of forest dwellers (not most of them) were involved in illicit felling of timber and there was no difference between relatively poor and wealthy forest dwellers in that practice. The main driving force behind those illicit logging cannot be ascribed to the level of poverty rather it was obviously the market forces and the communication with the market which made them involved with illicit felling. The basis of this understanding was my experience which I gained during my earlier stays in the forest villages which revealed the fact that the incidence of relatively high involvement of the villagers in illicit felling occurred in the road side villages in comparison to villages in the remote place. The Second thing that I found during my earlier trips was that despite the relative failure of the participatory forest management the villagers were in a good position in terms of bargaining capacities with the Forest Department, and were able to take independent decisions in respect to their day to day interaction with the forests and to protest against local injustices by the Department in an effective manner. I found the empowering role of the ongoing movement behind this kind of situation of the forest dwellers on which none of the studies so far had concentrated. Further in my earlier trips I came to realize the impact of a historic

movement by the forest villagers of Dooars during 1967. Though I came to know for the first time about the movement from the Karlsson's Book (1997) but from the sketchy picture of an about two and half pages of his report totally based upon his single interview with an activist of the movement I failed to realize the significance of it. In my earlier interaction with the forest dwellers I got glimpses of its horizon, extent and ramifications. It was then I had decided to reorient my focus on the matter to get a complete picture of the movement which now forms the subject of Chapter-4 of the present thesis. My earlier field trips undertaken several times eventually enabled me to finally select the villages under different divisions for my final fieldwork and issues for investigations to understand the problems of natural resource governance in North Bengal in the context of participatory forest management in India.

5.4 Targeted Field Trips

My targeted field trips can be divided into three phases. In the first phase I made several visits to the field to collect data about the movements and resistance of the forest dwellers since independence. I met with Mr. Ramesh Roy, the undisputed leader of the historic movement against *taungya* system along with other leaders and volunteers of the movement like Kalicharan Pandey, Prem Sharma, Tanka Bahadur Chhetri, Ganat Rava, Jogen Rava and Temba Munda etc. In order to get a clear picture of the movement in this phase I travelled almost 15 villages and some of which I visited more than three times. In this phase I first went to the virtually inaccessible hills in the upper Buxa region adjacent to the Bhutan Border. I met people even older than the 100 years of age and interacted with the villagers from different tribal communities. I became astonished during my field visits by the fact that while of some villages were not acquainted with the ongoing forest dwellers movement almost all the villages and each and everyone knew about the past movement against *taungya* and about the well known leader Ramesh Roy. Besides

the historic movement I came to know about many local resistances that took place in between the past and the present movement. The most notable among those were Orange Orchard Resistance in Buxa Hill under the BTR (east) Division and resistance to acquire loading/unloading rights of the forest dwellers in forest Depots in Jalpaiguri and Coochbehar Division. In this period I came to know that the Panchayat system was introduced too late in the forest villages i.e. in 1998/99 and the villagers in BTR (West) and Jalpaiguri Divisions organized resistances to bring about the system. After gathering of data about the movement and local resistance I turned to the next phase of data collection. In the second phase I conducted seven focus group interviews in the seven forest villages in the four forest divisions while taking two focus group of each division at a stretch. I stayed for two to three days in each village to conduct the focus group interview. From those interviews I understood several issues relating to forest management and the eco-system and certain facts about how people remained unrepresented so far, like the issues of contract system in forest plantation under National afforestation Programme (NAP), matter related to spacing between the seedlings and the problem of forest maintenance etc. In the third phase I conducted household survey of 70 households in those seven forest villages taking ten household on the basis of random sampling from each village under study. For household survey I had to spend more times than the focus group interviews and I rented room for 15 days in nearby urban centres of each forest division like Alipurduar, Rajabhatkhawa, Gairkata etc. Only in the Buxa hill I stayed in the village like Santra bari and Lepchakha as there were no nearby urban centres. For BTR (West) I hired a motorbike and for Jalpaiguri Forest Division I took my own motor bike and in Coochbehar and BTR (East) Divisions I conducted the surveys on foot. With these household surveys the picture of participatory forest management in the District became quite clear before me. Though I prepared the final schedule after conducting five pilot surveys in three divisions during the final survey I realized the inadequacy of my final schedule to grab all the dynamics around participatory forest management. To overcome the problem I took several notes in

my field note book of the additional points. However, everything was more or less OK until an unfortunate incident took place in this last phase of targeted field work. When in the month of October, 2009 after conducting twenty household surveys I was returning back from the Jalpaiguri Forest Division with my motorbike to my place of residence which was hundred kms away I lost my field bag containing those schedules, field note book, rechargeable batteries for camera and so on. Actually I kept the bag in the side hook of the motor bike and on rough road I could not recognize when the bag fell down on the busy highway. Later I went back almost half of the way asking roadside shops and people about the bag but no one could tell anything. Lastly I lodged FIR in two police stations namely Bhaktinagar and Rajganj Police Station----- but even after months they were not able to trace it.

5.4. Most Recent Field Trips

I was completely upset for a month after that unfortunate incident. But eventually boosted up myself and again randomly selected 10 people from the voter list of each village following the earlier sampling method and took departure for those two villages for survey. Except one respondent at khuklung Basti Forest Village the entire set of respondent was new. I spent another 5 days to finish my survey. This time the survey took place quickly as in case of many questions in my schedule I got familiar about their pattern of answers from the experience of the earlier survey. Even I became familiar from the earlier survey with certain specific Rava words and expression while answering the same questions. Moreover a few respondents of the new sets were present in my interaction with the respondent's of the earlier survey. Besides, when I told the unfortunate incident the villagers became more cooperative and extended their cordial help to finish my last part of the survey.

5.5. Interviews

For conducting interviews I constructed semi-structured questionnaire for key informant's interview, structured schedule for household survey and questionnaire for focus group interviews. Besides, I made use of separate field note book for each forest division to note down points in interviews. In addition to the 70 households' survey and 7 focus group interviews I have taken more than 60 unstructured or semi structured in-depth interviews including the key informant's interviews. However, while undertaking interviews I have gathered so many unique experiences. I can remember that during my earlier field trips when I met Ramesh Roy for interview I found that he was speaking so fast that I could not note down all the points. I felt the necessity to keep a sound-recorder to avoid the loss of data. Soon after the trip I went again to Ramesh Roy with an old model big size tape recorder and recorded his speech but it was too uncomfortable to carry and inadequate (cassette system) to record a long interview. Hence, I bought the Sony IC Recorder to keep records of all important key informants' interview and the focus group interviews. The Recorder proved to be worthy particularly when I took interview of Abhilac Thakur, who was one of the activists of the 1967 movement from the Student Block (The Student wing of the Forward Block Party) and now is serving as a priest in the Church of North India (CNI). When I went through the approximately two pages incomplete description of the movement in Karlsson Book's 'Contested Belonging' based on his interview with Abhilac Thakur I found something wrong in that interpretation by Thakur what I could not match with several interviews with other leaders and activists of the movement. Therefore I asked Thakur that whether he told Karlsson that the June, 1971 incident of killing five forest villagers at Gossainhat by the Police was an accident as written by Karlsson (See Karlsson, 1997:125) or it was the natural revenge by the Department against the villagers participating in a movement against the taungya system. Mr. Thakur answered me that he never used the term 'accident' to describe the event rather he termed the June,1971 event as a 'co-incident' of the

villagers movement against the Department and the involvement of the police into that which resulted in the death of five villagers. Thakur further continued that due to language problem perhaps the 'Shaheb'(Karlsson) misunderstood his expression. The Recorder became useful again in taking interviews of the then District leadership of Forward Block and the activists, organizers and leaders of the 1967 movement. Against the scarcity of the documents the recorded interviews helped me a lot to get a picture of the entire happenings. However, I gathered also some of the unique experiences while conducting interviews of households in Jalpaiguri and Coochbehar Forest Division where forest villagers either are engaged in forest operation and forest related activities or engaged in cultivation of their land almost all along the year due to having some sort of irrigation facilities or natural reservoirs of water, the villagers used to away from home within 7 O clock in the morning and returned back during 3 O clock in the after noon. In these cases I got very short time for interviews as a part of my household survey as I merely got the period between 3.30 to 6 pm. After that villagers used to engage in dinner and sometimes some of them also became intoxicated in the evening. As a result I had to spend a long time to finish my targeted interviews in those divisions. The time was so scarce that even I had to conduct a focus group interview by breaking it into two days. The other memorable experience during key informant's interview was my journey from Garo Basti to Godamdabri Forest Village in BTR (West). In the shortest route there was a river on the way which we had to cross otherwise we (me and one of the forest villagers) would have to move additional 22 kms to reach our destination. Therefore we decided to cross the river Dima through the hired motor bike but unfortunately in the middle of the river the motorbike got stuck and both of us fell down into the river. Thereafter with the help of local villagers we were rescued finally along with our bike and cancelled our programme on the day. The most exciting experience during interviews took place at Lepchakha in the upper hill region of Buxa. The village was closely adjacent with the Bhutan Border and few years back in the joint venture of Indian Army and Bhutan Army against KLO the village was considered as

one of the war spots. There was a SSB outpost in the entrance of the village from which each outsider had to get permission to enter into the village. During my first visit to the spot I was sternly refused by the SSB officer to undertake any interview of the villagers despite showing my Identity Card. But I had nothing to do as the village was selected as a sample of my study while taking account the participatory forest management and resistance together as a criteria of selection. Therefore in my next two subsequent visits in the village I kept my purpose of visit confidential and registered myself as tourist and travel as my purpose of visit in the SSB Check Post. However they were suspicious about my intention and followed us (me and interpreter from Rajabhatkhawa) insistently during my final survey. We stayed there for three days during the final survey and conducted interviews in a hide and seek manner. In spite of our cautious attempt to conduct interviews in the earliest in the morning i.e. in between 5 am to 6am in the morning and 7pm to 8 pm in the evening we were caught red handed by the SSB personnel though nearly at the end of our survey. The personnel snatched our all filled-up schedules and camera but as the villagers were impressed they protested against that and strongly demanded before the personnel to get back all the things to me. Finally due to their stiff resistance the men came down and returned the schedules and camera back to us. However we did not face any difficulty to get interviews in the next two villages after that very incident.

5.7 Observation

During the field survey I came to fully appreciate the meaning of the term 'Observation'. Some struck me very much and some such I captured in my Canon Digital Camera. In persuasion of the research I went for the first time to forest villages and got acquainted with the day to day living of the forest villagers amidst tremendous hardship. Moreover one cannot ignore the scenic beauty of the forest villages surrounded by lush green forest cover, sparkling hilly streams and narrow

rivers. Staying in those remote forest villages was indeed a rare opportunity to feel at home with nature and its people and to see things from an insider's perspective which was quite impossible from a day's visit for tour purpose. I visited so many forest villages and their surrounding places which were still virgin and remained untouched by the crowd of urban visitors and though they had lot of potential to become ideal tourist spots. I saw how the beautiful forests were being robbed daily to meet the demands of the urban market. Many things I have seen on the spot which have not been inserted into the thesis proper given the scope of the themes and objectives of the chapters. I found that women are more involved than their male counterparts in the collection of firewood that may be or may not be for their own household purposes. Several stacks of firewood sold out daily to the shops, hotel, small industries and brick factories in the nearby urban centres. Male are mainly involved in large scale felling of the timber used to be sponsored by timber mafias of the town. I became surprised to see how the illicit logs were sold and auctioned openly before the eyes of the Forest Department. I came to know from a Beat Officer that how fake forest raids were conducted by the Department on spots where some of the logs were piled up plan fully and in the very next day the news paper reported that some cubic meters of illicit timbers were recovered but no persons could be arrested. I came to know how corrupt forest guards whistled at night during petrol in a prearranged manner not to warn but to intimate the dishonest forest villagers that they were leaving that place and it was time to cut down the trees from that compartment. But this was not all and there of course was the other side of the coin. In one interview of a key informant an age old Rava forest villager under Jalpaiguri Division who had served the Forest Department as a village Mandal since 1965 I faced an embarrassing situation when he broke into tears while telling about the forest theft saying that "how can I bear theses things as I have been planting those trees since 1967 and nurturing those like my child and I

recommend that the current provisions in the Law should be changed immediately because if a person can be imprisoned for 14 years for killing a life then why it is for only two years in case of cutting and killing a tree". I have seen also other remarkable things in a forest village under BTR (West). In the context of scarcity of firewood a villager innovated a special kind of "Chullaha" which could hold its steam only with the one piece of firewood whereas it takes three to four pieces in case normal Chullaha. The special kind of Chullaha became popular in the place though could not cross the boundary of that village. I also found another innovation in the cultivation of 'Saji/Mukhi Kanchu (*Colocasia esculenta*) as a successful species of intercropping in the very context of climate change, elephant attack and increasing price of chemical fertilizer which I have discussed in detail in the Chapter-3. On the contrary I found the failed experiment of the Department in introducing citronella as a species of intercropping. It failed because earlier Elephant did not even touch the species but now days they have changed their food habits and uprooted the citronella grass regularly. Despite the fact when I asked the officer of MFP Division at Khuntimari that why not you are replacing the citronella with the saji/mukhi kanchu, he remained unanswered. In so far as the elephant attacks are concerned the villagers told that the Department often suggested for cultivating alternatives like Oal, lemon etc but if we left paddy cultivation then how could we gather our food for living. I found how in the entire forest villages the experiments of the Department with electric fencing or cutting trench to stop the elephant to enter into villages have failed miserably and how presently the Department has agreed to accept the indigenous method of driving away the elephants by watch towers locally known as 'taung' and prescribed in some villages to construct 'pakka' taung from the FDA fund as the wooden 'taung' constructed by the villagers were often destroyed by the elephant. In one of the forest villages namely Khuklung I got interesting information about how the elephants used to destroy the barrage in the nearby river every year.

During one of my trips I saw that the entire cultivable land in a side of the village got flooded by the water. When I enquired about the fact the villagers told me that it is a regular event of the year and it took place because after the rainy season the elephants used to play on the barrage of the river and due to their playing it got damaged and the water of the river came out and caused flood. In the next morning I visited the spot and saw the terrific sign of the elephant playing on the barrage from a comfortable distance. Further I found that how the Ravas are leaving their traditional instrument of fishing like 'Jhakai', 'Burung' etc and adopted the 'Fasi Jal' (an unique kind of net for fishing which can be extended according to one's wish' and more importantly no one would have to play any role to catch fish through the net instead one can lay the net at night into the river and the next morning a number of fish would be found stuck in that net) from the Muslim communities. When I asked them that why they have changed their habit they replied that presently as a result of the shortfall of rain together with the other factors the biomass of fish has been declining in the river and in this situation they can merely catch one or two fish with their traditional instruments at a stretch which could not assure sufficient income against their labor-time. One interesting thing I found as a problem was that in all most all the forest villages the grazing became counter productive to the agricultural practices of the villager. The most memorable and historical things what I saw in my field trips were related to the movement against taungya which took place during 1967 to 1976. Since there was nothing like systematic documentation of the historic movement except the proceeding of the High Court Case in 1976 I had to depend entirely on the accounts of key informant's or on oral history to construct the phases of the movement. In this context two things that I observed at Gossainhat forest villages helped me a lot. The first thing was the monument of martyrs who died on 10th June, 1971 before the police firing in that village during the movement. In the first phase of oral interviews there were so many confusions

regarding the date and year of police firing and the name of the martyrs but all the problems became solved after viewing the monument where names of the five martyrs were inscribed along with the date and year of the incident. The next thing was a 'Putul Nanch'(Doll's Drama) which was devised by a local villager after the brutal murder of those five villagers in the movement. The show contained the story of slavery of the forest villagers during taungya and their torture under that system by the Forest Department and also a brief story of the movement that occurred in that part of Dooars. When I heard from the older villagers that several shows of that 'Putul Nanch' were organized during 70's and early eighties I made a contact with the person and requested him to conduct the show again and offered him that all expenses that would be required. The villager agreed on one condition that he would play the show again only on the 25th December night when they would celebrate the occasion of X Mass day. By religion the whole Rava community of the village belongs to Christianity and he was one of them. Finally I agreed and went to the village amidst the severe chill of the wintery night of December. I recorded the whole show and later I got several clues from it while preparing the political history of the movement. Besides, my observation shares both the painful experience of jeopardizing the essence of participatory forest management by the Forest Department as well as the heartening experience of few SHGs with the initiatives of the forest villagers which I have registered in Chapter Three.

5.6. Documentary Research

Besides the field work I have collected a lot of primary documents from different places. Most notable among them are the Report on Agro-forestry in India and Sri Lanka from FAO library in Rome, an older article on Taungya Based Intercropping in North Bengal from the archive of the most reputed journal Indian Forester from Dheradun, a study on Taungya in relation to Soil Properties, Soil Erosion and Soil

Management from the library of Kerala Forest Research Institute at Thrissur, the Calcutta Gazette from West Bengal State Secretariat library at Writers Building, Kolkata, West Bengal State Forest Reports from 2000 to 2008 from the library and archive of the West Bengal State Forest Department at Aranya Bhavan, Salt lake in Kolkata, Writ Petition of a case in 1976 from the High Court of Kolkata, Documents on current movements from the regional headquarter of NFFPFW at Siliguri, Annual Reports and Working Plans from the Divisional Headquarter of different forest Divisions, Annual organ of the North Bengal Timber Merchant Association published in vernacular in between 1971 and 1983 from the former President of the Association at Alipurduar and older news clippings of different news papers from the Centre for Himalayan Studies at North Bengal University, Darjeeling etc.

5.7. Data Analysis

In so far the data analysis is concerned while analyzing the quantitative data I at first classified data on the basis of relative priority in respect to my research questions which I have collected from primary sources and field surveys. After that I made use of basic tables and frequency tables to explore causal propositions between variables in tables. Further to understand the association among variables and elaborating their relationship in few cases certain figures and diagrams has been made. In this analysis of quantitative data I had recourse to statistical software like SPSS. For qualitative data analysis I have prepared transcripts from the individual and group interviews. From those transcripts I have done theme based classification of data and interpreted them to understand the relationship between concepts and categories under study. It is required to be mentioned here that in analysis of qualitative data obtained from group interviews I have only relied upon the point of consensus over issues among the members of a group and never made use of mere

opinion of a single individual which has been contested by the other members of the group.

6. Synoptic review of the Study

As some sociologists have pointed out we are all inhabitants of a risk society. The natural scientists have supplied innumerable evidence of the fact that most of the risks are man-made such as green house effect, global warming and mutant bacteria. There have been prophesies of doom, of nuclear holocaust, of ice age, floods and earth quakes. Panicked as we are, we have been told to live lightly on nature, reduce emission, limit energy use, regenerate forests and preserve biodiversity.

Political theory has not fallen much behind in adopting the theme of risk society and the possible correctives. Announcing that environment is political the green political theory arrived in the academia in 80's of the last century. Undoubtedly political power as codified in rules and laws and as embedded in institutional practices, both prescribes and proscribes certain practices, that preserve or destroy eco-system which can not be ignored in any effort at environmental management. Hence environment and forestry of late have attracted the political scientists as matters of academic interest. The present work is a product of such an interest.

In the West the conservationist lobby had often created a demand for removing human habitation from forest ecosystems in the name of preservation of wilderness. Not that such demands went unopposed but in a country like India where for centuries people have been inhabiting forest areas and where much of the forest resources belonged to the category of tropical forest, the idea of wilderness as a tool of conservation cannot find and has not found many supporter among those who are influenced by the idea that forest ecosystem could be better preserved by increasing the livelihood prospect of the forest dwellers in a manner where they are

not compelled to destroy forest resources out of poverty. As a result new forest policies since the 90's introduced Joint Forest Management practices where forest dwellers as member's of Forest Protection Committees (FPC's) and Eco Development Committees (EDC's) etc. get more monetary incentives or community assets through forest protection activities. Subsequently Ministry of Environment and Forest (MoEF) and Ministry of Tribal Affairs (MoTA) came out with Forest Right Act (FRA), 06 which was partially implemented across states since 2008 that promised land ownership rights and community rights to forest villagers under certain conditions. One might say that over the years the importance of participatory forest management strategies for protecting the environment in general and the forest ecosystem in particular has become firmly established.

The present thesis interrogates the practices of participatory forest management strategies with reference to the nature and extent of empowerment of the forest villagers who are both targets of strategies of forest management developed by the global and state agencies as well as the participants who both cooperate with the imposed framework and resist it by either modifying it or by attempting to transgress it. We have undertaken extensive field studies in the Dooars region of West Bengal covering many forest villages across Jalpaiguri District that contains four territorial forest divisions viz. Jalpaiguri Forest Division, Coochbehar Forest Division (Wildlife III), Buxa Tiger Reserve (West) and Buxa Tiger Reserve (East) Division. Apart from examining in detail the implications of Joint Forest Management strategies for sustainability of forest ecosystem and empowerment of forest villagers we also covered the ongoing movement of the forest villagers developing in intensity since 90's in the Dooars region which with their demands for community forest governance had a resonance in the FRA, 06. However, in our thesis we had to go a little deep into the history of the present movement which had an origin in an old movement against taungya system in the

region that began in 1967. Since that part of the movement was never researched historically with the seriousness that it deserved we would have like to study it more intensively but for the fact that our interest is less historical in the present work. Nevertheless we have found evidence of continuity between the two movements and their relevance in designing any viable and sustainable forest management strategy.

7. Conclusion

The present chapter has attempted to connect certain subjects like sustainable development and forest management to the core concept of power with which political scientists are more familiar. The chapter has established a link between the concept of empowerment and participatory development in the context of forest management in the forest rich area of West Bengal especially the Dooars region of North Bengal famous for its wildlife and ecology. We have further learnt in this chapter that this region is both a laboratory of forest management practices like Forest Protection Committees and Eco Development Committees and also an action-centre of social movement of forest dwellers in North Bengal. Finally we were introduced to two different dimensions of empowerment, the empowerment from above and the empowerment from below which have been taken up for further analysis in the subsequent chapter.

Chapter-2

Sustainable Forest Management: Evolving Framework, Practice and Empowerment from the Above

1. Introduction

The present chapter has been divided into 8 sections. Acknowledging the fact that contemporary debates on the practices of environmental and forest management has by and large followed the global discourse of development we have touched upon this under section number 2. Section 3 and 4 focus respectively on post colonial forest management in India and sustainable forest management practices in India including different participatory frameworks of forest management as well as different programmes. Section 5 looks at institutionalization of participatory forest management in the Jalpaiguri District of West Bengal. Section 6 provides a general account of sustainable forest management in India with special reference to the North Bengal scenario under the Xth plan period. Finally section 7 introduces the problem areas within the framework of sustainable forest management and section 8 concludes the chapter.

2. The Global Dimension of Forest management

Large-scale destruction of forests along with increasing exploitation of natural resources alienated human being from nature both physically as well as spiritually. The growth oriented model of development resulted in climate change involving emission of green house gausses, acidification of soil and water, land use changes, land degradation, desertification, biological invasion of exotics and biodiversity depletion. All these forms of environmental degradation led to breakdown of natural ecosystems and threatened the very base of survival. Under the circumstances, new efforts were made in order to restore equilibrium between man and nature. The growing concern over environment was substantiated by attempts to redefine the

concept and practice of development. Following the Earth Summit held in Stockholm in 1972, Bruntland Report was published in 1987 which sought to give a new direction to the process of development, commonly known as sustainable development. The Report recognized that the natural resources are not inexhaustible and therefore the development process should be aimed to meet the needs of the present generation without compromising the ability of future generation to meet their own needs. Hence, to fulfill the broad objective of sustainable development conservation orientation of natural resource governance became imperative. This notion of sustainable development rapidly gained interest among international community, policy makers and shortly became a world wide accepted phenomena. As a result, the last part of the 20th century saw the beginning of the shifting attitude and practice from the earlier regime of revenue generation to the conservation orientation in the management of natural resources.

In this context, driven out by the global concern over the necessity of preserving the forests to meet various needs like absorption of green house gases and the regulation of hydrological flows on the one hand and the continuous destruction of natural forest cover leading to various adverse effects within the country like top soil erosion and sedimentation of rivers and exacerbated flooding on the other, the Government of India (GoI) adopted the National Forest Policy, 1988. The policy attempted to bring about a healthy balance between the environment and development while ensuring effective peoples participation in forest protection and conservation and thereby laid down the basis of institutionalizing SFM in India. The policy made a significant departure to the management of India's vast forest resources as it replaced the earlier strategies of 'sustained yield' in the management of vast forest resources. A radical shift in orientation and attitude took place from economy to ecology, from revenue generation to conservation, from bureaucratic concentration to collaboration in resource governance. However, to understand the current praxis of SFM throughout the country it is worthy to have a brief overview on

the earlier management practices as evolved historically in its content and form and prepared the context of institutionalizing SFM in India.

3.1. Forest Management Prior to SFM in India: A brief overview

Scientific management of forests started in India in the later half of the nineteenth century under colonial rule. Activities of conservation, regeneration, development of forests and utilization of forest products used to be carried out in accordance with the approved working plan prescriptions. For quite a long time, the ruling objective of management had been 'sustained yield' of timber. Rights of the ecosystem people however did not receive any importance. The sole stakeholder of the management was the state. After Independence, the modus operandi of forest governance remained same with certain discontinuity with the colonial legacy. National Forest Policy of 1952 recognized the ecological and environmental aspects of forest management. The 1970 saw the initiative to make people participate at least in the domain of 'social forestry'. During 80's the paradigm shift took place in the management from economy to ecology while making greater space for rights of the community. All these factors contributed in the making of 1988 policy-the cornerstone of SFM in India.

3.2. Forest Management in India under British rule

Forest governance in India used to serve largely the developmental interests of the colonial power before Independence. In the overall framework of governance forests were viewed as 'an obstruction to agriculture and consequently a bar to the prosperity of the empire' (Ribbentrop 1900, cited in Guha, 1992:120) and thus strategies were taken to expand agriculture at the cost of forests. However, within the domain of forest governance it was considered mainly as a site for revenue generation and commercial exploitation of timber including the meeting of demands for strategic needs in the name of 'general well being of the country'. Nevertheless, at the same time the concern for maintaining adequate forests primarily to preserve

the physical-climatic conditions and secondarily to fulfill the needs of the rural people was expressed in the first forest policy of 1894. The policy contained that:

1. The sole object to which the management of forests is to be directed is to promote the general well-being of the country and
2. The maintenance of adequate forests is dictated primarily for the preservation of the climatic and physical conditions of the country and secondly, to fulfill the needs of the people. (Kishwan *et al*, 2007:19)

These expressed concern, for maintaining 'physical climatic conditions and fulfilling the needs of the rural people from forest, was the product of 'Scientific management of forest introduced by Brandis as he was fully aware of the multiple functioning of forests in meeting varieties of needs. But despite the recognition of the role of forests in meeting different category of needs as substantiated by the Indian Forest Act of 1878 under classification of forests into Reserved, Protected and Village forests. The colonial system of governance never viewed forests as common space as a whole for catering diversifying needs rather as a state property. It was thought to serve three different objectives of revenue generation, maintaining physical-climatic conditions and fulfilling the local needs of the rural people separately on priority basis according to the share of each element in determining the progress, prosperity and maintenance of the status quo of the empire. Accordingly the British was never concerned in combining those three different considerations namely the developmental interests, environmental necessities and local needs as well as rights of the people into a single thread of action in its praxis of governance rather viewed them mutually exclusive concerns. Thus, it imported its strategy of 'divide and rule' form social domain to the natural domain of forest. The manifestation of this strategy can be viewed in its policy of 1894. 'As per the policy, forests, being state property were broadly classified under four headings namely, Forest for Preservation, Forest for Commercial purposes, Minor Forests and Pasture Lands. Though, the aim of this policy was to manage state forests for public benefit, certain regulation of rights and restriction of privileges for the use of forest by the neighboring populations was provided in this policy'. (NFC Report, MoEF, 2006:27)

However, this approach of balancing three different concerns namely commercial, ecological and rural needs in policy get jeopardized in practice as the 'priorities of colonial forestry were essentially commercial in nature. This trend was reinforced by the financial crunch faced by the government following the revolt of 1857, which kept every department on its toes. At periodic intervals, government committees asked the forest department to generate even more revenue, and from Brandis onwards senior officials had to justify the activities of the department on commercial grounds'. (Stebbing 1; cited in Guha, 1992: 141) This mode of governance of satisfying the state priority of meeting 'twin demands of commercial timber and revenue' at the cost of the natural forests produced mainly three fold negative ecological impacts on ground such as

1. It enforced a separation between agriculture and forests.
2. Secondly, it resulted in erosion of traditional control and management of forests along with community rights over it and thereby destroyed the eco-friendly livelihood pattern of the communities by alienating them from forests.
3. Thirdly considering the large timber as the sole source of revenue it destroyed natural 'shrub forests' in favor of economically valuable species causing damage to species diversity.

3.3. Post Colonial Forest Management in India

After independence, the praxis of governing forests was marked by both continuity and break with the earlier regime of management. In 1952, a new National Forest policy was enunciated which for the first time laid stress on having at least 33 percent of land area of the country under forest cover along with the need for wild life conservation. The policy was formulated because of 'six paramount needs' as identified by the policy makers. (See Text Box 2) However, the legacy of colonial management continued on several count including its focus on sustainable timber production while ignoring the concern for species diversity as well as the production of Non-timber forest products (NTFPs). In spite of it, the management of forests at

the same time marked by a significant departure in terms of both its content and form as manifested in exploring new areas of action under a new socio-economic and political context. The legacy and departure both were expressed in the policy statement in the first independent National Forest Policy of 1952. The policy maintained that 'While the fundamental concepts underlying the existing forest policy still hold good, the Government of India, consider that the need has now arisen for a re-orientation of the forest policy in the light of the changes which have taken place since it was enunciated.'⁷

Text Box 2: National Forest Policy, 1952

National Forest Policy 1952 is formulated on the basis of six paramount needs of the country

1. The need for evolving a system of balanced and complementary land –use , under which each type of land is allotted to that form of use under which it would produce most and deteriorate least;
2. The need for checking-
 - a. denudation in mountainous regions, on which depends the perennial water supply of the river system whose basins constitute the fertile core of the country;
 - b. The erosion progressing space along the treeless banks of the great rivers leading to ravine formation, and on vast stretches of undulating wastelands depriving the adjoining fields of their fertility;
 - c. The invasion of sea sands on coastal tracts, and the shifting sand dunes, more particularly in the Rajputana desert;
3. The need for establishing treelands, wherever possible, for the amelioration of physical and climatic conditions promoting the general wellbeing of the people;
4. The need for ensuring progressively increasing supplies of grazing, small wood for agricultural implements, and in particular of firewood to release the cattle dung for manure to set up food production;
5. The need for sustained supply of timber and other forest produce required for defence, communications and industry;
6. The need for the realization of the maximum annual revenue in perpetuity consistent with the fulfillment of the needs enumerated above

Source: Appendix III, Ministry of Food and Agriculture Resolution, 1952NFP¹

Like the earlier one (1894), The policy (1952) proposed more or less similar functional classification of forests into 'Protection Forest' for preserving physical and

¹ <http://www.kerenvis.nic.in/legislation/National%20Forest%20Policy%201952.pdf>, Accessed on 14/05/07

climatic conditions of the country, 'National Forest' to meet the needs of public importance such as defence, communication and industries, and 'Village Forest' in order to meet several local requirements of the rural people. It viewed 'National Forests' as the 'basis of India's strength and wealth' and advocated that "They have to be managed chiefly in the interest of the nation as a whole, and their organization and development is one of the most important functions of the state'. Anyway, there was a tiny break within this overwhelming legacy in that policy expressed in the idea of 'Tree lands' outside the regular forests for amelioration of physical and climatic conditions of the country. This approach of 'Tree lands' aimed to extend forest cover in the public land which achieved as a result of land transformation programme with a concerted and supreme effort from different government departments, educational institutions and local authorities.. This new concept in rhetoric of policy gave birth of extension forestry in reality and extend the scope of forestry outside the regular forests which was completely absent under British rule. In this way, the 1952 Policy recognized the need for a balance between the productive and protective functions of forests.

As far as the legacy is concerned, the praxis in governing forest in this phase under new context claimed a reorientation in its strategy, which shifted the earlier emphasis of meeting strategic imperial needs in favor of demands from the commercial-industrial sector. On the one hand state subsidies was introduced in supplying forest raw materials to the wood based industries and on the other financial incentives were provided to state governments to take up industrial plantations of fast growing commercial species. This was popularly known as 'industrial forestry', which like the British legitimized further extraction of forest resources to serve developmental interests. This promotion of industrial forestry, however, was the product of the overall governing process of the country as imbued with the ideology of modernization as initiated by Nehru where industrialization was seen as the vehicle of development. The primacy of growth oriented model of

development in the over all planning process in India led the policymakers in approaching the forests merely as a resource which can be exploited for the sake of developing the country into a 'self-reliant' economic power. The urgency of increasing growth rate at any cost affects the forests along with the other sector negatively much higher than the colonial period. In the name of higher production this even violated normal silvicultural norms of selective felling and 'abandoning the "cautious" approach of conservation forestry' by 'replacing the natural stands with stands of fast growing species'. (Gadgil, 1991:57) As a result when 'by mid-60's the supply of raw materials to forest based industry' 'was running into difficulties' the urgent need for higher production suitable to the demand was felt in the forest sector by the policy makers. This suitability approach in higher production abandoned the earlier method of 'selective felling' in favor of the programmes of 'clear felling' in order to meet the growing demands of the industrial and commercial sector. Thus by putting aside the working plan it transformed the valuable mixed-species forests into exotic monocultural forests like 'Eucalyptus' and 'Teak' which destroyed the diversified character of our forests to a great extent and undermined its environmental potentiality. This supplementary development in the orientation from conservation forestry to production forestry was expressed in the Report of the National Commission on Agriculture on 'Production Forestry...Man-Made Forests' released in 1972. The 'main thesis was that the contribution of the forestry sector to the national product has been extremely negligible, the average gross revenue being Rs 21.50 per hectare and employment only 0.2 per cent of the rural working force, whereas forests, if properly rehabilitated and scientifically managed, have a very high potential both in regard to production as well as employment.' (Sagreiya, 2000:222) Thus, both in its content and form the forest management in the first phase in independent India was characterized mainly by meeting of developmental demands arose from the industrial-commercial sectors well fitted with the growth-economy.

However, the overwhelming legacy of the British continued as far as the community rights of the ecosystem people are concerned. Forest communities were viewed 'as the driving force behind deforestation' and their customary rights and control over the forests were jeopardized as the Policy continued, 'Village communities in the neighborhood of a forest will naturally make greater use of its products for the satisfaction of their domestic and agricultural needs. Such use, however, should in no event be permitted at the cost of national interests, the accident of village being situated close to a forest does not prejudice the right of the country as a whole to receive the benefits of a national asset.' (NFP, 1952) Thus, the exclusion of the community from their resource base was legitimized in the name of 'national interests'. Following the policy to establish the monopoly rights and increase governmental control over the forest, Forest Departments across states established 'depot' where villagers could receive firewood, grasses and other minor forest produce at subsidized rates. The system was designed to exclude 'rural resource user from managing the mode of production, undermining their existing rights, responsibilities, and incentives to increase productivity of the resource base'. (Poffenberger and Singh, 1996:61) Moreover, with the advent of the commercial forestry following the Policy and the consequent loss in forest cover 'the forest communities have experienced a progressive loss of control over their habitat'. (Guha, 1983:1891) All these factors led to the series of local resistance against the Forest Department throughout the country in the fifties and sixties.

Besides, though less obvious, there was the other side of the coin which marked a departure from the earlier legacy of forest management. The policy makers, biased towards 'industrial forestry' or 'production forestry', were also simultaneously aware of the increasing loss of forest covers resulted soil erosion, erosion in river bank, denudation in mountainous region and invasion of sea sands on coastal tracts and consequent floods, storms and other natural disasters which threatened 'the interest of economic and physical welfare of the whole country'.

Therefore, the concern for maintaining adequate forest cover was expressed in the 1952 Policy that 'India as a whole should aim at maintaining one-third of its total land under forests.' Under the circumstances, the solution was found in the extension of forest cover outside the regular forests, which invoked the concept of 'Tree-land' in 1952 policy. The framers of the First Five Year Plan recognized this scope for extension in three directions i.e. 'afforestation to prevent soil erosion, the extension of tree lands and the establishment of village plantations.' (Tewari, 1983:24) Nevertheless, two important considerations acted as a bottleneck behind the implementation of the strategy on the ground. The former was the high cost assumed to be involved in this extension whereas in the states, forestry did not receive adequate priority in the allocation of funds and central assistances were far below to achieve the required target of 'afforestation of at least 1,52,027 sq. miles'². The only possible solution was found by the policy maker to involve local people into the programme as they realized that 'it is possible through people's co-operation to meet approximately half the expenditure of raising new plantations by way of voluntary labor (Shramadan).' (ibid:26) The first ever attempt of this kind of extension came to realize in 1950 with the introduction of Vanamahotsav, an annual festival of trees which was inaugurated to create 'tree -consciousnesses among the people under an arrangement of cooperation between the Forest Department and the people. The basic objective of the programme was 'to popularize the planting and tending of trees in farms, villages, municipal and public lands for their aesthetic, economic and protective value.'³ However, the programme failed to involve people and became a mere annual ritual of the government. The next attempt of 'extension forestry' by involving people came into being in the form of a centrally assisted scheme namely 'farm forestry-cum-fuel wood plantation' under Third Five Year Plan (1961-66) in order to meet the twin purpose of raising plantation on waste land and to fill up the shortage of fuel wood in the country. A grant of Rs. 363 lakhs was made

² Interim Report on Social Forestry, 1973, NCA, GoI, New Delhi

³ Ibid

for the purpose. The scheme proposed to raise fuel wood trees on village commons, boundaries of fields, road side wastelands or railway lines etc. with the active cooperation of the villagers. The scheme was continued in the State Sector until the Fourth Five Year Plan (1969-74), but without any separate quantum of Central assistance for the programme. As a result both in terms of raising plantations and involving farmers in the programme the scheme could not make much headway.

The initiatives of raising plantation by involving local people and village institutions like Panchayats, cooperatives, Schools found its first-ever greatest manifestation under the social forestry programmes during mid seventies and throughout eighties with the help of bilateral donors like World Bank, USAID, CIDA, ODA, SIDA etc. There were three fold considerations behind the background of social forestry. The first was the crude experiences by the policy maker about the impact of deforestation in the form of flood, drought, untimely rain etc along with the increasing international pressure to prioritize the environmental concern especially after the UN Conference on the Human Environment in Stockholm in 1972 in which India was a participant. Secondly, the simultaneous failure of the 'Community Development Programme' during 50's and 'Green-revolution' in 60's to uplift the condition of the poor which led the planner to emphasize the objective of social justice in the Fifth Five Year plan (1974-79). Against the background a national effort was needed for production and for meeting the minimum needs of the rural poor for fuel wood, rural housing etc. Thirdly, the failure of the 'plantation forestry' (production forestry) in regular forests' faced with a continuing crisis of raw material supply for the industrial woods to paper and pulp industries. It required a strategy to supplement harvesting from natural forests and the creation of man made plantations. (Guha, 92:189).

All these factors led to the beginning of the social forestry programme on a large scale only in 1974 where attempts were made to extend the forest cover into the non-forest land in the form of farm forestry, community wood lots and strip

plantations activities. Though in rhetoric it was seen as the solution to both the fuelwood and fodder crisis along with the objective of meeting the 'minimum needs' of the rural poor (See Text Box 3) and thus combating deforestation but in practice it was 'indistinguishable from "production forestry" on government land for the purposes of meeting commercial and industrial needs.' (Robinson, 1998:26) Consequently, the component of farm forestry became prioritized against the component of 'village wood lots' in almost each and every state under the programme. There were two fold reasons behind the success of farm forestry component. The first was the state promotion for fast growing industrial species over the others in the form of seedling distributions and secondly there was already a good demand in the local market for timber species especially for Eucalyptus as pole which created an opportunity for the farmers to realize profit in tree plantation.

Text Box 3: Objectives of Social Forestry

- | | |
|----|--|
| 1. | Fuelwood supply to the rural areas and replacement of cow dung |
| 2. | Small timber supply |
| 3. | Fodder supply |
| 4. | Protection of agricultural fields against wind and |
| 5. | Recreational needs |

Source: Interim Report on social Forestry, NCA, 1973, p-6

As far as the rhetoric of social forestry was concerned, it was a unique programme in its content and form as it attempted to cut down the legacy of forest management, though outside the regular forests, on several counts. In terms of its orientation, it was largest programme which prioritized the environmental concern over developmental interests unlike the former as it 'was originally conceived by the Indian government as a response to the forestry crisis and to accelerating deforestation in India.' (Sekhar & Jørgensen, 2003:11); In terms of its approach it was the first one to integrate the global and national concern for environment protection with the local need for forests produce which was beyond the earlier mode of governing the forestry sector. In terms of strategies in management it laid

down the 'foundation for microplanning or variations on that theme' along with 'Village Development or Community Forestry Committees' to ensure the 'meaningful people's participation in planning and management' as a new form of local governance of the forests. (USAID, 1990:7) This form of governance however was practiced later in the Joint Forest management during 90's under an institutional set up of Joint Forest management Committees as the basis of Sustainable Forest Management. In social forestry the policy makers admitted that to combat deforestation the priority of the local needs should be recognized in the forest management. National Commission of Agriculture expressed this in the Interim Report on Social Forestry in 1973 under the sub-heading of 'Why Social Forestry' which stated, 'In so far as reserved and protected forests in the vicinity of habitations are concerned, they are burdened with rights and privileges for supply of fuel wood, small timber, etc. to the villagers. There is reason to believe that, under the guise of these rights and privileges, there is quite a lot of clandestine removal of timber and fuel wood, which was marketed in urban and semi-urban areas nearby. The pressure on such forests is progressively increasing with the consequence that the existing valuable forest growth was being depleted. But providing fuelwood and small timber to the neighboring areas from the forests under the control of the Forest Departments should be considered as a service to the population. Accordingly, a part of the existing forests under the Forests Departments would also have to be so managed as to realize the objectives of social forestry.'(NCA, 1973:5)

Nevertheless, despite all those unique ingredients the programme failed to keep its stated promises in reality to recognize the environmental concern on priority basis while meeting the rural needs through community participation and thereby produced an uneven result which led the management inclined towards the dominant developmental interests determined by the industrial and commercial sector. This priority order could be seen in a govt. record mentioned by Tewari where it was found that till the end of 1980 the estimated industrial plantation was

2197 thousand ha., environmental plantation was 599 thousand ha., and the fuelwood plantation was 386 thousand ha. (Tewari, 1983:256) However, Most of the critics pointed out to 'the lack of people's participation; the disproportionate accrual of benefits to the rich farmer: and the lack of results in increasing fuelwood supply' in this programme but agreed that the success stories of India's social forestry programmes were largely concentrated in the farm forestry plantations. (Robinson, 1998: 17-19)

4.1. Sustainable Forest Management in India

The Forest Policy of 1988, the second forest policy after India's independence, was a significant departure from the earlier National Forest Policy of 1952. For the first time in the history of forest management, it set the ecological principles above the developmental priorities. Secondly, it emphasized on substantially increasing the forest cover and the productivity of forests in the country to meet national needs. However, the most distinctive feature of this policy was the creation of a massive people's movement with the involvement of forest dwelling communities within the 'Reserved Forests' including women 'for achieving the objectives and to minimize the pressure on the existing forests'. (Ravindranath & Sudha, 2004:3) The Policy 'kept ecology, environment and people on the top.....Soliciting cooperation of the people, caring for their bona fide needs and ensuring sustained availability of goods and ecological services from the forests, have become the strategies and tools of forest management. This in common parlance is termed as SFM'. (Kishwan *et al*: 26)

This philosophy of sustainability within the Policy was borrowed from the contemporary concept of sustainable development, which out rightly rejected the conventional growth oriented model of development. By setting, the agenda of environmental risk at the center with an objective of restoring ecological balance the concept of sustainable development sought to redefine the man-nature relationship

from a holistic approach and thereby argued for eco-centric stance instead of traditional anthropocentrism in order to achieve multiple objectives of development. Further, it integrated ecological and socio-economic factors to maintain the balance of bio social as well as biophysical world (De, 2005:6). Imbibed with this idea of sustainability the Policy of 1988 laid down its 'basic objectives' in the following manner:

1. Maintenance of environmental stability through preservation and where necessary, restoration of the ecological balance that has been adversely disturbed by serious depletion of the forests of the country
2. Conserving the natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, which represent the remarkable biological diversity and genetic resources of the country
3. Checking soil erosion and denudation in the catchment areas of rivers, lakes, reservoirs in the interest of soil and water conservation, for mitigating floods and droughts and for the retardation of siltation of reservoirs
4. Checking the extension of sand dunes in the desert areas of Rajasthan and along the coastal tracts
5. Increasing substantially the forest /tree cover in the country through massive afforestation and social forestry programmes, especially on all denuded, degraded and unproductive lands
6. Meeting the requirements of fuel wood, fodder, minor forest produce and small timber of the rural and tribal populations
7. Increasing the productivity of forests to meet essential national needs
8. Encouraging efficient utilization of forest produce and maximizing substitution of wood
9. Creating a massive people's movement with the involvement of women, for achieving these objectives and to minimize pressure on existing forests

The principal aim of Forest Policy must be to ensure environmental stability and maintenance of ecological balance including atmospheric equilibrium, which is vital for sustenance of all life forms, human, animal and plant. The derivation of direct economic benefit must be subordinated to this principal aim (SPWD, 1998:242-243).

In order to achieve those objectives the Policy adopted a 'new strategy' of conservation, which includes 'preservation, maintenance, sustainable utilization, restoration, and enhancement of natural environment' (Ibid::242). The strategy attempted to create a new system of collaborative governance between the Govt. and the forest dwelling community while replacing the bureaucratic centralization in the management of forests resources. It advocated for peoples participation in the resource management with a view of satisfying their needs for development by empowering them financially and administratively. Thus, the policy at first recognized the role of forest dwelling communities in restoring and conserving forests and attempted to integrate the modern knowledge and skills of the Forest Department with the traditional knowledge and experience of the local communities, and to evolve strategies for the joint management of forest.

4.2. JFM and Eco-development: A Participatory Framework

To translate this new policy into practice Government of India (GoI) issued a circular (No: 621/89/FP) on June 1, 1990 to the forest secretaries of all states and union territories providing guidelines for the involvement of village communities and voluntary agencies in the regeneration of degraded forests which commonly known as Joint Forest Management (JFM). This notification in 1990 'envisaged that the communities in lieu of their participation in protection and development of forest areas would be entitled to sharing of usufructs in a manner specified by the concerned State Forest Departments'. (Ibid: 256) The programme should be

implemented under an arrangement between the voluntary agency- NGO, village community and the State Forest Department. The principal features of this kind of participatory forest management programme are; setting up village Forest Protection Committees (FPC's), or Village Forest Committees (VFC's) establishing and monitoring of management plans by the forest department confining local use to grass and non-timber forest products and potentially a share of the income from the timber sold by the forest department. Besides, FPC/VFC another variation of participatory forest management was adopted in the Protected Areas of National Parks and Wildlife Sanctuaries where Eco-Development Committees (EDCs) were formed as another version of Joint Forest Management Committees (JFMCs) in order to divert biotic pressure from the Protected Areas. Participation of the local communities was sought for promoting sustainable land use practices and income-generating activities together with conservation of wildlife within a Protected Area. Actually this strategy of eco-development for India's Protected Areas was first mooted around 1990 by international NGOs such as the WWF which had been experimenting with it in Africa and the idea gained institutional support at the 1992 UNCED conference in Rio de Janeiro following which World Bank created a special fund called the Global Environment Facility (GEF). In consultation with the World Bank and international NGO's the Government of India identified possible Protected Areas where eco-development could be tried out. In the first phase two National Parks were chosen with a loan from International Development Assistance (IDA) and later in the second phase it was extended to seven other Parks and sanctuaries with the assistance from GEF funding. (Baviskar2005:276) In this context though the primary objective behind the introduction of joint forest management was to ensure sustainable use of the nation's forests to meet local needs equitably while achieving India's broader environmental goals, it was often contended that the forest department's recognition of independent community forest management

activities may be used to co-opt them and bring them under government control. (Poffenberger *et al*, 1996:27) However, behind the adoption of JFM programme into practice certain background factors played the role of catalysts which were as follows (Jha, 2006:852)

- The first was the field reports prior to 1990 from many Indian states, which indicated that, in most degraded forest areas, forest departments already lost their control over daily access and exploitation of forest resources. In those areas forest communities were subjected to constant confrontation with the Forest Department in order to meet their survival needs. Therefore it was the intention of the Department to regain control in those areas.
- Secondly, in 1980, the Forest Conservation Act was passed which placed control on logging and thereby imposed further limitations on community rights, especially in Wild Life Zones. As the rights of forest communities were eroded, conflicts grew between state agencies and forest villagers. This disagreement over management priorities led to unsustainable patterns of forest exploitation and to a gradual degradation of India's vast forests. By 1990, less than 10% of country possessed good forest cover. As a consequence the planners and forest administrators began developing new strategies to reduce the conflict between state agencies and rural groups.
- Thirdly, the successful experiment of participatory forest management in Arabari and Sukhomajri consequently in early 1970s and 1975 showed that the improvement of the strained relationship between the communities and the Forest Department, regeneration of forests as well as enhancement of the income and the revenue of the Forest Department.

Against the backdrop, most state JFM orders contained detailed prescriptions for the membership norms and organizational structures of the local institutions. They assure the villagers of a 25 to 80 percent share of poles/timbers on final felling along with providing permission of free access to specified Non Timber Forest Products (NTFPs). In return, they are to protect forests from grazing, encroachment, poaching, fire and timber smugglers through their local instruments without any formal authority for enforcing protection. (De, 2005:37) The highlights of JFM are:

1. It encouraged a partnership between communities and the Forest Department and recognized the role of NGOs in the process
2. Access and benefits accrued only to organized communities undertaking regeneration.
3. Usufructory rights to all non-wood forest products and a percentage of the final timber harvest would be given to the participatory communities, on successful protection and fulfillment of the conditions laid down by the state.
4. A 10-year micro-plan detailing forest management, institutional and technical operation was to be developed by the community management organizations with the local foresters.
5. The Forest Department would fund social forestry programmes for nursery rising, and the communities were encouraged to seek additional funds from other agencies, as well. (Ravindranath *et al*, 2000:32)

The Ministry of Environment and Forest (MoEF) reviewed the JFM programme from time to time in consultation with state Forest departments. The main objective was to strengthen community participation in order to ensure sustainable forest management. The JFM guidelines, 2000, contained the following principal features:

- a. Provision of legal back up to JFM committees
- b. Increased participation of women
- c. Extension of JFM in good forest areas
- d. Preparation of Micro-plan in JFM areas
- e. Conflict resolution mechanism
- f. Recognition of self-initiated forest protection groups
- g. Contribution for regeneration of resources and
- h. A better evaluation and monitoring mechanism

For further strengthening the role of forest dwelling community in forest management, the 2002 guidelines were issued regarding

- a. Memorandum of understanding between FD & JFMC
- b. Strengthening the relationship between JFMC & Panchayat
- c. Capacity building for the management of NTFPs

Consequently, many states issued new JFM guidelines or amended the previous guidelines following the guidelines issued by the MoEF. Seven state guidelines that were issued after 2000 were reviewed to assess the progressive features of JFM orders. Though the general pattern of implementation of programme was similar to all the states within the broad framework of 1990 guidelines, however there were state specific variations with respect to constitution of committees, participation of women and other weaker sections of the society and sharing benefits etc. In almost all the states, JFMCs have full rights over all the NTFPs except the nationalized Minor Forest Produce (MFP) i.e. tendu leaves, sal seeds, cashew, etc. Besides the regular guidelines, a number of states incorporated certain unique clauses in their resolutions regarding JFM to facilitate the implementation of the programme in a better way. The key features of the JFM orders across states are given below (See Table 1).

Table 1: Key Features of JFM in States

States	Member Ship	Executive Committee	Forest Department Power	Legal Status	Usufruct Sharing
West Bengal	Economically backward people	Selected representation from Bon-O-Bhumi Sanskar Sthayee Samity, Panchayat and Forest Department. Tenure of the Committee is for one year	Can cancel membership and dissolve FPC	----- -	25% of income from cashew, timber, Sal seeds etc. and rest as free
Gujarat	Whole village community	Two women, one panchat, one general and representative from NGO	-----	Registered under Cooperative Societies Act	50% in timber
Haryana	All village house hold	-----	-----	Registered under Societies Act	Income from timber, Katha fruits and medicinal herbs could be shared with FPC
Andhra Pradesh	All household	10-15 elected (30% women) representative from FD, NGO, Administrative officer, Village development officer, Teacher	-----	-----	100% in timber and bamboo, free collection of NTFP except beedi leaf
Orissa	All people	6-8 members (three women), Naib Sarpanch, ward member, representatives from FD, NGO. Tenure of the committee is for two years	-----	-----	0% of timber income
Madhya Pradesh	One male and one female from each household	2 women, 2 landless laborers, representatives from FD and teacher. Tenure of the committee is for one year	Can cancel membership and dissolve FPC	----- -	30% of timber and firewood
Karnataka	One male and one female from each household	4 general, 2 women, 2 Sc/ST, 1 landless, representative from FD, Panchayat, NGO. Tenure of the committee is for 5 years	Can dissolve FPC	----- -	50% of NTFP, timber fruits for local; sale and 50% by auction. Income from

Source: SPWD, 1998

Further, to strengthen the JFM institutions for sustainable forest management the following initiatives were taken during the post 1990 phase:

- a. A JFM Cell was established in the Forest Protection Division of the Ministry of Environment and Forests for monitoring the community-based forest management system. Previously, there was no such focal point and the

stakeholders found it difficult to interact with the government and to provide feedback

- b. To complement the JFM initiative, a new scheme of "National Afforestation Programme" (NAP) was formed during 2002-03 by merger of four 9th Plan centrally sponsored afforestation schemes of the Ministry of Environment and Forest. The scheme would be implemented by involving two –tire set up namely the Forest Development agencies (FDAs) and Joint Forest Management Committees (JFMCs). Under the Scheme, an extent of 9.24 lakh ha was being covered by 23, 750 JFMCs under 715 FDAs in 28 states.
- c. Following NAP Forest Development Agencies (FDAs) were created at the district level as a federation of the village-level JFM committees with representation from government departments who could contribute to the land development activities, local leadership etc. The FDAs ensured the regeneration of forests, employment generation and empowerment of JFM committees. The GOI would transfer funds to the FDAs directly under its National Afforestation Programme. The FDAs would be constituted at the level of territorial/wildlife divisions and 20 states have set up more than 80 FDAs on a pilot basis from 2000-2002.

This participatory management of forest resources through JFM was primarily implemented from the 1990 onwards only in the degraded forest areas across the states with the financial aids from World Bank and other bilateral donors. But through the 2000, guidelines, Ministry of Environment and Forest (MoEF) extended the JFM programme into the good forest areas also. Now according to the latest information compiled by the JFM cell in the MoEF, as on 10th Sept 2003, 17.33 million ha of forests area are being managed through 84,642 JFM committees in 27 states. (See Table 2)

Table 2: Spread of JFM across States

SL. No	State	No. of JFMCs	Area under JFM (ha)	Total population covered under JFM
1	Andhra Pradesh	7,245	1,886,764.00	1,822,344
2	Arunachal Pradesh	308	80,217.00	142,217
3	Assam	503	79,251.00	321,103
4	Bihar	493	267,240.94	1,370,714
5	Chattisgarh	6,881	2,846,762.16	1,370,714
6	Goa	26	13,000.00	1,680
7	Gujarat	1,424	160,525.41	1,005,609
8	Haryana	875	56,000.00	827,000
9	Himachal Pradesh	835	290,922.80	1,088,589
10	Jammu & Kashmir	935	49,544.00	339,220
11	Jharkhand	3,358	847,967.93	2,863,487
12	Karnataka	3,470	232,734.00	1,216,785
13	Kerala	323	170,712.00	165,475
14	Madhya Pradesh	13,698	5,500,000.00	3,319,000
15	Maharashtra	5,322	1,411,215.00	4,849,875
16	Manipur	205	93,941.00	134,575
17	Mizoram	249	10,980.00	191,464
18	Nagaland	306	22,930.00	416,831
19	Orissa	15,985	821,504.00	-----
20	Punjab	287	56,243.95	181,624
21	Rajasthan	3,667	376,766.00	1,501,475
22	Sikkim	158	600.00	16,340
23	Tamil Nadu	1,816	445,965.00	532,479
24	Tripura	234	34,154.00	111,391
25	Uttar Pradesh	2,030	112,652.93	3,761,325
26	Uttaranchal	10,107	859,028.00	3,999,900
27	West Bengal	3,892	604,334.00	2,326,975
	Total	84,632	17,331,955.12	62,393,477

Source: JFM Cell, MoEF, 2003

4.3. National Afforestation Programme, JFMCs & FDAs

Besides FPC and EDC, during 2002-03, to implement National Afforestation Programme two-tire set up for sustainable development of forests was recommended namely Forest development Agencies (FDAs) and Joint Forest

Management Committees, (JFMCs). It was prescribed that FDA should be constituted at the Forest Division level and National Afforestation and Eco Development Board (NAEB), Govt. of India would fix its composition and activities. It was decided that the FDAs are to be registered as Federation of all Joint Forest Management Committees (JFMCs) within a territorial/wildlife forest divisions under the Societies' Registration Act in which the General Body will meet at least once in a year, while the Executive Body will meet at least once in three months. It was further decided that the chairperson of FDA would always be the Conservator of Forests where Presidents of JFMC General Bodies to be nominated by Chairperson on rotational basis for a period of one year of which 20 would be women representatives. In the event adequate numbers of women chairpersons are not available, the women representatives will be drawn from the members of the General Bodies of JFMCs. In case of executive body the member -Secretary would be Divisional Forest Officer (DFO) and several ex-officio members without having voting rights would be chosen from District Development Officer, District level Officers of Agriculture, Rural Development, Animal husbandry, Soil Conservation, Tribal Welfare, Industries, Public Health & Engineering, and Education Departments. The FDAs were assigned with the following assigned activities (Text Box 4)

Text Box 4: Activities of FDAs

- i. Implementation of centrally sponsored afforestation schemes.
- ii. Other beneficiaries oriented activities like agro forestry, avenue plantations.
- iii. Take steps for value addition and marketing of produce.
- iv. Inventorisation of land and other natural resources.
- v. Environmental education.
- vi. Awareness and active association in protection against poaching and illicit felling of timber.
- vii. Establishment and management of decentralised nurseries with marketing arrangements.
- viii. Assist in management of CPRs.
- ix. Address socio-economic needs of people.
- x. Management of existing captive water resources in the villages.
- xi. Active involvement in forest fire fighting operations.
- xii. Monitoring of activities of local NGOs.

SOURCE: <http://envfor.nic.in/naeb/nap/ANNEXUREA.html>

Despite the increasing number of JFMCs over the years showing acceptability of the programme throughout the country, the main concern was about its effectiveness in institutionalizing sustainable forest management in India. The programme has been evaluated by a number of independent agencies as well as by individual scholars. As per evaluation by The Energy and Resources Institute (TERI) in 1998, '40 percent of sites across four study states have shown improvements in regeneration, another 20 percent have shown positive trends while another 15-20 percent sites have shown no improvement because of heavy biotic pressure.'⁴ Another study conducted by Ecological and Economics Research Network (EERN), Indian Institute of Science, Bangalore in the year 2004, assessed the performance of JFMC in six states based on presidents, committee member and in some cases general body member. It reported that 29 percent of the JFMCs responded that over all performance was good, 49 percent rated it as moderate while remaining 22 percent did not perceive any change compared to pre-JFM period. In Andhra Pradesh and West Bengal, in about 45 percent of the JFMCs were performing very well. While the study reported about the positive impact of the JFM programme on vegetation improvement, relationship between the community and forest department, women's empowerment, forest protection, income generation and benefit sharing but pointed out simultaneously the decline in JFM in many states, inadequate community participation, lack of decision making power's to JFMCs, improper micro-plan preparation, inadequate legal back-up and capacity building, absence of conflict resolution mechanism etc. (Ravindranath *et al*, 2004:322-28). Moreover, the National Forest Commission (NFC) in its report in 2006 asserted that the pace of institutionalization of JFM in the country was highly uneven and its dependence on Govt. funding as well as its conflict with the Panchayati Raj Institutions and lack of coordination among JFM organizations posed a serious question about its sustainability. It expressed concerns about the legitimacy of JFMCs, as JFM order/ notification/resolution have not been issued by most of the

⁴ Study on Joint Forest Management conducted by TERI for Ministry of Environment and Forests
URL: <http://envfor.nic.in/divisions/forprt/terijfm.html>. Accessed on 12/06/08

State Governments under any Rule or Act. Further, the existing JFM arrangements could not be considered as sufficient to address the livelihoods and poverty issues. Nevertheless, keeping the contribution of JFMCs to successful regeneration of almost 25 percent of the country's forests on their own, without significant level of investment of public finances in mind the Report contended that JFM and similar such interventions in participatory forestry should be strengthened further as a dominant strategy of natural resource management in the country.⁵

5. SFM in North Bengal: An Account of Jalpaiguri District

The District of Jalpaiguri as an administrative unit came into account on the 1st January, 1869, by amalgamation of the Western Dooars district with Jalpaiguri subdivision of Rangpur. It is located at 26.52°N 88.73°E and situated in the northern part of West Bengal has international borders with Bhutan and Bangladesh in the North and South respectively and borders with Assam and Darjeeling hills in the East, West and Northwest. It remained as Divisional head quarter of North Bengal comprising of the six districts namely, Darjeeling, Jalpaiguri, Coochbehar, North Dinajpur, South Dinajpur and Malda. The district is primarily rural with more than 80% of rural population. It has also high percentage of SC/ST population. Relatively sizeable population resides in Tea Gardens and Forest villages, which are isolated and mostly inaccessible. As of 2001 India census, It is the largest district in North Bengal in terms of its geographical area of 6227 Sq. km. and its population of 34,03,204 including 17,53,278 male and 12, 06,565 female with a population density of 547/Sq.km.

Jalpaiguri bears the best Sal forest in India and remains one of the most prominent wildlife areas of the country including three Sanctuaries and two National Parks. The main forest cover of the district comprises of Semi-Moist-Deciduous vegetation. In terms of total forest area and protected forests the District ranked as

⁵ Report of the National Forest Commission, Government of India, Ministry of Environment and Forests, 2006, URL: <http://envfor.nic.in/divisions.pdf>. Accessed on-24/04/08

first in North Bengal with 1,790 Sq. Km of total forest cover with 217 Sq km. of protected forests and stands second in West Bengal in terms of reserved forests with an area of 1,483 Sq. km. Moreover, in terms of geographical distribution of recorded forests the District crosses the state average of 13.38% with 28.75 percentage of its recorded forests area. It accounts for 15.07% of the forest cover of the province even though it shares only 7.02% of the geographical area. (State Forest Report, 2005-06:18) The district ranks the highest in terms of quality of forest cover. Officially, 91.34% of the forest cover in Jalpaiguri has a canopy density of more than 40% whereas merely around 42.63% of the forest cover in the province has a canopy density of more than 40%. The district also ranks highest together with Darjeeling in terms of revenue generation. "On the average" these two districts "fetched annual revenue of Rs. 8.11 per hector of forest for the triennium (1998-2001) excluding the revenue from Kalimpong division. This is highest in comparison to the average annual revenue of Rs. 1.84 for the state as a whole during the same period." (De, 2005:85-86)

In Jalpaiguri JFM started with the FPC resolution, which was issued in 1991 to cover plain areas of North Bengal excluding Darjeeling Gorkha Hill Council (DGHC) area. For DGHC area, a different resolution was issued simultaneously on the same date. Other than FPC's, a different concept of participatory management in the form of Eco-Development Committees (EDC's) has also been introduced with a resolution in 1996 to apply the same principles of sustainable forest management in the Protected Areas (Wildlife Sanctuaries and National Parks) of Jalpaiguri along with the remaining parts of the state. Both the resolution of FPC and EDC share the same view that active participation and involvement of local people are vital for successful implementation of the programme for regeneration, maintenance and protection of forests as well as for wildlife conservation. Highlights of principle features of both the resolutions are as follows (Table 3)

Table 3: JFM Resolutions of West Bengal Covering the District of Jalpaiguri

JFM Resolutions	FPC	EDC
Date of Issue	15 th Nov, 1991	26 th June, 1996
Objectives	Regeneration, maintenance and protection of degraded forests	Wild life conservation in protected areas
Committee Selection	DFO in consultation with Bon-O-Bhumi Sanskar Sthayee Samity of Panchayat Samity	DFO in consultation with Bon-O-Bhumi Sanskar Sthayee Samity of Panchayat Samity
Participants	Economically backward people living in the vicinity of forests. Joint membership for each family	Economically backward people living in the vicinity of protected areas. Joint membership for each family
Executive Committee	Sabhadhipati or anyother member of Sthayee Samiti, Pradhan or any member from Panchayat, beneficiaries representatives not exceeding 6 and concerned beat officer as member secretary.	Sabhadhipati or anyother member of Sthayee Samiti, Pradhan or any member from Panchayat, beneficiaries representatives not exceeding 11 and concerned beat officer as member convener. Not less than 30% of the elected member shall be women
Meeting	FPC shall hold an annual general meeting once every year to evaluate activities of the committee. There is no specification about the number of executive committee meeting in a year.	EDC shall hold an annual general meeting once every year to evaluate activities of the committee. There is no specification about the number of executive committee meeting in a year.
Meeting Requirement	President to be elected in each meeting. Quorum not specified	Chair person to be elected in each meeting. Quorum for each meeting of the executive committee shall be 50% of the elected members and for AGM 30% of ordinary members
Patrolling	To prevent trespassing, encroachment, grazing, fire, theft or damage	To prevent trespassing, encroachment, grazing, fire, theft or damage
Usufruct Sharing	Restricted NTFPs. No share of timber, free collection of medicinal plants on the basis of approved micro plan. 25% share of fire woods and net sale proceeds	25% share of poles & 100% share of firewood from drift and over wood removal, NTFPs and nothing from National Park or Sanctuaries. Besides, need based and site specific eco-developmental works for community by FD.
Eligibility for usufruct sharing	Members will have to protect forest for 5 years to be eligible for usufructs	Members will have to protect and manage Protected areas for 1 year to be eligible for usufructs

Source: Constructed from JFM Resolutions, West Bengal Forest Department URL: http://westbengalforest.gov.in/urls_all/jfm_resolutions.htm

Following the resolutions, formation of the FPC's were started late in comparison to South or South West Bengal where FPC resolution was issued in 1989. Today as on 31.03.2008, there are 200 registered FPCs across five territorial divisions in the District comprising of 33,139 members responsible for protection of 67,241.28 hectare of forests area. Similarly, there are 57 EDCs as on 31/03/08 in four wild life divisions of the district comprising of 4,451 members responsible for protection of 55, 693 hectare of protected area. While making a comparison between the FPCs and EDCs in the district it can be seen from the above tables that whereas in FPCs area under protection per member is 2.03 ha which is 12.5 ha in case of EDCs. Again, the area under protection per FPC is 336.20 ha against 977.07 ha per EDC. Moreover, in terms of women participation there is 14.42 percentages of women against the total member of FPCs in the district, whereas the corresponding number in case of EDCs is 19.84%. (State Forest Report, 2007-08) However, in terms of extent of JFM in the district, besides FPCs in tea gardens both the FPC and EDC have so far been constituted in two categories of villages; one is forest fringe revenue village and the other is forest village. These forest villages are peculiar to the district, as most of them were constituted during colonial rule to ensure uninterrupted labor supply for forestry operation. Forest villagers are mostly tribal and deprived of land right and other facilities used to enjoy by the revenue villagers. Although, with the introduction of Forest Right Act (2006) the process of providing land right has been started recently. At per Government record there are 76 forest villages in six forest divisions of Jalpaiguri District. (See Table 4)

Table 4: Forest Villages of Jalpaiguri District

Divisions	No. of Forest Village	No. of Regd. Family	Total Permanent Population	Tribal Population	Area under Possession of Forest Villagers in ha
Jalpaiguri	21	433	5158	3888	934.60
Wildlife-II	2	32	355	355	100.05
BTR (E)	16	354	5582	3882	623.41
BTR (W)	21	735	9230	7248	1078.76
Coochbehar	12	290	5098	3861	685.00
Baikunthapur	4	150	2061	1615	125.54
Total	76	1994	27484	20849	3547.36

Source: State Forest Report, West Bengal 2005-06:179

However, as far as the formations of FDAs are concerned in Jalpaiguri it was started a year later than some divisions of South Bengal i.e. in 2003-04. Moreover, without having any supportive JFMC Resolution the FDAs were formed initially by including older FPCs instead of newer JFMCs. The State Forest Report showed that as on 31/03/06 only three FDAs in the District namely Jalpaiguri, Baikunthapur and Coochbehar were formed while incorporating 176 older FPCs. (State Forest Report, 2005-06:95) As far as Joint Forest Management Committee (JFMC) is concerned as a prerequisite of two-tier set up along with FDAs for implementing the National Afforestation Programme, the state moved late in comparison to other states as it passed the JFMC Resolution as on 3/10/08 (See Appendix II) where the structure, composition and function of JFMC were laid down following the JFMC guidelines by the Ministry of Environment and Forests, GoI (See Text Box 5) The Resolution took into account The Scheduled Tribes And Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 which recognized the responsibility and authority of tribals in conservation of biodiversity and maintenance of ecological balance and thereby strengthening the conservation regime of forests. The Resolution stated that " Joint Forest Management Committees shall be constituted for the purpose of development of degraded forests and forests prone to forces of degradation"⁶ in the districts of North Bengal (excluding DGHC area) along with Murshidabad, Nadia and Hoogly. The resolution is nothing but a bit of modification to the earlier Resolution in 1991. On the one hand, it included one Forest Guard/ Ban Majdur/ Ban Shramik to be nominated by the concerned Range Officer as a member of the executive committee and in terms of usufruct sharing it added 15% share of net sale proceeds of timber harvested at the time of final felling for its member on the other. Both the provisions were absent in the earlier resolution. Following the Resolution, all most all the FPCs and EDCs in the district have been converted in 2009 and until recently, most of them arranged one AGM in their respective committees.

⁶ JFMC Resolution, 2008, Dept. of Forest, Govt. of West Bengal, URL: http://westbengalforest.gov.in/update_06-080-09/5969_For_Dt._03.10.2008.pdf. Accessed on 14/01/10

Recently, in February 2010, a few of them received 15% share of timber from the hands of Chief Minister while others are yet to receive the same. The process, in its nascent stage, could not make much headway in the sustainable management of the forests in the districts and no facts and figure so far has been published by the Forest Department of West Bengal in this regard.

Text Box 5: Composition of Joint Forest Management Committees (JFMC's)

(i) **General Body:** All adult members of the village subject to their willingness. The meetings of the General body will be chaired by the President who would be elected by consensus/majority vote and will hold this position for a period of one year. It will be ensured that a woman member is elected as President at least once in three year. Member Secretaries of the Executive Body shall be *ex officio* member the General Body.

(ii) **Executive Body:** The President of the General Body shall also function as President of the Executive Body. The respective forester/block forest officers shall be the Member Secretary of this body. Treasurer would be appointed from the members of the respective JFMC by the member secretary in consultation with the President. The bank account of the JFMC shall be jointly operated by the treasurer and the Member Secretary. One member representing the Panchayat of the area in which JFMC falls will be nominated by the Member Secretary. There shall be 6 other members drawn from the General Body who would be nominated by the Member Secretary in consultation with the President, of whom three shall be women.

Functions of JFMCs/ EDCs : To assist in:

- (i) Preparation of microplans.
- (ii) Choice of species to be planted.
- (iii) Suggesting physical and financial targets.
- (iv) To propose entry point activities.
- (v) Awareness programmes and usufruct sharing mechanisms.
- (vi) Fund Creation Activities.

Source: <http://envfor.nic.in/naeb/nap/ANNEXUREB.pdf> - accessed on 12/05/09

6.1. The Practice of Sustainable Forest Management

The practice of sustainable forest management in India is characterized by the collaborative approach of multi-stakeholder governance of forest resources whereas empowerment has been conceived both as a means and as an end to itself in order to strengthen the conservation regime of the forests while enhancing livelihood

opportunities of the forest communities. It was evident from the Report of an 'Expert Group' which was set up under the aegis of National Afforestation and Eco-Development Board (NAEB) in 1993 to examine the issues related to peoples participation in forest management. The Report admitted that the state was not succeeding in its role to protect and manage forests effectively and therefore the 'need to involve people in development activities is being increasingly recognized by the government. The purpose is to make them own the process and product, and to empower them to manage it for their common good.' (SPWD: 1998:3) In the context of JFM, the Report further stated that the massive involvement of people including women became the central concept of forest management policy in the country. However, this practice of forest management is nothing but an offshoot of the broader paradigm shift in the overall process of development adopted in the wake of 'structural adjustment programmes' since late 80's. In this milieu of 'economics in command', the old formulation of 'growth with social justice' has been replaced by 'development with empowerment' and growth of production, modernisation of technologies, and management occupies the central place in the development. (Mohanty: 1995:1434). Empowerment has been linked up with economic globalization and is seen as an objective of development. This has become obvious with the Copenhagen declaration of the World Summit for Social Development in March, 1995, to which India was a part. It viewed that '...the most productive policies and investments are those which empower people to maximize their capacities, resources and opportunities,' (Ibid). To realize this goal of empowerment the collaborative approach towards governance seemed to be the best option which could bring both state and non-state actors together while ensuring participation of the people in the process. The practice of Joint Forest Management can be seen as an experiment with this kind of collaborative governance in the sustainable management of forest resources.

6.2. Empowerment through SFM in India

Following the idea of empowerment, the State Forest Departments has been directed by the Gol on 1st June, 1990 under the JFM programme to take full advantage of their expertise and experience for building meaningful people's participation in protection and development of degraded forest lands. The Circular recommended for close supervision of the process by the Departments as the benefit of peoples participation should go to the village communities and not commercial or other interests which may try to derive benefit in their names. Accordingly, formation of VFCs and FPCs started across states following their respective resolutions on JFM.

The implementation of JFM programme extended to 27 states of the country. An earlier estimate (2003) of progress of JFM in different states as compiled by JFM cell in the MoEF showed that 17.33 million ha of forests were being managed through 84,642 JFM committees in 27 states covering 26% of the total forest area. (Table 3.1) In Madhya Pradesh, 71% of the total forest area in the state brought under JFM, followed by West Bengal (56%), Chattishgarh (50%), Bihar (47%) and Andhra Pradesh (42%). The highest population covered under JFM was in Chattishgarh, followed by Maharastra, Uttaranchal, Uttar Pradesh, Madhaya Pradesh and Andhra Pradesh. However, during the years 2000-2006, the number of JFMCs has shown an increase of 295 percent and the forest area under their management has been doubled. However, the National Environment Policy 2006 identified the necessity to universalize JFM throughout the country as an innovative strategy to achieve the target of 33 percent of area under forests. Moreover, the Tenth Five-Year Plan initiated a huge programme to promote the cause of JFM to cover all the 1.73 lakh forest fringe villages through FDAs in order to provide livelihood security and employment generation for the communities. As a result, in absolute terms, the number of JFMCs has gone up from 36,075 in the year 2000 to 1, 06,479 in January 2007, and the area under JFM has increased from 10 to 22.02 mha. (Kishwan *et al*,

2007:49) But despite hard efforts, only 50 percent of forest fringe villages had been covered under the JFM programme at present. Further, out of these 1, 06,479 constituted JFMCs, only 23,750 were covered under the NAP funded by the MoEF through the respective FDAs to carry out afforestation, soil moisture conservation, entry point activities, protection activities etc. To accelerate the pace of constitution of JFMCs, a new component 'Strengthening of the JFM', under the on-going 100 percent Centrally Sponsored Scheme (CSS) of NAP was added. The FDAs, implementing NAP would facilitate constitution of new JFMCs within their territorial jurisdiction. (Ibid: 49)

However, the progressive formation of FPCs/VFCs or JFMCs backed by the bilateral donors like World Bank, DFID (UK), SIDA (Sweden), OECF (Japan), AUSAID (Australia) etc. throughout the country does not indicate the degree of financial and administrative empowerment among communities, which the Programme aims to bring about. Several studies point out the status of empowerment in terms of participation at the micro-planning and implementation level as well as benefit sharing among the forest dwellers born out from the Programme. An earlier National Study on JFM has been conducted by The Energy and Resources Institute (TERI) mainly in the four states of Andhra Pradesh, Orissa, West Bengal and Madhya Pradesh while taking the others into account.⁷ The major findings in relation to community empowerment are as follows:

- The VFCs across States vary in nomenclature, structure and composition in the absence of a binding national definition on one hand and differing local needs, socio-cultural context and nature of the forest resource base, on the

⁷ <http://envfor.nic.in/divisions/forprt/terijfm.html> Accessed on 12/06/08

other. A number of self initiated groups are also involved in forest management.

- The powers vested in the FD like the ability to resolve disputes, disband a badly functioning committee, cancel membership, nominate NGOs for membership, etc. provide for an unequal relationship between the FD and the VFC which further strengthens the need for a legal backing for the VFCs. Legal recognition is also becoming essential for the many self initiated committees which are increasingly getting replaced or pushed aside by State evolved and recognized VFCs. However, this issue needs in-depth examination.
- Microplanning exercises and preparation of annual work plans by the villagers, with help from the FD, could help in creating awareness among the VFCs on the programme activities, the money involved, the quantum of work to be done annually, the wage employment to be generated, etc. This would help VFCs become self-reliant and at the same time promote greater transparency and awareness of rights and obligations into the FD-VFC partnership for JFM. However, the FD in its supervisory and monitoring role also needs to retain the ability to see that these committees do not renege on their promise and keep protecting the forests in an efficient fashion whilst continuing to enjoy the fruits of their labor.
- While some State resolutions have provided for women's representation in the VFCs and their management committee, alarmingly many lack even this fundamental attempt to secure gender equality, totally ignoring women's rights and entitlements. However, certain states have successfully created women's groups called Bairani Kuldih (women's kitty) in MP, Women Self-help Groups, locally known as Mahila Podupu Sangam or Awal Thrift Groups

in AP, which have not only enhanced participation but have also led to economic empowerment of women.

- However, under the JFM programme, residents of forest-fringe villages have been provided access to forest produce to meet their basic needs of fodder, fuelwood and NTFP. In lieu of this, people are protecting and managing the forests with the FD.
- In most VFCs, social fencing is being practised for forest protection. Regular voluntary patrolling by villagers is a common practice while the number of members in the patrol party is seen to vary between 2-10 depending upon the value of the timber in the forests and consequently the severity of threat to the forests. The FD is therefore benefiting from reduced workload for forest protection and also reduced expenditure on protection structures like Cattle Proof Trenches/Walls.
- Most States did not allow any rights or share for people in from forest products like NTFP, timber and other intermediary products in the past, which has however changed with JFM. All NTFP, barring few nationalized products, are now available to the people free of royalty in all states. People have a right to collect even the nationalized products like Kendu leaves, Sal seeds etc. but have to deposit these with the agency responsible for procurement and earn a prescribed wage. Apart from these, certain other provisions have been made like in Andhra Pradesh, where 50% of net income from increased yield of Kendu leaves is equally distributed among the VFC members; in South-west Bengal people get 25% of the net profit from cashew, etc. Income accruing to members is substantial notwithstanding the poor infrastructure for marketing or processing of NTFPs.

Another study, a bit comprehensive than the earlier, has been conducted by the Ecological Economics Research Network (EERN) during 2001-2002 in the six states of Andhra Pradesh, Gujarat, Karnataka, Rajasthan, Tripura and West Bengal. (Ravindranath & Sudha, 2004) The major findings in terms of participation in the decision-making process, micro-panning and usufruct sharing are as follows:

Participation in the Decision-Making Process

- In Andhra Pradesh, the attendance of women and other marginalized groups was good in most of the JFMCs, except in a few where the land less and women were not very regular. However, the community depended on Forest Department /NGOs for decision-making, and women and the landless, in particular, played no role at all.
- In Gujarat, the attendance of marginalized groups specially the tribals was high in most of the JFMC meetings (90-95%), but the effective women's participation was recorded only in 2% of the JFMCs in the tribal region.
- In Karnataka, the participation of marginalized groups was recorded in about 30% of JFMCs, and their active participation in 20%. Women's attendance was recorded in 20% of the JFMCs, but their effective participation only in 7%.
- In Rajasthan, it is stipulated that for a GBM (General Body Meeting) to take place, there should be a quorum of at least 40% of the members, but the average attendance in meetings was about 17.2%. Only 9.2% of the JFMCs conducted meetings with the requisite quorum. About 13.8% of the GBMs had the stipulated 33% of the women in attendance, while not a single woman attended in 24% of the JFMCs.
- In Tripura, women and marginalized groups were regular in attending GBMs in 60% of the JFMCs and MCMs 34%. On an average, effective participation was recorded in 30% of the JFMCs.

- In West Bengal, the marginalized groups constitute 50% of the executive committee on an average, while their effective participation is reported in 38% of the JFMCs. On the whole, the participation of the general category members was higher than the marginalized groups. In 7% of the JFMCs, women participated in GBMs, while in 16% they were executive committee members but their effective participation was recorded only in 3% of the JFMCs.

Micro-Plan Preparation

- In Andhra Pradesh and west Bengal, the community participation in the process of micro-plan preparation was minimal.
- In West Bengal, the micro-plans were mostly prepared in beat offices by the president and a few members, in a partially participatory manner.
- In Karnataka and Tripura, the involvement of women and marginalized groups was reported in 30% of the JFMCs on an average.
- In Gujarat, the participation of marginalized groups was recorded in all divisions of the state, although the involvement of women was partial in a few forest divisions.
- In Rajasthan, only a few sections of the JFMC members were consulted while preparing the micro-plan.

Benefit Sharing

- In Andhra Pradesh, the income derived at the household level from benefit sharing was substantial in 65% and low in 23% of the JFMCs. Thus economic benefits have been a motivating factor in Andhra Pradesh.
- In Gujarat, in the absence of any MoUs, none of the JFMCs have received any benefit share in the sampled JFMCs and in the absence of an externally-aided project, direct monetary benefits to the JFMCs was also limited.

- In Karnataka, the benefits accruing from forest protection were shared among 6.4% of the committee under study. The maximum amounts received by the JFMCs ranged between 10,000 to 20,000 rupees, which was distributed among the households in three JFMCs and reinvested in rural development programmes by the rest.
- In West Bengal, nearly a third of the JFMCs have earned income from tree harvesting, providing a great incentive for the communities to sustain JFM. In 92 JFMCs felling has been done, but due to the delay in marketing the timber, the JFMCs have not received their share. The average annual income per JFMC in 61 JFMCs was Rs. 171, 506, which worked out to RS 100 to 8, 300 per household.
- In Tripura, benefit sharing was not recorded in most of the divisions because JFM has been received recently and is yet to yield monetary benefits.

Besides, several other studies as undertaken by independent scholars show altogether a dismal picture of community empowerment under the JFM programme where formal participatory management actually limits the scope of people's participation. On almost any parameter within JFM, participation remains far short from full fledged partnership and delegation or empowerment. Generally villagers participation has been restricted within a predetermined framework and they are never asked about their choices instead are blamed for not being enthusiastic enough about the programme. Benefit sharing arrangements have also been specified in advance without asking villagers whether and how they in fact want to harvest and net sale proceeds to be distributed. (Jeffery & Sundar, 1999: 44-45) In most cases, the forest department reserves the right to dissolve communities if they perform unsatisfactorily, or at least deny them the share they expected. (Poffenberger & Singh, 1996:71) Madhu Sarin argues that in the name of devolution, the Programme in Uttarakhand reinforces the forest department's claim to be the

monopoly holder of technical forest knowledge, despite its historical lack of experience with forest livelihoods and biodiversity conservation. Externally imposed micro-planning teams are insensitive to the internal dynamics of existing self-governing institutions and women's ongoing struggles within them for gaining greater voice and control over livelihoods and decision making. Instead of empowering women, such top-down interventions do the opposite by disrupting and marginalizing women's struggles and initiatives. (Sarin, 2009:503) Baviskar while dealing with the practice of eco-development in the Great Himalayan National Park, Himachal Pradesh shows that how the Forest Department's attempt to administer eco-development, micro-plans and participation reproduces established relations of power within the Forest Department and between Park staff and dominant villagers. (Baviskar, 2005:293). The other studies show that the introduction of JFM Joint Forest Management and other such programmes have actually led to the disempowerment of groups that had spontaneously tried to protect and regenerate forests. Several organizations like the Ekta Parishad, Kishan Adivasi Sangathan and Adivasi Mukti Morcha in central India have raised their voice against super-imposing the JFM in the name of participatory forest management. (Prasad, 2005:71) However, it has been observed that the Programme is successful in terms of improving vegetation cover, protecting forests from rampant illegal extraction and exerting departmental control over communities in a cooperative manner but failed largely in terms of administrative or financial capacity building among forest communities. It has also been failed in securing their rights, exercising their authority in the process of micro-planning and decision making. It is often argued that in these exercise of 'joint' management it has been seen that the forest department's agendas of timber extraction dominate the management system, with little benefit to the local communities. (Nathen Dev *et al*: 2004)

6.3 Empowerment through SFM in Its Early Phases in North Bengal

West Bengal, the pioneer state in India in initiating Joint Forest Management by way of seeking people's participation in conservation and development of forests has earned many laurels ranging from Indira Priyadarshini Briksha Mitra Award for individual and clusters of Facès to international Paul Getty award for the Forest Protection Committees of the State for their contribution to resuscitation of large tracts of degraded forests in south-western part of the state. This movement of JFM had its genesis at Aarabari in erstwhile Midnapur District where 618 families of 11 villagers were motivated in early 70's to rejuvenate 1186 ha degraded sal forests by roping in their participation through a set of activities of employment generation and sharing of NTFP from such forests. This was followed by the adoption of the Govt.'s decision in 1989 to share 25% of usufructs and net profit of the intermediate and final yield respectively. This and subsequent resolutions of Government gave institutional support to the existing participatory system of forest management. In 1996, Eco-Development Committees (EDC's) were also constituted seeking co-operation of the people from the Protected Areas of Wildlife further strengthened the participatory agenda of the management to protect bio-diversity. According to the State Forest Report, 2001,⁸ the factors which are considered important for success of JFM in the State are:

- Realization of the natural resource managers regarding the failure of custodial system of management in containing degradation of forests and their growing perception that only participation of stake holders can bring a change in an otherwise bleak scenario.

⁸ State Forest Report, West Bengal, 2001, Directorate of Forests, Kolkata

- Empowerment of the people at grass-root level through inclusion of Panchayat Raj Institution at different levels of management.
- Adoption of micro-planning through PRA as a tool for involvement of communities in development activities, management of NTFPs, silvicultural and harvesting operations.
- Community/Eco-development activities by way of infrastructural development, vocational training and input support for increased productivity of land based systems, creation of assets for supplemental income and generation of adequate employment in forestry and allied activities on sustainable basis.
- Sharing of usufructs with participating communities as envisaged in the resolution, resulted in credibility to the Govt.'s intention to carry forward the mission of JFM. Marketing of timber and other forest produce to ensure optimum realization of usufructory share reflected Department's concern for the communities.
- Persistent efforts by forest personnel, NGOs and natural leaders of Faces to motivate and build awareness through face to face communication, group meetings, workshops, awareness campaigns etc.
- Ongoing monitoring of JFM programme at Divisions, Regional and State level though done at an informal level in earlier years is getting institutionalized to assess impact in different regions.

In this context of overall progress of JFM throughout the State the Programme of FPC formation started a bit late in North Bengal in general and Jalpaiguri in particular. It was introduced in 1991 whereas in South Bengal or South west Bengal the year was 1989. Consequently, it was assumed that the condition of forest as well as the forest people will be changed in the positive direction as the

objective of the programme is to stop continual degradation of forest and to promote sustainable practices by empowerment of the forest people economically as well as socially through ensuring their participation in the forest management. But the first decade of experience with JFM in the region showed a dismal picture against the rosy picture of South West Bengal. The IXth Plan period (1997-2002) was marked by relative negligence of the State authority to implement the programme in the region. The following facts would substantiate the argument.

- Despite covering approximately 26% of the forest cover of the State in three districts of North Bengal (Darjeeling, Jalpaiguri, Cooch Behar) forest land protection per FPC member was quite higher than the state average as well as in comparison to South or South West Bengal. State Forest Report 2000 showed that the average forest land protection per FPC member in the state was 1.26% till December, 2000 whereas the corresponding average in North Bengal was 2.50 including 2.90% in the Darjeeling Forest Division, 1.50% in Jalpaiguri Forest Division and 2.05 % in Coochbehar Forest Division etc. (State Forest Report, 2000:49)
- Whereas in South Bengal till 1998-99 a total of Rs. 895.40 lakh have been paid to 1134 number of FPC's and 13511 number of beneficiaries, there was no mentioning of benefit sharing in North Bengal even in 2000 State Forest Report. (State Forest Report, 2000:51) It was the State Forest Report 2002-03 which for the first time stated that the FPC's in the Darjeeling Hills, Terai and Dooars in the plain of North Bengal are yet to perceive the sharing of usufructs due to delayed registration and partly due to dislocation in yield harvesting from forests because of absence of approved management plans. (State Forest Report, 2002-03:43)
- West Bengal Forest Development Corporation started functioning from 1974 and though since mid 90's it took an active part to promote JFM with peoples participation in South West Bengal did not

provide any support to JFM in North Bengal till 2004. (State Forest Report, 2000:137-38 & State Forest Report, 2003-04:116)

- Forest villages which are unique to North Bengal in their socio-political and historical importance in conservation and protection of forests through ages have not received any fund despite agreed outlay of Rs1234 Lakhs under the Ninth Five Year Plan (1997-2002). (State Forest Report, 2001:98)

As far as Sustainable Forest Management is concerned the only blinking point in North Bengal during the period was the introduction of Eco-Development Programme in 1996 along with the rest of the State. Under this programme India Eco-Development Project (1995-96 to 2000-2001) has been launched in Buxa Tiger Reserve in the district of Jalpaiguri with the assistance of International Development Association and Global Environment Trust. In this Project a considerable sum of money has been spent under 'Village Eco-development Programme' in the consecutive years of 1997-98 (Rs, 91.90 Lakh), 1998-99 (Rs 102.91 lakh) and 1999-2000 (Rs 169.32 Lakh). (State Forest Report, 2000: 82) Except the fact the overall scenario of JFM during the decade was quite frustrating. While assessing the performance of J.F.M activities and status of conservation and development of the forest resources West Bengal State Forest Report 2002-2003 clearly stated that – 'There is no denying that performance of FPCs have tended to vary amongst regions endowed with different bio-physical parameter but there is also appreciable difference in the level of performance of FPCs characterized by similar resource parameters. 50% to 60% of FPCs have been identified as good to very good in South-West Bengal whereas only 30% of FPCs can be attributed to this category in the northern part of the state'. Further, the Report stated that 'There is stark realization that there is need for strengthening of activities in areas of weak areas particularly in northern part of the State as well as to sustain our efforts on the score in other tracts' (State Forest Report, 2002-03: 39&42)

Besides, a field study undertaken by B.G. Karlsson in Buxa Tiger Reserve during 1989-95 showed that the Ravas, indigenous community of the region, were left out completely from the decision making process and the Forest Department forced them to take part in the scheme without which they would have been thrown out from their villages by the Department. He found that both FPC's and EDC's were lacking popular support and community involvement and for villagers the JFM was like any other scheme imposed on them by the Government (Karlsson, 1997:159-164)

In a case study undertaken by Indian Institute of Forest Management, Bhopal on firewood collection and migration in 2000 in North-West Bengal it was found that the JFM efforts in North West Bengal was disappointing in contrast to the excellent quantitative and qualitative performance of JFM in the southern parts of the State. The Forest Protection Committees (FPCs) formed in the area are the result of unilateral efforts of the Forest Department, with the local population or the so-called FPC members, being ignorant of the spirit and purpose of JFM.⁹

In a separate study by an NGO, CREATE on JFM in North Bengal it was revealed that the success of monitoring activities by communities depends on achieving a balance between sacrificial and rewarding activities (such as the people having some control over harvesting and sale of forest produce) and such a balance was absent in the present condition. The Study therefore concluded: 'sustainability of JFM hinges upon an agreement among the powers that be in acceding to their long standing demand of the forest dependent people to be armed with legal backing to harvest and sell forest products'. (De, 2005:93)

⁹ Public Forests, Fuelwood Collection and Migration: A Case Study in North-West Bengal, IIFM, Bhopal, India published by Food and Agricultural Organization of the United Nations, Bangkok, January, 2001

In addition a comprehensive field study on JFM in North Bengal conducted by a Siliguri based NGO in 2000 showed that after being on protection of forests for a continuous period of 5 years in case of FPC and 1 year in case of EDC (minimum years for being eligible for usufruct sharing or revenue sharing as stipulated by the JFM resolution, 1999 and EDC Resolution, 1996) only 18.75% of the committees under study benefited from revenue and usufruct sharing and more than 56% committees had not even bank accounts. Moreover more than 50 and 60 percent of total forest and forest fringe mouzas in Jalpaiguri and Darjeeling district remained outside of JFM and among approximately 300,000+ households in those mouzas only 50,000+ households (a meager 19%) joined the Committees. The Study observed the extent of participation of the members of FPCs and EDCs were not wide, a general lack of awareness about JFM concept and registration process prevailed among the members. Further, the irregular election of JFM committees, involvement of the Committee members in illegal extraction of timber and commercial operation, absence of control of the member over NTFP trading and little interest of Panchayat members to involve in the process undermined the very essence of the Joint Forest Management in the region. This clearly showed the extent of economic empowerment of the communities through JFM. The study showed that how bureaucratic apathy, absence of marketing mechanism, unplanned support activities and unwillingness to relinquish any power to the communities contributed largely to the failure of JFM and Eco-Development Programmes in the region.¹⁰

6.4. Empowerment and SFM in North Bengal under Xth Plan Period

However, things started slowly changing during the 10th Plan period (2003-08). The number of FPCs and EDCs increased in the North Bengal in general and the District of Jalpaiguri in particular. The flow of development fund as well as usufruct sharing became more or less a regular event in the exercise of JFM. Forest dwellers started

¹⁰ An unpublished Report on the study of J.F.M in North Bengal by NESPOL, 2000, Siliguri

getting at least financial assistance and their scope of livelihood opportunities became greater than that of the earlier period. There were four main factors which contributed to this process.

1. The first among them is the movement of the forest dwellers under a National non-party platform which started since 2001 demanding proper implementation of JFM in North Bengal. In the absence of a regional level leadership and organization as the existing forest workers unions by different political parties concentrated locally the movement successfully institutionalized the growing aspirations and grievances of the forest dwellers and paved the way for regional basis of their demands. The following chapter would deal with the movement in detail but the fact is to be stated here that it pressurized forest administration to a considerable extent to look after seriously over the problems facing by the JFM in North Bengal.
2. The second factor behind the progress is the launching of the 'National Afforestation Programme' during Xth Plan period by merging of four IXth plan centrally sponsored afforestation schemes of the Ministry of Environment & Forests namely Integrated Afforestation and Eco-Development Projects Scheme (IAEPS), Area Oriented Fuelwood and Fodder Projects Scheme (AOFFPS), Conservation and Development of Non-Timber Forest produce including Medicinal Plants Scheme (NFTP) and Association of Scheduled Tribes and Rural Poor in Regeneration of Degraded Forests (ASTRP). The objective was to reduce multiplicity of schemes with similar objectives, ensuring uniformity in funding pattern and implementation mechanism, avoiding delays in availability of funds to the field level and institutionalizing people's participation in project formulation and its implementation. The scheme has been started to be implemented by involving two-tire set up of the Forest Development Agencies (FDA) and

Joint Forest Management Committees (JFMCs) while seeking greater participation of the community where village will become the unit of all activities leading to empowerment of the local people both at the decision making and implementation level.

3. Thirdly, the Forest Department's initiative to form Self Help Groups (SHGs) in both forest fringe villages and forest villages simultaneously during the Xth Plan by involving the (eligible and willing) Forest Protection Committee and Eco-Development Committee members with an objective to open alternative sources of assured income on sustainable basis while curtailing the degree of dependency on forest of the forest dwellers simultaneously.
4. Finally, an initiative has been taken by West Bengal Forest Development Corporation Limited to introduce "The Project for Infrastructure Development and JFM Support in North Bengal." during 2003-04. The project includes all the forest divisions under three districts of Jalpaiguri, Darjeeling and Coochbehar as the beneficiary divisions.

As far as the JFM in North Bengal in general and Jalpaiguri District in particular are concerned the period showed an overall progress in terms of number of FPCs and EDCs, area under protection and involvement of forest dwellers in those committees. For example in the Jalpaiguri District there were 166 FPCs comprising 28691 members responsible for protection of 58253 ha of land as in December 2000. In March 2008 the number of FPCs went up to 200, with 33139 members and the area of protection increased up to 67241.28 ha. (See Table 5) Similarly, as on December 2000, there were 48 EDCs and with its 10292 members protected 40034 ha of Protected Area in the District. In March 2008 the number of EDCs increased to 57 and the number of EDCs members to 13116 and its area of protection to 55693 ha. (See Table 6) In North Bengal the corresponding number increased from 282

FPCs comprising 34925 members and 87561 ha area under protection in 2000 to 408 FPCs comprising 46325 members and 124536 ha area under protection in 2008. In case of EDCs the number increased from 72 covering 64747 ha with 15686 members in 2000 to 110 covering 88857 ha with 23428 members in 2008. The Table-5 shows that the highest number of increase of FPCs between this period was in the Baikunthapur Forest Division where 15 FPCs have been formed whereas Buxa Tiger Reserve East (BTR-East) Division shows no progress over the period and the numbers of FPCs remained the same in 2000 and in 2008 (17nos) . In terms of EDC formation, (Table-6) Coochbehar division shows the increase of 6 EDCs whereas the lowest rate of increase is found in Buxa Tiger Reserve West (BTR-West) Division where only one EDC has been formed in almost eight years. However, despite the overall progress, the fact is that the ratio of progress in implementation of JFM in the district is far below than the state ratio. In almost eight years, the average growth of FPCs and EDCs in the state was consecutively 84.13 and 2.75 but in the district, the corresponding statistics were 4.25 and 1.13. Moreover, the progress cannot render proper justice to the long standing demand for reducing average area under protection per member significantly. If we analyze the tables we would see that in North Bengal as a whole the average area under protection/member has been increased from 2.50 in 2000 to 2.68 in 2008. In Jalpaiguri District the area/member remains almost same i.e. 2.030 in 2000 and 2.029 in 2008. While going into the detail of particular division wise statistics the Table 5 shows that in the Jalpaiguri and Baikunthapur Division the average area for protection/member has been increased i.e. from 1.50 and 1.25 in 2000 to 1.67 and 1.92 in 2008 respectively whereas it has been narrowly decreased in BTR (East) (from 2.98 to 2.71) and BTR (West) (from 4.53 to 4.16) divisions. The only significant decrease of the area under protection can be recorded in Coochbehar Division where it goes down from 2.05 in 2000 to 1.13 in 2008.

Table 5: Progress in FPC Formation in Jalpaiguri and North Bengal

Divisions	As on December 2000(Under XIth Plan)			As on March 2008(Under Xth Plan)		
	No. of FPC	Area Protected (ha)	No. of FPC Member	No. of FPC	Area Protected (ha)	No. of Member
Jalpaiguri	49	18204	12169	63	20248.16	12069
Baikunthapur	55	7657	6113	70	15187.18	7875
Coochbehar	21	5891	2872	25	6780	5985
BTR (E)	17	10288	3454	17	9331.09	3443
BTR (W)	24	16213	4083	25	15694.85	3767
Total in the Jalpaiguri District	166	58253	28691	200	67241.28	33139
Total in North Bengal	282	87561	34925	408	124536	46325
Total in the State (WB)	3545	488095	386753	4218	553409.415	576078

Source: Constructed from State Forest Report, WB, 2000 & 2007-08

Table 6: Progress in EDC Formation in Jalpaiguri and North Bengal

Divisions	As on December 2000 (Under XIth Plan)			As on March 2008 (Under Xth Plan)		
	No. of EDC	Area Protected (ha)	No. of EDC Member	No. of EDC	Area Protected (ha)	No. of EDC Member
Wildlife II	8	5271	969	10	6550	1526
BTR (E)	14	18002	2547	14	23,328	1,627
BTR (W)	6	5309	616	07	9,901	2,070
Coochbehar	20	11452	6160	26	15,914	7,893
Total in the Jalpaiguri District	48	40034	10292	57	55,693	13,116
Total in North Bengal	72	64747	15686	93	76307	18674
Total in the State of W.B.	88	40034	20169	110	88857	23428

Source: Constructed from State Forest Report, WB, 2000 & 2007-08

Besides FPC /EDC formation usufruct sharing has been started during the Plan period across different divisions in Jalpaiguri District along with the rest parts of North Bengal. The problem is that in the consecutive State Forest Reports there is no mention of the usufruct sharing in North Bengal. The available data collected from four divisions under study in the Jalpaiguri District show the following figure (Table

7). The Table shows an uneven distribution of share among FPCs/EDCs across divisions and except BTR (West) none of the divisions distribute usufruct among all the FPCs and EDCs they have. Moreover, the Reports from different divisions reveal that except the Jalpaiguri Division the divisions having more eco-tourism spots distributes higher share than the division having less eco-tourism potential.

Table 7: Usufruct Sharing Among FPCs & EDCs in Jalpaiguri District

Divisions	No. of FPC & EDC Received Share	Period (Year)	Amount Received / Saving (in Lakh)
Jalpaiguri	17 FPC	2007-08	1,86,494.00
Coochbehar	3 FPC & 18 EDC	2002-2006	1,98,578.90
BTR (East)	11 FPC & 3 EDC	2005-08	2, 11,583.00
BTR (West)	24 FPC & 7 EDC	2005-09	75,62064.5 (Savings)

Source: Constructed from Reports of Different Divisions

The formation of Forest Development Agency under the Xth Plan period in the District of Jalpaiguri on par with the rest of North Bengal contributes further to the progress of JFM in the region. Despite being started a year later (2003-04) than the South Bengal districts it shows a remarkable progress at least in terms of fund utilization over the years. The approach behind the formation of FDAs was to establish a firm and sustainable mechanism for devolution of funds to JFMCs for afforestation and related activities. It was believed that the organic unity in the structural framework would promote efficiency, effectiveness and accountability through decentralization and devolution of authority and responsibilities both physical and financial. Village has been reckoned as a unit of planning and implementation under the framework. FDAs were constituted at the Forest Division level while FPCs/JFMCs were considered as implementing agencies at the village level. Today as on 31/03/2008 there are four FDAs comprising 196 FPCs protecting 510 ha of forest land in the District and eight FDAs comprising 311 FPCs protecting 1115 ha of forests in the North Bengal as a whole. The following Table (8) shows the progress of FDA in the District of Jalpaiguri.

Table.8.Performance of FDA in Jalpaiguri District vis-à-vis the State

Name of FDA	No. of FPC as on 31/03/06	No of FPC as on 31/03/08	2003-04 (In lakhs)			2004-05 (In lakhs)			2005-06 (In lakhs)			2006-07 (In lakhs)		
			Fund Available	Utilization	Utilization (%)									
Jalpaiguri	58	58	47.36	47.36	100	76.00	57.75	75.98	80.39	71.00	88.31	40.19	33.75	83.98
Baikuntha pur	67	67	39.31	39.31	100	64.87	53.63	82.67	70.14	40.00	57.02	49.42	24.46	49.49
Coochbehar	51	61	22.95	22.95	100	35.02	20.07	57.31	33.00	31.60	95.75	30.27	27.27	90.09
WildLife-II	0	10	00	00	00	00	00	00	00	00	00	5.62	4.25	75.62
Total in the District	176	196	109.62	109.62	100	175.89	131.45	74.73	183.53	142.6	77.69	119.88	85.48	71.30
Total in the State	1242	1315	673.10	554.59	82.39	1050.59	603.62	57.45	1121.59	630.40	56.20	864.61	652.97	75.52

Source: Constructed from State Forest Report, WB, 2005-06 & 2007-08

If we assess the performance of FDA in terms of its utilization of fund, we would see that most strikingly it utilized 100% of the fund across three divisions in 2003-04 where as the State's average utilization was 82.39% of its fund in that same year. But except the year, the district could not utilize its fund fully rather always it was below than 75%. Among FDAs within the district, Baikunthapur, the largest FDA comprising 67 FPCs showed a continuous decline in terms of fund utilization over the years and from 100% utilization in the year 2003-04 it secured the lowest percentage in the district in 2006-07 with merely 49.49% utilization of its fund. Jalpaiguri FDA on the other hand, is marked by a steady performance, as its utilization of fund never went down below 75%. The Coochbehar FDA is the only FDA, in which the number of FPCs increased from 51 to 61 in 2006 showing on and above 90% of fund utilization in the consecutive year of 2005-06 & 2006-07. The Wildlife II FDA formed later in 2006 and utilized 75.62% of fund in the financial year of 2006-07. However, the district was performing well in comparison to the state as a whole. The number of FDAs and FPCs has been increased from three to four and from 176 to 196 respectively during the period 2003 to 2006. It was only in 2006-07, its utilization (71.3%) went down below the state average (75.52%) otherwise, except the year 2006-07, it always crossed the average utilization of the state all along the years.

Besides, the formation of Self Help Groups (SHGs) in the District under the Plan period creates the scope for alternative livelihood opportunities leading to economic empowerment among the forest dwellers. For that certain alternative sources of income have been identified by the FD which includes Sal leaf plate making, mushroom cultivation, bidi making, piggeries, duckeries, poultry farms, rice husking, soft toy making etc. For sustainability of SHGs comprehensive training programmes including refresher courses for both target groups and Departmental staffs have been arranged at regular intervals to assess the actual state of affairs including identification of the actual problems faced by the SHGs and to ensure the suitable market linkages for their products. NABARD, DRDA and some NGOs along

with the officers of some line departments e.g. Rural Development, Health, ARDD, Sericulture, Agriculture, Fishery etc. and local bank authorities have been involved actively in the process. The state forest reports show the comparative performance of SHGs within the Plan period across forest divisions in the District (See Table 9)

Table: 9 Progress of SHGs across forest divisions in Jalpaiguri District

Forest Divisions	As on 31/03/2006				As on 31/03/2008			
	No. of SHG	No. of FPC/EDC in SHG	No. of Women SHG	Corpus fund generated (Rs)	No. of SHG	No. of FPC/EDC in SHG	No. of Women SHG	Corpus fund generated (Rs)
Jalpaiguri	23	6	23	41,851	23	6	23	41,851
Baikunthapur	59	14	49	6,46,972	59	14	49	7,60,000
BTR (East)	246	23	246	8,88,948	246	23	246	00000
BTR (West)	447	31	434	1,36,048	246	31	240	00000
Coochbehar	493	49	403	19,43,131	442	33	200	20,2000
Wildlife-II	26	8	25	9,479	33	10	27	1,43,000
Total	1294	131	1180	36,66,429	1049	117	785	11,46,851

Source: Constructed from State Forest Report, WB, 2005-06 & 2007-08

However, if we compare the performance over the years in the District we shall find that the picture is not at all encouraging. In all dimensions including number of SHGs, number of FPCs/EDCs covered under SHGs, number of exclusive women SHGs and amount of corpus fund generation the performance is diminishing. In 2006 there were 1294 SHGs including 1180 women SHGs covering 131 number of FPCs/EDCs and were responsible for Rs 36,66, 429 across six forest divisions in the Jalapiguri District whereas in 2008 the number went down to 1049 SHGs including merely 785 women SHGs covering 117 FPCs and EDCs and generated only Rs 11,46, 851 among which BTR (east) and BTR (West) had no contribution. Moreover the

Table shows that in 2008 except Wildlife-II divisions the number of SHGs and FPCs/EDCs under those SHGs either have been decreased or remained same as on March, 2006 in other divisions though the generation of fund has been increased in Baikunthapur, Coochbehar and Wildlife-II divisions. Wildlife-II can be designated as highest performing Division in terms of progress in all the dimensions whereas the BTR (West) can be regarded as the poorest performing Divisions as its number of SHGs has been decreased from 447 in 2006 to 246 in 2008 and it has even been failed to generate corpus fund along with BTR (East) Division in 2008 which indicates that either the SHGs in two divisions have become ineffective or defunct during the Plan period.

In addition to the above "The Project for Infrastructure Development and JFM Support in North Bengal" as initiated by the West Bengal Forest Development Corporation attempts to facilitate the progress of JFM in North Bengal including all the forest divisions under Jalpaiguri District. The Project started in 2003-04 with the following major objectives:

1. To conserve vast and rich forest areas of North Bengal
2. To maintain, improve and create the infrastructure necessary for protection of forests and wildlife
3. To create and maintain plantations
4. To regularly harvest forest resources by CFC, cultural operations, canopy opening, C.D. operations as per Working Plan prescriptions and collect drift and seized timber
5. To ensure generation of adequate man days for the fringe population
6. To enhance co-operation between the local people and the forest staff for natural resource management and protection
7. To sustain Joint Forest Management by a series of measures

In order to fulfill those objectives it was decided that the West Bengal Forest Development Corporation would entirely finance the harvesting cost and the cost of project inputs and make recoveries from the proceeds of sale of forest produce. Immediately after the approval of The Project fund for regeneration, removal of Malling Bamboo and forest protection amounting Rs. 1.77 crores was released in March 2004. In the Year 2004-05 a total amount of Rs. 1.57 crores, in 2005-06 an amount of Rs. 1.83 crores and during 2006-07 an amount of Rs. 1.798 crores was released.¹¹

Further, the National Rural Employment Guarantee Act, (NREGA) was notified on September, 2005. The Act provided a legal Guarantee of 100 days of wage employment in a financial year to every rural household whose adult members volunteer to do unskilled manual work at the minimum wage rate notified for agricultural labor prescribed in the State or else an unemployment allowance. The objective of the Act was to supplement wage employment opportunities in rural areas and in the process also built up durable assets.¹⁸ The Act came into effect on April, 2008 in the forest villages under Jalpaiguri District. The purpose of the NREGA is to enhance alternative livelihood opportunity of the communities for income generation through traditional and land based activities along with skill upgradation and value addition to their skills through support activities and training. Besides, various soil conservation works and rehabilitation of degraded forests have been included under the project in forest villages. Hence, it is expected that the Act would contribute in the empowerment of the forest dwellers by uplifting the livelihood conditions of those communities to a great extent. However, the data collected from Jalpaiguri Forest Division shows that Rs 62, 46,978 has been approved as project cost under NREGA for the socio-economic benefit of forest villagers and part of the FPC members during the year of 2008-09.¹⁹

¹¹ West Bengal State Forest Report , 2007-08, Pages 115-116

Moreover, The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, commonly known as Forest Right Act (FRA) was passed by the Parliament on 18 December 2006 (See Appendix III). After a one-year delay, the Act was finally notified on 31 December 2007 and the final 'Rules' were notified on 1 January 2008. Salient features of the Act are as follows:

1. The Act recognizes and vests the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. This would undo the historical injustice done to the forest dwelling Scheduled Tribes.
2. The Act provides for recognition of forest rights of other traditional forest dwellers provided they have for at least three generations prior to 13.12.2005 primarily resided in and have depended on the forest or forest land for bonafide livelihood needs. A "generation" for this purpose would mean a period comprising of 25 years.
3. The cut off date for recognition and vesting of forest rights under the Act will be 13.12.2005.
4. The Act provides for the ceiling of occupation of forest land for purposes of recognition of forest rights to the area under actual occupation and in no case exceeding an area of four hectares.
5. The Act provides for conferring rights in the National Parks and Sanctuaries also, renamed as 'critical wildlife habitat' on regular basis.
6. The Act provides for the right to hold and live in the forestland under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers.

7. The Act recognizes the right of ownership access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries. The Act has defined the term "minor forest produce" to include all non-timber forest produce of plant origin, including bamboo, brush wood, stumps, cane, tussar, cocoons, honey, wax, lac, tendu or kendu leaves, medicinal plants and herbs, roots, tubers and the like.
8. The Act recognizes the right to in situ rehabilitation including alternative land in cases where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to 13.12.2005.
9. The Act provides for the forest right relating to Government providing for diversion of forest land for the purpose of schools, hospitals, anganwaris, drinking water supply and water pipelines, roads, electric and telecommunication lines, etc.
10. The rights conferred under the Act shall be heritable but not alienable or transferable and shall be registered jointly in the name of both the spouses in the case of married persons and in the name of the single head, in the case of a household headed by a single person and in the absence of a direct heir, the heritable right shall pass on to the next of kin.
11. The Act provides that no member of a forest dwelling Scheduled Tribe or other traditional forest dwellers shall be evicted or removed from forest land under his occupation till the recognition and verification procedure is completed.
12. As per the Act, the Gram Sabha has been designated as the competent authority for initiating the process of determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers.

13. The Act secures rights of the forest dwellers but the people as per the Act would have to perform the responsibility of protection, conservation and regeneration of wild life, forests and biodiversity. Since the Gram Sabhas have been designated as the competent authority for initiating the process of determining the nature and extent of individual or community forest rights that may be given to the scheduled tribes and other traditional forest dwellers, this would empower the local communities in management of their natural resources in tune with the provisions of the PESA Act, 1996.

The significance and fundamental contribution of the Act in the praxis of forest rights lies in its community orientation. This community orientation has not only been reflected in respect to the communities claims over the forests' resources but also in the overall procedure for recognizing land rights of the forest dwellers. The objective of the Forest Right Act, on the other, is to recognize rights of the forest dwellers including the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance through Gram Sabha and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwelling communities. (The Gazette of India, 2007:1) However, in West Bengal the Order provided to initiate the implementation of the FRA was issued on 17th March, 2008¹² which proposed the formation of Forest Rights Committees (FRC's) at the *Gram Sansad* level to settle down the rights of the forest dwellers whereas the FRA (Rule 3.1) clearly stated that the formation of FRCs would have been at the *Gram Sabha* level in which the *Gram Sabha* has been defined as the village assembly comprising of all adult members of a village. (Ibid:3) *Gram Sansad*, on the other, according to the Panchayat Act, 1973, West Bengal, is a body constituted with all the voters in a constituency of the Gram Panchayat. The constituency, however, may comprises of several villages, depending upon the size of voting population, even resides at the considerable distance to each.

¹² The GO No.1220/PN/O/I/1A-2/07 issued by the Principle Secretary, Gov. of West Bengal dated 17th March,2008

other, which often left the opportunity for elected Panchayat Member from that *Gram Sansad* to favor his own village at the cost of others while distributing benefits of a government's scheme inequitably. There is even no upper limit in the number of villages under a *Gram Sansad* whereas *Gram Sabha* is based upon a single village. In an extreme case 11 numbers of remote and spatially forest villages in the Buxa Tiger Reserve (East) Divisions of Jalpaiguri District constitutes a single *Gram Sansad* under the *Rajabhatkhawa Gram Panchayat*. Therefore, formation of FRCs at the multi-village *Gram-Sansad* level instead of single-village *Gram Sabha* level could make the process of recognizing rights and empowerment of communities ineffective while providing the forest bureaucracy with an opportunity to manipulate the overall process of implementation in collaboration with corrupt Panchayat members. Hence, the implementation of FRA in the District of Jalpaiguri has been reduced to mere 'patta' giving process while the community building initiatives through Gram Sabha has been ignored accordingly. Till date the official data regarding the implementation of FRA in the District is lacking though according to Additional Divisional Forest Officer (ADO) Jalpaiguri Division reported that as on 28th February, 2010, total 2210 land titles (*patta*) so far have been given to the forest villagers in different divisions which includes 361 in Sadar Sub-Division, 783 in Malbazar Subdivision and 1066 in Alipurduar Subdivision.

7. Problem Areas within the Framework of SFM:

It can fairly be asserted that the evolving framework of sustainable forest management in North Bengal was not free from resistance from external factors. There were several bottlenecks outside affecting the framework itself, which in turn affect the performance and progress of SFM in North Bengal. State Forest Department identified certain issues and problem areas which affect the framework negatively and impede its growth and development. Jalpaiguri in particular and North Bengal in general is no exception to that. The Problem areas are as follows:

1. Variability of site-productivity bringing in inequity in sharing of usufructs
2. Political rivalries among people and inequities existing amongst groups of FPC members
3. Population growth and unemployment
4. Inadequate motivation of staff or absence of motivation
5. Lack of will
6. A strong compartmentalized development approach
7. Outreach of development activities falling short of targeted fringe-population
8. Heterogeneity in population and occupational structure
9. Organized timber theft, anti-social activities, insurgency and terrorism in certain areas and smuggling and cross boarder activities along international border etc. (State Forest Report, 2003-04:40-41)

Besides, there are certain context specific problems arising from both the peculiar bio-physical character of the forests eco-system and the historically patterned regionalized praxis of forest governance which contributed to undermine the localized framework of sustainable forest management in North Bengal notwithstanding the general drawbacks or loopholes in the participatory forest management system as a whole. All these factors led to an appreciable difference in the level of performance of FPCs and EDCs or JFMC's compared to the South or South-West Bengal.

8. Conclusion

In the present chapter we had an idea about how the global discourse on environmental/forest management has shaped the theories and practices of those in India. Our review of the practices of sustainable forest management here further

shows that in the context of India the empowerment initiatives through SFM produce uneven results across states. In the context of North Bengal in general and Jalpaiguri in particular the state interventions at least in terms of fund outlay, introductions of new schemes like NAP, SHGs etc has increased to a considerable extent in the Xth Plan period compared to the early phases of its implementation. Still the top-down process of empowering communities is marked by inconsistent bureaucratic endeavor in the Jalpaiguri District which has resulted in differential progress of the Govt. schemes, formation of FPCs/EDCs and utilization of available funds across forest divisions. Besides the progress of NREGA and FRA, 2006 is lacking supportive evidence yet which is questioning the sincerity on the part of bureaucracy in implementation of those programmes seriously in the District. However, the extent of effective execution of those programmes and the fate of both the empowerment and sustainability in the field situation cannot be estimated without understanding the degree of penetration of the collaborative engagement on the ground which shall be discussed at a greater length in the next chapter based upon the experiences of field works undertaken for the study.

Chapter-3

Situating Empowerment and Cooperation Below: The Success of Sustainable Forest Management

1 Introduction

The present chapter has 9 sections including the present one. Barring the 9th section which is the concluding one we have seven sections from 2 to 8. Section 2 profiles the forest villages in Jalpaiguri District. Section 3 looks at the field situation of empowerment through sustainable forest management practices and details the forest communities and institutional aspects of Joint Forest Management. Section 4 details different aspects of forestry operations and section 5 links them with the issues of livelihood, empowerment and eco-system degradation. Section 6 is devoted to the nature and extent of empowerment through cooperation from the above and section 7 introduces the opposite perspective of empowerment through cooperation from the below. Finally section 8 attempts to measure empowerment in terms of cooperation and resistance at the field level.

2. Forest Villages in Jalpaiguri District: A Brief Profile

Most of the studies on sustainable Forest Management in North Bengal concentrated in its first phase between early 90's to the early 2000. All the studies in or before 2000 in North Bengal reported about the gross failure of the programme in the region which has been stated in the previous chapter. The present chapter deals with the progress of SFM in Jalpaiguri District mainly in the Xth Plan period in its historical context while investigating the status of empowerment of the forest dwellers in the region. To understand the degree of success of sustainable forest management the Chapter goes beyond the participatory framework under JFM and focuses on the aspect of cooperation between forest department and forest

dwellers and its problems in the field situation. The study situates the issue of cooperation in the context of over all forest governance around forest eco-system in the forest villages of Jalpaiguri District. The status of empowerment through cooperation has been examined in terms of usufruct and revenue sharing, level and degree of participation in the forest protection as well as regeneration activities and overall livelihood development of the villagers under different schemes as initiated by the government. Instead of viewing empowerment merely as by product of the developmental process the study understands it as the process of active involvement of the villagers in transcending their present mode of living while describing disempowerment as the process of alienation emerging out from the praxis of collaboration between the villagers and the Department. Now before going to reveal the actual state of empowerment and practice of sustainable forest management the chapter presents a brief overview of the forest villages in North Bengal which we have dealt in detail later on Chapter-4.

The establishment of forest villages in the District primarily was started during the fire protection regime in order to solve the problem of labor scarcity before the colonial forest management. With the adoption of taungya system the forest villages became absolutely essential. The forest villages were comprised mainly of the tribal people some of them were indigenous like Mech, Toto, Rava, Garo, Tamang, Lepcha, Bhutia etc. and others were migrated from different parts of the country like Orao, Coal, Bheel, Munda, Khasia etc. According to the Working Plan of the Jalpaiguri Forest Division, 'the scheme of taungya sowing allowed the cultivations to settle in the reserved forests for the first time in 1902. By 1904 the establishment of forest villages became a regular policy and very large numbers of households were allowed to come in.'¹³ The Forest Department was heavily dependent upon those forest villagers for cultural operations, fire protection and

¹³ Seventh Working Plan for the Jalpaiguri Forest Division 1970-71 to 1989-90, Vol-I, Directorate of Forest, Govt. of West Bengal, Coochbehar, 1976, p-62

artificial regeneration as the villagers were found very useful particularly in the context of difficulty to get outside labor for those activities. Initially the villagers used to cultivate a large amount of land and there were no limit in livestock population per family but in 1912 rules were made which limited the cultivation to 5 acres and the cattle to one pair of plough bullocks and two milk cows for each household.¹⁴ Besides, land for cultivation and rearing livestock the villagers were being offered some concessions and facilities like limited access over usufructs, free grazing etc. in exchange of their service for the Department. Each household in the village had to sign an agreement in every year issued by the Department which was continued till 1966. Such kinds of agreement contained detail provisions of privileges and duties of the forest villagers while compelling them to provide free and compulsory labor for the Department and under no circumstances the villagers could violate the agreement.

However, against the backdrop of a historical movement by the forest villagers against the taungya system new rules were framed during 1969 and practice of establishing new villages were completely stopped. In this period the problem of unregistered villagers arose in an unprecedented scale due to the growing numbers of second and third generation settlers who were not recognized by the Department and consequently were deprived from activities and privileges offered by the Forest Department. The 1972 Wild life Act and 180 Forest Conservation Act put them further into miserable conditions as those choked their regular employment opportunities in the forestry operation. During 90's those villages were brought under the JFM Programme but the evaluation of the First Phase of the Programme indicated that it failed to uplift their livelihood condition to a significant level. According to the latest record there are 170 forest villages in the three districts of North Bengal including 76 villages in Jalpaiguri District (See

¹⁴ Ibid

Appendix IV) where the second phase of the Programme was introduced under Xth Plan period (See Table 10).

Table 10: Division wise Resume of Forest villages of West Bengal

Districts	Division	No. of forest Villages	No. of Regd. Family	Total permanent Population	Tribal Population	Area under possession of Forest Villages (ha)
Jalpaiguri	Jalpaiguri	21	433	5158	3888	943.60
	Wildlife -II	2	32	355	355	100.05
	BTR (E)	16	354	5582	3882	623.41
	BTR (W)	21	735	9230	7248	1078.76
	Coochbehar	12	290	5098	3861	685.00
	Baikunthapur	4	150	2061	1615	125.54
Total	6 Divisions	76	1994	27484	20849	3547.36
Darjeeling	Darjeeling	27	355	3418	2657	315.28
	Kurseong	22	416	4224	3538	243.03
	Kalimpong	29	801	6187	1542	495.71
	Wildlife-I	13	290	2779	1501	126.71
	Total	4 Divisions	91	1862	16608	9238
Coochbehar	COBSF	3	60	550	550	101.00
Total	11 Divisions	170	3916	44642	30637	4829.09

Source: West Bengal State Forest Report, 2005-06

3.1. Empowerment through SFM in the Field Situation

Most of the forest villages in the study area of the Jalpaiguri District established before independence as an offshoot of taungya System introduced by the British. The villages are mostly populated by the tribal communities like Rava, Orao, Munda, Bhutia, Nepaly with religious belonging of Christianity, Hinduism and Buddhism. The field study has been conducted in the seven forest villages of the District comprising four FPCs and three EDCs under the four largest forest divisions including three wildlife divisions (Table 11). A lot of experimentation has so far been made to promote sustainable forest management in those villages. As for example in the earlier years a number of forest villages were brought under the JFM together with the revenue villages though later they have been separated and exclusively forest village FPCs are formed. Further most of the FPCs comprising two or more than two forest villages earlier have been decomposed into village based FPCs in the later

period. Moreover, in a few specific cases the EDCs in the forest villages in the fringe of Protected Area have been transformed into FPCs in the late 90,s period. All those experimentation leads to instability in practices of JFM in those villages. Besides, four out of six divisions in the districts are wild-life divisions and fall under Protected Area of National Parks and Wildlife Sanctuaries where regular timber operation has been stopped by the Department following the Supreme Court Order. Consequently revenue or usufruct sharing from firewood and poles becomes a rare opportunity before the forest villagers which has been considered as the basis behind entire participatory exercise of forest protection under JFM in the State of west Bengal. However, despite those impeding factors the forest villages under Jalpaiguri Forest Division shows relatively better results than the other divisions in the District in which Reti Forest Village FPC has been awarded as the best FPC in North Bengal (excluding hills) during 2008. In this context the empowerment of the villagers in the field situation has been studied in its relation to sustainable forest protection, sustainable forestry and sustainable livelihood which together comes under the rubric of sustainable forest management.

Table 11: Brief Profile of the Villages under Study

Name of the Village	Division	JFMC	Communities	Religion	Total Population	Tribal Population	Area (ha)
Khuklung	Jalpaiguri	FPC	Rava, Adivasi	Christianity, Hindu	310	310	48
Gossainhat		FPC	Rava, Adivasi	Christianity, Hindu	345	325	65
Garo Basti	BTR (West) Wildlife	FPC	Rava, Adivasi, Nepali	Christianity, Hindu	1043	1043	80
Pani Jhora		FPC	Rava, Adivasi	Christianity, Hindu	202	202	35
Santra Bari	BTR (East) Wildlife	EDC	Nepali	Christianity, Hindu	660	280	10
Lepchakha		EDC	Nepali, Bhutia	Buddhist, Hindu	356	---	26
Andu Basti	Coochbehar (Wildlife)	EDC	Rava	Hindu	338	336	48

Source: Constructed from Field Work and Annual Reports of concerned divisions

3.2 Sustainable Forest Protection and Empowerment

JFM Programme has been introduced in those forest villages with an objective to protect forest and wildlife with the involvement of the forest communities while empowering them financially through usufruct sharing and administratively by involving them in the decision making process. Among the seven forest village FPC/EDC three forest villages FPC/EDC have been reconstituted in the later period and all the FPC/EDC have been brought under new JFMC Resolution in 2009. In the Jalpaiguri Forest Division the Khuklung and Gossainhat FPC have been formed during 2006 which were under Madhy Khuntimari FPC and Dakshin Khuntimari FPC respectively since 1992. Under Buxa Tiger Reserve (BTR)-West the trial and error process continued with the JFM committee at Garo Basti. Earlier in 1992 it was under Garo-Pampu EDC jointly with the Pampu Basti Forest Village and in 1996 it became Garo-Pampu FPC and after 1998 the FPC was divided into two FPCs and the new Garo Basti FPC has been evolved. At present Lepcha Kha forest village under BTR (East) is the only forest village which doesn't have independent EDC and remains under Buxa Duar EDC till date.

So far as the working of JFM committees are concerned all the villages experienced a defunct period marked by complete absence of the committee functioning in terms of General body/Executive Body meeting and patrolling activities. Villagers accused the Department for lacking initiative as the main reason behind the incident. Patrolling activities which were started soon after the formation of the committees gradually became slow down and now has been completely stopped altogether. It has been said by the villagers that when they raised certain issues regarding their security and compensation against injury or murder of the

villagers by the timber mafia during patrolling the Department put a stop into the whole exercise. The only positive thing in the forest protection activities is the establishment of a network of information by the Department with the help of the villagers. General Body Meeting or Executive Body Meeting held irregularly according to the wish of the concerned Beat Officer. The villagers hardly take part in the decision making process and even if any one talk to the meeting against the forest officials they were intentionally being excluded in the next meeting. The Department did not show any importance also to the suggestion made by the Panchayat member elected from the village. Usufruct sharing or revenue sharing is extremely irregular and average frequency of usufruct sharing is reported as twice in near about 20 years. Moreover in many cases villagers even don't know that how much percentage of total revenue or usufruct they are getting exactly from the Department. Micro-planning exercise has been taken place only in a few villages and following that only those villages could accumulate a handsome amount of fund. JFM support activities under FDA fund has been disbursed without any follow-up planning and consultation with the forest villagers. In short the over all performance and functioning of JFM is not consistent with its stated objectives and status of empowerment of the villagers is more or less disappointing except the fund accumulation under micro-plan exercise (See Table 12). Nevertheless it has been observed that in almost all the villages the exercise of JFM has been improved in terms of FDA funding in the developmental activities and revenue sharing in the Xth Plan period particularly in comparison with the earlier status in the IXth Plan. Against the backdrop the following section would deal with the specific experiences at the village level obtained from Focus Groups interviews together with the general experiences from the household survey in detail.

Table 12: JFM Activities in the Forest Villages under Study as on Nov, 2009

Items	Villages	Khuklung	Gossainhat	Garo basti	Panijhora	Santra Bari	Lepchakha	Andu Basti
Defunct period of JFM		1991-2003	No defunct period	2002-2007	1992-98	1990-98	1992-2009	2001-08
Usufruct/Revenue sharing		10 stack firewood in 2007 and Rs 9,522 in 2009	Rs, 1400 in 2007, Rs 7000 in 2008 and Rs, 38000 in 2009	Only Rs 90,000 in 2009	Twice till 2009 @25% of the total Revenue	None	None	None
Frequency of AGM		Once in a year since 2006	Once in a year	Once in a year	Once in three years	Once in two years	Twice	Only one meeting
Frequency of Patrolling		2 months in 1998	1992-93	2000-2002	1992-94	7-14 days/year	No Patrolling	Six months in 2001
Micro Planning		No	No	Yes	Yes	Yes	Yes	No
Total Fund under the JFMC's		Rs 9,522	Rs, 48,000	Rs 5, 00000	Rs. 1,65,000	Rs2,40,000	-----	Nothing
JFM support activities and village development under FDA		3 pumpset, one power tiller, Community Hall, Shop, Culvert, Kanchha Rasta etc.	Power tiller sewingmachines, 5 houses, 5 latrines, 1shop, community hall , culvert, kanchha rasta Electricity etc.	Piggary, Poltry , Cattle, 1 Bamboo Bridge and Electricity	1Pumpset, 1 solar light, 23 ponds, 9 houses, 8 Sanitation , Canal, Electricity etc.	Piggary, poltry, 2 km pipe line for water, 6 Water Resorvi or, 6 common Toilet, culvert, etc	6 bridges, 3 Solar Panel and 1 water reservoir with	1Tractor, 1Pumpset, Spray machine, whim machine, and 26 house repaired

Source: Field work

3.3 Meeting, Patrolling and Functioning of FPCs/EDCs

In Jalpaiguri Forest Division both the forest villages of Khuklung and Gossainhat were brought under JFM in 1991 through the formation of Madhya Khuntimari and Dakshin Khuntimar FPC. The FPCs comprising both the forest villages and the revenue villages in the forest fringe area divided the forest compartments for patrolling and protection activities. Dakshin Khuntimari FPC was functioning well as the Annual General Meetings were held regularly and the villagers of Gossainhat under the FPC started patrolling along with the revenue villagers which continued till

1997. The Khuklung Basti under the Madhya Khuntimari FPC, on the other, did not take part in patrolling for a single day as the Beat officer of the concerned FPC did not take any initiative for meeting, patrolling or functioning of the FPC at all. Instead a large tract of forests at Vanderkura under the Madhya Khuntimari FPC area was found to have been felled illicitly by the FPC member from the revenue village which led to banning of the FPC by the Department. Since 1988 it was a general demand by the forest villages to form separate FPCs for the forest villages on three common grounds. Firstly, the revenue villages could not be treated alike with the forest villages especially for forest protection activities as there is a gulf of difference in attitude towards forests among them. Secondly, under joint FPCs forest villagers were often held responsible for illicit felling by the revenue villagers in which basically they had no involvement. For instance Gossainhat forest village stopped patrolling because otherwise the blame of cutting forests would be upon the shoulders of the forest villagers. Thirdly, incorporation of revenue villages into the JFM produced a negative result as the forest villagers accused that earlier revenue villagers were fearful about the forest villagers and viewed them as the sole custodian of forests as they had no right to enter into forests. But with the JFM they got right to enter into forests and claimed equal rights with the forest villagers over the forests. Gradually their fearful attitude changed and they became courageous to cut down trees from the forests in the name of firewood collection for their household requirements. Consequently the selling of firewood to the timber merchants and local hotels, shops and industries became a regular fashion. The illicit felling and illegal trading in firewood and timber started shortly and further the revenue villagers were successful to involve some of the forest villagers in this illicit trade while offering more money than the available man-days in the forestry operation.

However, with the formation of Jalpaiguri FDA in 2006 the Department fulfilled their demand and new Khuklung FPC and Gossainhat FPC were formed in the

same year. , Soon after the formation of FPC villagers from Khuklung started patrolling in the forest compartments and seized a considerable portion of illicit timber from the area. But gradually they found that the Department was reluctant to catch timber thieves and many in cases despite informing the FD they could not send their staff to the spot rather showed their disgustful attitude to the villagers. As a result villagers lost their enthusiasm and gradually patrolling activities stopped altogether. But the experience of the Gossainhat was altogether different as when they were called for patrolling by the Department under the new JFM committee the villagers put certain conditions before the Department i.e. if any villagers would have been injured or murdered by the timber mafia the Department should take the responsibility and should provide adequate compensation and a clear agreement between the villagers and the Department should be made in this regard. The Department, however, could not agree to that agreement and the villagers did not participate in patrolling for a single day. So far as the meeting of the FPCs is concerned the Annual General Meeting has been held regularly once a year in both the Khuklung and Gossainhat FPCs though none of the Executive Committee Meetings (ECM) so far was held till November, 2009.

In the Buxa Tiger Reserve (West) the Garo basti forest village along with another forest village namely Pampu Basti together formed Garo-Pampu EDC though later on during 1996-97 they were converted into Garo-Pampu FPC and in 2006 it became Garo Basti FPC. However, until 1996 there was regular plantation work in the Division under forestry operation but after that it was stopped completely leading to massive unemployment among the villagers. It resulted in the engagement of the villagers in illicit felling of the timber. The trend increased highly during 1999-2000 when a gang of 200-300 people were involved in regular illicit felling from the forests. Consequently the EDC members decided and started patrolling since 2000 and it continued till 2002. More than a thousand cubic meters of timber had been seized and about hundred thieves were caught by the members

during that period. But the EDC members lost their interest in patrolling as the Forest officers were reluctant about those thieves and often released them without lodging any cases in the police station. Similarly it was found that a good number of villagers from nearby or adjacent FPC was involved in those activities and when those people were caught by them and produced before Beat Officer he used to say that they are the members of the neighbor Beat and he could not punish them while directing the EDC members to set them free. All these factors contributed to the loss of enthusiasm among the member and the patrolling was stopped completely. The Panijhora-Bania FPC, on the other hand, was formed in 1992 and soon after its inception the FPC continued patrolling up to two years but facing the problems of timber mafia and organized gang of criminals it appealed to the Department that the forest guard should be appointed for patrolling along with the forest villagers and finally the Department agreed to do it though in practice they never sent Forest guards with the patrolling team. As a result the villagers stopped the patrolling ultimately. The AGM took place regularly in the Garo Batsti FPC while it was most irregular in case of Panijhora-Bania FPC where it used to be held once in three years. On the contrary the ECM used to take place regularly in case of Panijhora and was most irregular in case of Garo Basti.

Under Buxa Tiger Reserve (East) Santra Bari EDC was formed in 1996. Since the beginning the committee was suffering from the lack of initiative by the Department .AGM on an average used to take place in alternative years and there was no regularity of Executive Committee meeting also. In terms of patrolling the villagers demanded an agreement with the Department for adequate compensation for the villagers if anyone killed or injured by the organized anti-poacher but the Department could not agree. Thereafter 4 to 5 villagers went for patrolling once a week rotation wise along with the forest staff in the nearby forest compartments. The other forest village-Lepchakha under the Division came under JFM in 1992 with formation of Buxaduar EDC. The committee, from the very beginning was

dysfunctional as no patrolling activities took place till date and in near about twenty years only two meetings of the Committee were held.

Andu Basti EDC under Coochbehar Forest division was formed in 2001. The villagers started patrolling with the initiative of the villagers prior to the formation of EDC in 1984 jointly with the FD headed by the forest guard because during that period the forest theft in the region increased to a great extent and some of the forest staff were reported to be involved in such illicit trade. The patrolling continued till 1990. After the introduction of JFM the theft again increased as the revenue villagers got free license to enter the forests while claiming the respective area under their custody. However under JFM the total area under patrolling earlier protected together by three closely neighboring villages were demarcated among the three villages equally where every village was responsible for protection of their respective area. This resulted in lack of enthusiasm among the villagers to take initiative for patrolling separately while each of the three villages dependent heavily on each other in everyday life due to having same ethno-cultural belonging. Further the villagers found that the Department was reluctant to catch the forest thieves and was not even interested in convening meetings. As a result after the formation in 2001 the EDC continued patrolling up to six months whereas only single meeting of EDC took place till November 2009. However, in all the forest villages of different divisions in the District, the FPCs and EDCs have been reconstituted as JFMCs in 2009 under the new Resolution of the Department. By the end of 2009 one general body meeting of each JFMCs was held except in the Andu Basti JFMC.

3.4 Usufruct Sharing, Micro-Planning and Fund Accumulation

In the Jalpaiguri Forest Division both the Khuklung and Gossainhat forest village were deprived of usufruct or revenue sharing till 2006. It was in 2007 the Khuklung Basti FPC received 10 stack of firewood as usufruct and got Rs 9522 as revenue from Gossainhat Eco-Park in 2009 following the opening of their bank account for the first

time. As in November, 2009 the FPC had Rs 9,522 which they planned to spend in the construction of local Church.

The experience of usufruct revenue sharing in the Gossainhat was relatively better than in the Khuklung FPC as it received the share of Rs 1400, Rs 7000 and Rs 38000 in the consecutive year of 2007, 2008 and 2009 from the firewood and Gossainhat Eco-Park. Now the committee has the balance of Rs 48,000 in its bank account. No micro-planning initiative so far has taken place in those villages. However, the problem with their usufruct/revenue sharing from Gossainhat Eco-park is that the park is located between the Khuklung and Gossainhat forest village and interestingly it has recently been decided by the Department that the 25% of the total income from Gossainhat Eco-park would be distributed equally among three FPCs namely Mela, Khuklung and Gossainhat and remaining 75% would go to the FD. It is indeed a gross violation of FPC Resolution according to which each of the FPC is entitled to get 25% of revenue or usufruct sharing.

In the BTR (W) during the formation of the Garo-pampu EDC the Department promised about 100% sharing of NTFP and 25% revenue sharing from the firewood but the EDC got nothing till 1988. Consequently the members of the EDC closed the Rajabhat Khawa Depot for two days and gave deputation to the Ranger in the same year. After their movement 125 pile fire woods was sanctioned for that EDC but given the worst quality of firewood villagers refused to take it. In 2006 the same EDC was converted to FPC to bring it under FDA but nothing positive happened in terms of revenue sharing. However, in 2009 the FPC got Rs. 90,000 as 25% of its share from the sale of fire wood.

The experience of micro-planning was not at all good. With the fund under the Integrated Tribal Development Project (ITDP) Rs 27 lakhs were sanctioned for village microplanning. With the assistance from a Kolkata based NGO namely IBRAD the FPC introduced micro-planning in the village. The rule was that every household

who wished to come under the plan had to submit Rs, 3125 i.e. 25% of the total money i.e. Rs. 12,500 which they were entitled to get under the micro-plan. They distributed almost Rs 12 lakhs 85, 000 among the villagers. But unfortunately during the visit of World Bank monitoring team one member of the FPC was found to have been involved in the illicit felling and consequently the remaining fund of almost 15 lakhs rupees had been withdrawn by the Department. However, the committee member observed that the money under micro-plan had not been utilized according to the plan they had submitted before committee instead it was spent for some other purposes like marriage, dowry, tour and travel etc. Only a few villagers spent it properly. The only positive thing is that a good amount of fund of Rs 3 lakhs plus was generated from 25% contribution of the villagers by the EDC which remains still unused. In total now the JFMC has a good amount of fund of about Rs 5 lakhs .

In the Panijhora FPC under the same Division of BTR (W) it was told by the Department that the Committee was entitled to get 15% share of firewood whereas according to the FPC Resolution it was actually 25%. Nevertheless the villager got the 15% share merely two times in near about twenty years. Under the Micro-Plan sponsored by the Integrated Tribal Development project (ITDP) most of the initiatives taken by the villagers failed due to the absence of follow-up activities. The only positive thing in the micro –plan was the consolidation of a good amount of community fund from the 25% contribution from the villagers selected under the Plan. An amount of Rs. 1 Lakhs 65 thousands was generated and fixed up in the Bank. The interest from the money used to be withdrawn every December on the eve of Christmas Day celebration as most of the villagers belonged to Christianity. However, in 2008 the Department opposed the utilization of interest on religious occasion and since then it has been stopped.

The Santra Bari EDC in the BTR (E) did not get sharing of firewood and pole except in 1988 when it received merely 15 stacks of firewood as 15% sharing of usufruct whereas in case of EDC the 100% sharing of firewood has been stipulated by

the EDC Resolution of the Department. In the year of 1999 when there was a habitual delay by the Department to release money under micro-planning activities the villagers' gheraoed the Ranger for 24 hours and became successful to get the money. The micro-planning process became helpful indeed for the villagers to make their plan a success. Some of them spent it on piggery or poultry, others used it for the development of their agriculture and a few of them bought sewing machine under the plan. Moreover from the contribution of 25% under Micro-plan the EDC generated a good amount of fund of Rs 2 Lakhs 40 thousand a portion of which they are planning to invest as additional expenditure at the household level for electrification under FDA fund.

The Lepchakha EDC in the same Division of BTR (E) did not receive any sharing from usufruct or revenue from the Department. Though Micro-plan activities took place in the village most of the villagers remained outside the process as they could not submit 25% of the amount before the Committee they wanted to receive under the Plan.

Andu basti EDC under Coochbehar Division was found as the worst example in terms of usufruct sharing. Till date no usufruct or revenue sharing took place. The EDC currently has no fund and no micro-planning activities have taken place till date as reported by the villagers.

3.5. JFM Support Activities and Development through FDA

Developmental activities and JFM support activities have been started properly in all the Divisions after 2006 with the fund from FDA. A number of initiatives has been taken by the Department to support the villagers in order to reduce their dependence on forests while making their livelihood conditions better than that of the earlier. Two kinds of support have been provided by the Department in this regard; one is to develop the infrastructural conditions of the villages by constructing Kanchha Rasta, culverts, Bridges, canals, community toilets, water reservoirs etc and

the other is to fulfill the necessities of the community by providing pump set, power-tiller, swing machine, construction of community hall etc. The most important development in this regard is the electrification of the villages under the Fund. As on November, 2009 the three villages of Gossainhat (Jalpaiguri) Garo Basti and Panijhora (BTR (W)) got the connection and the remaining villages are yet to be connected within 2010 according to the plan by the Department. Andu Basti under Coochbehar Forest Division, however, has already been connected by electricity in 2007 with the initiative of the Gram Panchayat. So far as the development activities are concerned the performance of Jalpaiguri Forest Division is found to be the best, the performance of the BTR (W) is the moderate and those of the Coochbehar Forest Division and BTR (E) are the worst.

The problems before the developmental activities as reported by most of the FPCs/EDCs in almost all the Divisions were that the decisions regarding JFM support activities and developmental activities were used to be taken by the concerned Beat or Range officer arbitrarily without any consultation with the villagers. This resulted in spending of money for useless purpose without fulfilling the actual need of the villagers. As for example the Khuklung Basti FPC under Jalapiguri forest Division has been given three pump sets and one power tiller whereas the irrigation system of the village is quite good due to three dams like Patinala, Siltong-I and Siltong-II. On the contrary the villagers demanded a watch tower (taung) to protect their agriculture from the elephant attack and construction of paucca Rasta along with bridges to avoid inaccessibility with the outer world during rainy season which were never fulfilled by the Department. The similar type of experiences has also been faced by the Andu Basti in the Coochbehar Forest Division where the Department does not accept the village Resolution for community development but imposes its own preferences to release the FDA fund in the current financial year. As for example the DFO said that there was a fund for construction of culverts, kanchha rasta and community toilet but villagers argued for making an arrangement of

irrigation system by digging new canals from the nearby river to the village. Consequently the DFO withdrew the amount of RS 18500 and spent it in another village. Another example is from Gossainhat forest village under Jalapiguri Forest Division where the villagers demanded pump sets but they were provided power tiller and swing machines. Against these arbitrary practices villagers often refused to take assistance from the Department. For instance, Garo Basti under BTR (W) Division refused the construction of a watch tower to curb elephant attack while they demanded at least four watch towers surrounding the village.

Against all those bad experiences, the Department has been relatively cooperative and has used to take care about the villagers decision. In terms of JFM support activities villagers got sewing machines, four pump sets and one power tiller. Besides, 8 number of sanitation, 9 houses have been constructed along with the repairing of another 8 houses. Additionally construction of two Kancha Rasta, a new canal, reforming of old two canals and electric fencing and construction of high drain and four watch towers to curb elephant attack took place. A number of villagers also got individual land entitlement under FRA, 2006. But without the Dag and Khatian number in the land title the villagers expresses their doubt that whether they would get loan facilities from the bank while using the title deed. Besides, Santrabari EDC under BTR (E) Division reported that they are more or less successful to compel the Department to carry forward the developmental activities according to their preferences. After 2006 under FDA fund two watch towers along with search lights to protect themselves from elephant attack, 6 Reservoirs for drinking water, 6 community latrines and 6 community bathrooms have been obtained from the Department

4.1. Sustainable Forestry and Empowerment

Forestry operation takes place regularly in the Reserved Forests of Jalpaiguri Division while it is a rare event in the Protected Areas of Buxa Tiger Reserve (East) and (West)

and the Coochbehar Forest Division. The forestry operation refers to the entire process of silvicultural practices which includes regeneration, weeding, thinning, cleaning, and clear felling coups (CFC) etc. Regeneration means the renewal of forest crops either naturally or artificially. Weeding implies removal of all unwanted plants that interfere or tend to interfere with the growth of the favored species. Cleaning involves the removal or topping of inferior growth and thinning is a kind of felling made in an immature stand for the purpose of improving the growth and form of the trees that remain without permanently breaking the Canopy. CFC has been defined as the clear cutting of a selected tract of forests. The purpose behind the entire silvicultural process of forestry operation is to maintain the forests in its ideal condition in order to satisfy the desires of the beneficiaries, the present as well as future generations.

4.2. Wider Spacing System in Plantation

However, the field study has raised certain serious question about the purpose of the forestry operation under the sustainable forest management regime. Villagers told that certain fundamental changes brought about in the entire system started aftermath of the sustainable forest management practices since 90's. They argued that in the earlier system Sal and miscellaneous species have been planted with a spacing of 2 meters X 2 meters whereas afforestation schemes with the assistance from World Bank since 90's prescribed Sal plantation with a spacing system of 3 meters X 3 meters where the gap between the two rows and within the row has been increased to one meter. However, the plantation under Forest Development Agency (FDA) has retained the spacing between two rows as 3 meters though the spacing within the row has been reduced to 2 meters like the earlier system. In case of miscellaneous species like Chilaune, Chkrasi, Champ, Chalta, Bahera, Panisaj, Pakasaj, Gukul, Lali etc. both the World Bank and FDA followed the same formula of spacing about 3 meters between and within rows. As a result of increasing the gap of one meter if a sapling dies the gap between and within the rows becomes 6

meters which leaves the possibility of relatively open canopy cover instead of dense forests. It becomes detrimental to the forest health because when the tree canopy is open there is little humus on the forest floor and therefore, rain strikes the almost bare soil with full fury and brings about soil erosion, which leads to denudation. (Sagreiya, 2000:57)

4.3. The Problem of Seedling Plantation

Further, the earlier system of plantation was - seed sowing whereas under the schemes of World Bank and FDA it becomes seedling plantation. The villagers said that the Department argued for seedling plantation in all miscellaneous species for it being cost effective as the cost is higher in the seed sowing method due to requirement of more seeds but Department could not make any proper infrastructure even for that method. At present in the most cases there is no field based nurseries and seedling has been taken to the plantation sites from far away and due to transportation through the rough and uneven road a good quantity of seedling has either been damaged or dead which affected the forests because damage seedlings died soon after plantation and the gap between the two seedlings in between or within rows would have increased further. Moreover due to seedling plantation the thinning operation becomes a rare event which was used to take place regularly after every five years during seed sowing process (miscellaneous species) because under the process the normal gap between two seeds within a row was from 6 inches to 12 inches and thinning operation was conducted with an interval of every five years until the gap between the growing plants within a row has been increased to 2 metres. But in this seedling plantation the spacing of 3 meters is being maintained from the very beginning and therefore thinning is not required which deprives the villagers not only of the benefit of getting firewood from the thinning operation but it has also reduced man-days required for such operation. However, observing the harmful effect of seedling plantation on forest health in a

few cases the Jalpaiguri Forest Division and BTR (W) Division have introduced a mixed mode of plantation especially for dominant species like Sal. In this method seed sowing method has been followed additionally with the seedling plantation with a spacing of 3 meters in case of World Bank plantation and 2 meters in case of FDA plantation within the row whereas in case of miscellaneous species the process of exclusive seedling plantation has remained same. Keeping this mixed mode in mind the villagers argued that earlier seedling plantation was the complementary and seed sowing was the main method but now the whole thing becomes reverse where seedling plantation has become the main method and only in case of dominant species like Sal seed sowing method has been followed additionally.

4.4. Species Choice and Denial of Villagers Preference

The problem persists in respect to species choice also. Whereas in FDA plantation under National Afforestation Programme it is stipulated that villagers would participate in every steps of its implementation but in practice Forest Department has never used to seek their suggestion regarding species choice instead they even planted exotic species like Teak which the villagers of Coochbehar Division opposed since long as it increased the temperature of the ground which led to the death of other natural species growing at the bottom of Teak and discarded all the possibilities of intercropping.

4.5. Hector Based Wage System and Problem of Maintenance

Another problem related with the present system of plantation is the changes in the mode of wage payments. Villagers said that the earlier system of payment in forestry operation was daily wage system under the master role but World Bank and FDA plantation introduced hector based system where wages are paid per hector for plantation. As for example under FDA plantation the total labor cost per hector is Rs 9000 and for normal plantation under Working Plan it becomes Rs 11500.

Interestingly this Rs 9000/Ha or Rs 11500/ha covered everything including cleaning, burning, seedling plantation and even the salary of Rs 1000/month for Choukidar appointed to protect new plantation from livestock grazing at least for a couple of months. The contractual system of plantation has even been extended to the CFC where the wages have been given in terms of cubic meter felled by the worker. The problem is that there is a great difference between officially decided man-days for plantation/ha and practically required man-days for plantation/ha and Beat officer or Ranger used to direct the villagers that they have to do the work with the available wages as it has been decided by the senior officials. Villagers argued that whereas for Sal plantation there is required minimum 16 man-days/ha the Department officially decided to do it within 10 man-days/ha which is impractical and could never be happened on the ground. There are two fold consequences of the system. Either the forest villagers have to work in lower wages even far below than the minimum wage as stipulated by the Minimum wage Act or keeping the minimum wage intact the Department has to cut down the number of thinning, cleaning or even plantation work required to maintain the forest health. Gossainhat forest village under the Jalpaiguri Forest Division is the ideal for both the example. In 2007 the village got Rs 14000 in total @ 9000/ha including the cleaning and burning process prior to and associated with the plantation. But from that amount of rupees they had to spend Rs 8000 for eight months to the Daily Labor (DL) appointed by the Mandal as directed by the Department to protect seedlings from the livestock @ Rs 1000/month and remaining Rs 6000 was distributed among the labor from the village @ Rs 40/Day/labor. Consequently they became irritated and decided not to engage with further FDA plantation in the coming years. The other example from the village is that to keep minimum wage intact the money for five times cleaning has been spent in the three times and the Department is well aware about the fact and consequent detrimental effects on the forest health but did nothing to alter the situation. As a result in the absence of adequate cleaning a Sal –plantation in July 2009 has been destroyed due to growing of weeds and harmful Orchids.

4.6. Intercropping Experiment

Further since 1992, the Minor Forest Division (MFP) of the Department started intercropping of the Citronella with the help of the forest villagers in the Jalpaiguri District. The agreement with the villagers was that they could sell the citronella grass to the Department @ Rs 0.80/Kg after the final harvesting. Villagers became encouraged as the selling of the grass was profitable and Rs 4000-5000/family became average income from the harvesting in a single site. But the problem began as the Department changed the variety of Citronella crops after few years. Former it was Bengal variety having very long grasses and therefore a big quantity of grass the villagers used to get after the harvesting. But since 1997-1998 the MFP Division started to plant Assam varieties having very small length of the grass which dropped down the salable quantity of grasses and thereby reducing profit of the villagers from the selling of the product. Consequently they lost their interest in citronella. Though after that the Department introduced Rs 2000/ha for citronella intercropping but considering actual man-days for intercropping/ha the villagers of Gossainhat found lower wages than the minimum wage and decided not to take part in intercropping whereas the villagers from Khuklung decided to intercrop despite having lower wages.

Last but not the least is the grievance of the villagers regarding considerable deterioration in the supervision system by the Forest Department in forestry operation including cleaning, burning, plantation, thinning and felling. Now days they hardly visited the site and spent considerable time with the process of forestry operation. Moreover they are lacking knowledge about the forestry than the earlier and sometimes even don't know the season of plantation and often asked the villager about the name of a particular tree. The Department never used to seat with the villagers to discuss all the things related to forests and forestry and takes decisions arbitrarily about all the matters and expected to follow it by the villagers. To save the forests there is urgent needs to increase the level of interaction between them but the Department continued to show their autocratic mentality and does not

even treat the villagers like man instead treating them species lower than the animal which undermines the participatory process from within.

5.1. Sustainable Livelihood and Empowerment

Sustainable forest management integrates two main interdependent goals –‘well being of the forest’ and ‘well being of the people’. Sustainability rests on the principle that we must meet the needs (livelihood as basic need) of the present without compromising the ability of future generations to meet their own needs. Therefore, sustainability of both natural and human resources is of prime importance. The term 'sustainable livelihood' was first used as a development concept in the early 1990s where it has been defined as a livelihood comprises people, their capabilities and their means of living, including food, income and assets. Tangible assets are resources and stores, and intangible assets are claims and access.¹⁵

5.2. Basic Problems of Livelihood

The livelihood condition of the forest villages in the region is not at all good enough. There are certain basic problems of livelihood of the forest villagers that are as common as those of the revenue villages (See Table 13). The villagers lack certain basic civic amenities as well as infrastructural facilities which are essential for their development. Most of the villagers are illiterate though the new generations are increasingly getting educated. The main problem of their education is the distance of high schools from villages. Hence for secondary education the students have to cover a long distance maximum of which is not metalled (Kanchha Rasta) and remain inaccessible during rainy seasons. Secondly, a large number of villagers fail to afford the cost of education at the secondary level. The primary education system is also ineffective as most of the primary schools are having single teacher with inadequate infrastructure. However, the situation has improved a little after the formation of

¹⁵ http://www.ibradindia.org/research_sustainablelivelihood.php Accessed on 23/03/10

SSKs and ICDS centres. Apart from that most of the villages are malaria prone and villagers are often suffering from peptic diseases. The treatment facilities are lacking except the annual health camp by NGOs together with the Department in a few villages. The nearby health centres having inadequate infrastructure which hardly can provide medical facilities.

Table 13: Basic Problems of Livelihood

Villages	Electricity	Distance from High School	Distance from Bus Stop	Distance from Hospital	Irrigation Facilities	Vaccination of the Livestock	Land Title under FRA until 2009	Average Man Days/year, (2008-09)	
								Forestry Operation	NREGA (100days)
Khuklung	No	5.5 km	3.5 km	5.5 km	Yes	Irregular	No	90-100	80-100
Gossainhat	No	2.5 km	2.5 km	18 km	Inadequate	Irregular	No	150-200	80-100
Andu Basti	Yes	1.5 km	1.5km	10 km	No	Occasional	No	14-25	45-60
Garob Basti	Yes	5 km	2 km	16 km	No	Regular	No	20-30	14-21
Pani Jhora	Yes	4 km	0 km	14 km	Yet to take place	Regular	Yes	0-10	21-42
Santra Bari	No	10 km	5 km	31 km	No	Regular	No	7-10	14-21
Lepchakha	No	13 km	6 km	37 km	No	Irregular	No	1-7	14-21

Source: Field work

Besides, the villagers are deprived of any proper communication facilities of both the roadways and railways. In most cases nearby bus-stop and rail station are remaining far from the village. Until recently the villages have no electricity and in 2009 few villages got the electricity connection under FDA fund. Although after having the connection the villagers are doubtful about to pay the bill in the stipulated time frame due to absence of regular income from forestry operation (See Table 14) and due to non availability of hundred days work (See Table 15). The inadequate irrigation facilities combined with lack of knowledge/training and inability to bear the cost of modern technique contributes in the low production of agricultural crops in their relatively fertile land. The rearing of livestock also becomes

a problem as those are used to be infected frequently from the diseases of the wild animals. The vaccination process by the Department is not regular in all the villages. Further the meager quantum of individual assistances like compensation against elephant attack, construction and repairing of house by the Forest Department and sharing under microplanning left the forest villagers in the margin (See Table 16). The role of Panchayats is not satisfactory at all. Panchayats often are not allowed to take any land based activities due to absence of land entitlement of the villagers. The benefits from other schemes under Panchayat has been distributed according to the party line and even in some cases dominant groups within party capture most of the share of fund under developmental schemes. Moreover after the recent economic survey in 2007 most of the villagers have been left out from BPL list and brought under APL category which deprives them further from benefits under different schemes of the panchayat system. The land title distribution under FRA, 06 is going very slow and villagers are doubtful about the benefits of the land title as there is no mentioning of *Dag* and *Khatian* number in that certificate. The problem of unemployment is also a big problem before livelihood. It is only under the Jalpaiguri Division situated in the Reserved Forests the plantation activities and other allied activities of forestry operation is taking place regularly. But the remaining other Divisions under Protected Area Framework are far behind to secure hand some employment opportunities before the villagers. The same thing happened in the 100 Days Programme under NREGA where except Jalpaiguri Division the other Divisions failed miserably to keep the commitment under the programme. All those factors combined together have compelled villagers to seek job opportunities in outer states of Punjab, Hariyana, Delhi, Mumbai, kerala etc. However, their burning problems of livelihood as stated above created the space for resistance and with the emergence of leadership under organizations like NBFWJCU or NFFPFW the resistance turned into a long standing movement which made a deep impact on the everyday living of the people in the forest villages what will be dealt in detail in the following chapters.

Table 14: Man days From Forestry Operation, 2008-09 (financial year)

Range	Frequency	Percent	Valid Percent	Cumulative Percent
zero	21	30.0	30.0	30.0
1 to 50	31	44.3	44.3	74.3
51 to 100	9	12.9	12.9	87.1
101 to 150	4	5.7	5.7	92.9
151 to 200	3	4.3	4.3	97.1
251 to 300	2	2.9	2.9	100.0
Total	70	100.0	100.0	

Source: Field Data

Table 15: Hundred Days Work, 2008-09 (financial year)

Range	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Zero	1	1.4	1.5	1.5
1 to 20	31	44.3	47.0	48.5
21 to 40	22	31.4	33.3	81.8
41 to 60	10	14.3	15.2	97.0
100 days	2	2.9	3.0	100.0
Total	66	94.3	100.0	
Missing System	4	5.7		
Total	70	100.0		

Source: Field Data

Table 16: Individual Assistances Realized from FD

Values	Compensation: Elephant attack on Crops		Compensation: Elephant attack on House		Assistance: House by FD		Assistance: Micro plan	
	Count	%	Count	%	Count	%	Count	%
Yes	2	2.9%	1	1.4%	7	10.0%	22	31.4%
No	33	47.1%	12	17.1%	63	90.0%	48	68.6%
Inadequate	21	30.0%	3	4.3%				
Not applicable	14	20.0%	54	77.1%				

Source: Field Data

5.3. Problems of Livelihoods due to Eco-System Degradation

Besides the basic problems stated above there are some special kinds of problems of the livelihood which are peculiar to the forest villagers as they have to face those directly for living under the forest eco-system and their close proximity to the nature. The origin of those problems is the degradation of the natural ecosystem in general and the forest ecosystem in particular. The household survey conducted among the 70 households in the seven forest villages revealed those problems and their relative impact on the livelihood of the forest villagers (See Table 17). We can see from the Table that the first and foremost problem in terms of impact on the villager is the problem of elephant attack on the agricultural crops and human lives. It is reported by the villagers that elephants destroyed their crops regularly due to absence of food like Purundi, Bamboo, Lali etc in the forests whereas the compensation schemes of the Department remained inadequate and irregular. The major problem before the villagers is the problem of elephant attack. Wild life squad from the FD could not come regularly to the village whereby necessary because the Squad has entrusted a large area with a small number of staffs and therefore it is not feasible for the Squad to keep watch the whole area under their supervision. FD also suggested to alternate their cropping pattern and encouraged to produce lemon and

Oul (an edible bulbous plant akin to arum or turnip) but the villagers told that those cannot be the alternative to rice which is their main food. Moreover a section of the villagers are also superstitious to lodge complain against elephant attack as they believe it as their goddess.

Table 17: Problems of Livelihood due to Eco-System Degradation

Problems	Impact of the Problem in terms of percentage affected	
	Count	%
Affected by Elephant Attack on Crops and human lives	67	95.7%
Affected by Shortfall of Rain	57	81.4%
Affected by Decreasing soil productivity	53	75.7%
Affected by Increasing Temperature	49	70.0%
Affected by Shortfall in biomass of Fish	30	42.9%

Source: Field Work

The Second problem is the shortfall of rain which led to decreasing soil productivity. The villagers told that the water available from the irrigation system cannot be substitute of rain water because it not only affects the soil productivity but it is responsible for drying of streams which together with the increasing use of chemical fertilizer results in the shortfall of fish on which a particular forest community like Ravas are dependent heavily for their livelihood. However, villagers advanced that earlier the practice of applying chemical in fishing was limited only to the Tea-garden workers but now some villagers are also involved in the same trade because it ensured the larger harvesting of fish from the river in comparison to the other traditional method of fishing. Further as a result of the declining of fish biomass in the river villagers have changed their instruments of fishing. Now they have left their traditional instruments like Jhakoi, Burung etc. and have opted for Fasi-Jal (a unique and long fishing net for capturing thousands of fish at a time) as the earlier instruments have proved to be ineffective to catch fish in higher quantity at once

The shortfall of rain coupled with the increasing temperature is causing the decreasing level of soil productivity as reported by the villagers. It affects their agricultural production on a tremendous scale. Due to shortfall of rain most of the natural water bodies are dying out whereas the irrigation facilities are inadequate. Further, the rain water carried out rotten leaves, weeds from the deep forests which used to increase the fertility of the land. But presently with the absence of regular rain the process remains absent. Further increasing of temperature led to the burning of crops. As a result the villagers who earlier dependent on cow dung as the sole fertilizer now started using hybrid seeds and chemical fertilizer since 2007-08 but it caused the death of earth worms responsible for improving fertility and thus again destroying the land quality. With the absence of proper and adequate knowledge and training about using of modern methods involving fertilizer and hybrid seeds they often use them injudiciously which lead to further destruction of the quality of land. Moreover while the cost of agricultural production is increasing they do not have any loan facility due to having non-saleable land. Further, due to frequent attack of elephant the insurance companies are also not interested in providing crop insurance. Moreover with the disappearing forests the attack of pests on crops is increasing day by day. With disappearing forests the insects are increasingly coming out from forests and destroying crops. Besides, with the increase of temperature the diseases are on the rise. Villagers reported that presently the peptic diseases and malaria are increasing day by day. Earlier the diseases took place only in the rainy season but now they are affairs of everyday life.

Moreover one of the biggest problems facing the villagers due to eco-system degradation is the problem of free and open grazing of livestock which destroys their crops on an unprecedented scale. It has been taking place since the last 10 years as the threat from tiger attack is increasingly going down. Before that the villager accompanied their livestock during grazing where as presently with the disappearance of tiger the villagers set their livestock free for grazing. The practice

not only poses a threat to the new plantation but destroys the crop of the villagers which results in conflict among them. The problem becomes so acute that the villagers of Garo Basti under BTR (W) Division left one term cropping finally. Villagers told that during rainy season when all the villagers used to be engaged in cropping there was no problem of livestock because that time each and every villager was fully aware of their crops and put certain controls on grazing of livestock but during winter when all the villagers could not cultivate due to lack of water the livestock would have been freed for unbound grazing which caused harm to the crops of the villagers having source of water. Thus the livestock of non-cultivators becomes a danger to the crops of the cultivators. They try to regulate it by convening several meetings and to introduce certain rules of grazing but all efforts are in vain. Therefore cultivation might happen when all the villagers would cultivate otherwise it becomes a remote possibility for a single villager to cultivate crops and save them from the attack of livestock due to this free rider problem.

5.4. Negative Consequences

Villagers reported that the problems of livelihood led to a section of the villagers to extract fire wood and timber from the forests regularly. They used to sell it in the nearby market, hotels, shops, restaurants and local factories. Villagers found from their experience that if they can sale a small piece of timber in the market they can easily earn Rs 500 whereas to earn the same money by providing labor they had to work even more than a week. Hence the greed for money together with high demand in the market led to increase in the business. Actually the illicit trading becomes so lucrative and easy source of income that it becomes a regular practice for some people. The problem is most acute in the Buxa Tiger Reserve where closing of regular plantation and forestry operation results in massive unemployment among the villagers who used to be employed as wage laborer by the Department earlier. It is reported by the Department so many times that it is the biggest site of illicit trading of timber and fire wood and due to this the villagers are often shot

dead by the Department personnel at the spot which culminates into confrontation between the Department and the villagers. Unfortunately political parties are backing the trade directly or indirectly to keep their cheap popularity intact. Villagers accused that the intense corruption of the Forest Department is also responsible behind the trade as it corrupts villagers and giving indirect indulgence in illicit trading of the timber. Further, the problem of illicit trading of firewood and timber affects the agriculture also. It has been found that where the trade is on rise the villagers are not serious about the cultivation despite possessing multi-cropping lands. Instead they are enthusiastic to sell the cow dung of their livestock, the sole fertilizer for farming, to the outside merchants. As a result due to absence of the regular cultivation their lands become sterile which causes further decreasing in the soil productivity.

5.5. The Prospects of Livelihood

However, amidst this overall bleak picture there is certain silver lining in the livelihood scenario where the villagers prove their capability to bring about success and well being with the assistance from the Department or other governmental bodies. The first and foremost instance of which is the experience of Self Help Groups (SHGs). In most of the forest villages women SHGs have been formed earlier by one or other NGOs with the assistance from the Forest Department. Recently Large Sized Multipurpose Co-operative Societies (LAMPS) has taken initiatives to form SHGs in the forest villages. Most of the SHGs are successful to achieve the objective of financial and social well being of the villagers. The performance of SHGs in terms of Gradation is more or less satisfactory which is obvious from the Table 18 which shows that except two SHGs under BTR (E) Division all the SHGs secure respective Grades where 7 SHGs are under Grade III, 12 SHGs are under Grade II and 20 SHGs are under Grade I out of 41 SHGs in total in the study area. The Jalpaiguri Forest Division shows best performance whereas the BTR (East) shows the worst at least in terms of Grading.

Table 18: Performance of Self Help Groups (SHGs) in the Study Area

Divisions	Jalpaiguri		BTR (West)		Coochbehar	BTR (East)	
	Gossainhat	Khuklung	Garo Basti	Panijhora	Andu Basti	Santra Bari	Lepchakha
Groups	10	8	5	3	7	2	6
Grade-III	7	-	-	-	-	-	-
Grade-II	-	4	3	-	3	2	-
Grade-I	3	4	2	3	4	-	4
No Grade							2

Source: Field Work

Villagers reported that SHGs are performing well in the development of livelihood as well as to uplift the condition of the poor. A range of works used to be performed by the group members including acre-nut production, piggery, goatary, and cultivation of rice. There works include also the preparation of mid day meals for children and regular cleaning of nearby weakly market. Besides, the women from the groups sometimes work as wage laborer within the village during the harvesting season with a contract of Rs 50/head/Day. They used to open food canteens during picnic season near the Eco-Park. They also render money to the group member as a loan with a fixed amount of interest. One of the interesting examples of their activities is found in the Santrabari forest village where two women groups have registered their success in the harvesting of fish in a redundant water reservoir constructed earlier by the Block Office for some other purposes.

The villagers have noted that a lot of progress has so far taken place with the SHG initiative. The women of the villages are increasingly becoming more and more forward while involving in regular interaction with the Bank, Panchayat, businessmen and other institutions in the public sphere. Now they have become aware about the outer world and assure certain regular income from those activities which helps a lot to the well being of the family. Moreover, earlier during crisis or cropping the villagers used to take loans from the outside Mahajan with a high rate of interests but now after the SHG the problems of loan has been solved as they can

get it from SHGs with much lower rate of interest. Further with the increasing awareness and securing importance as the earning member of the family the women are spending much for education of their children and in some cases they often raise their voice against the habit of being intoxicated of the male members and put certain control on the spending of money in those bad practices.

Besides SHGs there is another story of success to bring about positive changes in the livelihood by the forest villagers. This is all about the intercropping of Saji Knchu in the forest plantation. The story begins with the experiment at Dumchi Forest Village, a predominantly Rava village under the Coochbehar Forest Division. The villagers started the cultivation of Saji/Mukhi Kanchu (*Colocasia esculenta*)¹⁶ at first in their agricultural land during 2000 as there are certain advantages in its production. At first it is profitable and easily salable in the market. Secondly, it does not require more water. Thirdly elephants do not eat or destroy it rather avoid it and finally the cultivation of mustered seeds becomes easier after the cultivation of the Saji Kanchu as the soil becomes more fertile and soft. But soon after the beginning of cultivation in the agricultural land they found the biggest disadvantage of applying more chemical fertilizer otherwise the production was quite low. However to overcome the disadvantage they experimentally cultivated it in the forest land where plantation is going on. Their assumption was that the forest land is more fertile than their agricultural land and requirement of fertilizer would be kept in minimum. They found astonishingly that in the site of plantation Saji Kanchu grows successfully and far better than the agricultural land even without any fertilizer. They became inspired from the event and decided to intercropping it in the forest plantation. The new system of plantation with the wider spacing system of three meters between the rows encouraged them further as they got more gap between seedlings to produce it because in case of normal plantation with two meter of spacing they can plant only two lines whereas in the increasing gap of 3 meter they

¹⁶ Author L. Schott, Family Araceae

can plant three lines of Saji Kanchu. Henceforth they requested department to get permission for the intercropping of the Saji Kanchu in which they used to intercrop mustered seeds earlier. The Department, however, agreed with their proposal and since 2002-03 they started intercropping of Saji Kanchu in the site of plantation. In a plantation they can intercrop the Kanchu twice until the seedling rose to the height of three to four meters. In between the two cultivation of Kanchu they used to produce mustered seeds once. The traders came to the village and collect the product from the villagers and the villagers having bi-cycle directly sale the product in the nearby urban market. Hence it becomes a lucrative business which inspired the entire Rava forest villages under the Coochbehar and Jalpaiguri Division who are presently engaged with great enthusiasm in the intercropping. Goassaihat in jalpaiguri division and Andu Basti in the Coochbehar Division under the study are the sites of this success. The only problem with the intercropping is that it cannot be cultivated without regular forest plantation. As a result forest area devoid of plantation cannot be considered for intercropping of the Kanchu. In the most of Protected Areas of National Park where plantations do not take place regularly the villagers are deprived of the benefit of this intercropping. However, despite their success of about four and five years MFP Division of the FD could not take it officially as a crop for intercropping while continuing the citronella grass as the sole item for intercropping most of which are used to be damaged or destroyed by the wild elephant which shows the extent to which the Department is alienated from forest villagers or forest people.

6. Empowerment through the Cooperation from the Above

If we observe the overall process of sustainable forest management across different divisions in the Jalpaiguri District it can be seen that the cooperation from the Department is obvious in the Jalpaiguri Division at least in terms of wage employment in the forestry operation and NREGA, regularization of usufruct sharing after 2006 and developmental activities in the forest villages whereas the other

divisions of BTR (W), BTR (E) and Coochbehar are lagging far behind in these respects. However, it is interesting to note that even in the Jalpaiguri Division the Department is more active to distribute developmental benefits among the forest dwellers and less interested to incorporate them in the overall process of forest management. Their policy of management as said by one elderly forest villager is that 'gets the money and keep silence but don't interfere into our business'. It is a virtual denial of the whole participatory approach embedded in the concept of sustainable forest management as it restricts the practice of empowerment merely either into the building of community assets like community hall, power tiller, and pump set etc or into the raising of financial capability of the individual community member in terms of wage employment through forestry operation, loading/unloading activities in the Depot and NREGA. Further, the development in the financial capability and building of community assets do not ensure the capability to control and direct oneself in the right direction to perform the social responsibility entrusted on him rather it may alienate oneself from the contextual manifestation of the generic essence leading to the bondage by the structural conditions of life resulting in actual disempowerment and loss of agency. The field level implication of the process can be drawn from the example of increasing involvement of the forest people in the illicit trade of firewood and timber even in the Jalpaiguri Division where the livelihood condition is comparatively better. Another example of this process of alienation is the practice of setting free the livestock for unbound grazing especially when the concerned household is not involved in cultivation which causes harm to both the forests and the crops of the fellow villager. The current process of empowerment through the betterment of the livelihood rests on the most popular hypothesis that if the dependence on forests of the forest dwellers is to be reduced there would be the complete absence of forests theft. This hypothesis has failed to consider the structural presence of growing market demands for firewood and timbers resulting from the continuous process of urbanization on the one hand and failure of the Department to meet the demand on the other. This gap is palpable

when the villagers have been offered lucrative amount of money to steal timber from the forests. Thus the Department led empowerment has been failed to a great extent to change the praxis of the villagers required to fulfill the condition for the sustainable forest management and makes the villagers more opportunistic by providing developmental benefits devoid of any responsibility to protect forests through patrolling, participation in the decision making process and in the overall framework of forest governance.

7. Empowerment through the Cooperation from the Below

There is indeed the other side of the coin which is nothing but the cooperation from the below. It is true that the Department did not take any serious initiative to involve forest people in the planning process or in the patrolling activities rather always showed their reluctance in their participation. On the contrary it is seen in the household survey that despite the dysfunctional FPC and EDCs wherever the Department becomes active to conduct meeting and patrolling most of the forest villagers willfully participated in the process. Villager's cooperation does not limited to that meeting and patrolling only but they used to keep informed the Department about the illicit felling regularly whenever they watch it and even served the Department despite lower wages (See Table 19). However, all those efforts for cooperation become meaningless and do not lead to the much desired empowerment as the Department keeps their total control over the process and discourages villagers always even to maintain the formal arrangements under the JFM framework to save forests. Authoritative mentality, inept corruption, inefficient bureaucracy, landlordism and anti-people attitude of the Department are responsible together behind the death of possibilities for participation. The scope of empowerment has been limited to convince the fellow villager to follow the Department's dictum in toto and to become an authoritative and responsible person in the eyes of Beat or Range Officer which eventually has produced a class of agents

in the hands of the Department alienated from the villagers and are also hated by the people.

Table 19: Cooperation from Below

Frequencies	Participation in FPC/EDC AGM		Participation in Patrolling		Informing FD Staff about Forest Offences		Work in Forestry Operation Despite Lower Wages	
	Count	%	Count	%	Count	%	Count	%
Always	24	34.3%	41	58.6%	37	52.9%	23	32.9%
Mostly	12	17.1%	4	5.7%	32	45.7%	46	65.7%
Frequently	14	20.0%	2	2.9%	0	.0%	0	.0%
Occasionally	12	17.1%	1	1.4%	1	1.4%	1	1.4%
Never	8	11.4%	13	18.6%	0	.0%	0	.0%
Not applicable	0	.0%	9	12.9%	0	.0%	0	.0%

Source: Field Work

However, there exists the other dimension of cooperation from the below which does not only bring about material well being in the livelihood of the forest people but has changed also the mode of living in the respective sphere while preparing themselves for going beyond the earlier limit of agency. This alternative process leads to the empowerment in its true sense as it involves the people actively to set and transcend their own boundary. The examples are the SHGs and intercropping of Saji Kanchu in the forest plantation. Through the SHGs the illiterates forest women become free from their familial boundary and with their earning they become the equal partner of their male counterpart in the public sphere and in some cases even decision maker within the family. On the other the innovation of Saji Kanchu as a species for intercropping without facing the hazards of elephant attack, water scarcity and application of costly chemical fertilizer leads to build their confidence for producing useful local knowledge to fight against poverty, elephant attack and the consequences of climate change. This further reinforces and justifies

their valid claim for participation in the forest governance. All these kinds of cooperation can be seen as transcending praxis to overcome both the limitation of agency and structure while reshaping them to recognize life necessities and paves the way for meaningful and actual empowerment of the forest dwellers.

8. Empowerment through Cooperation and Resistance

Understanding Praxis, as we explained, takes us from the cooperative account of ordinary notion of empowerment through participation to a complex dialectical, conflict and cooperation oriented notion of empowerment. The hypotheses that we derived from our theoretical framework of Praxis in Chapter 1 pointed to the possibility that higher the scale of cooperation and resistance would be the better would be scale of empowerment, and it may have definite implications for sustainability of forest eco-system. To test our hypotheses we analyzed our field data and as we will see, our hypotheses were largely borne out. Forest dwellers participation are expected to be normally distributed which implies that extreme behaviour will appear rarely and the majority of the forest dwellers will follow the modal path. The normal distribution suggests that nearly 68% of the population lies within (mean \pm sd). If there are any reasons or factors to be believed as operative to influence the normal behaviour of the population, then the aberration could be measured by the deviation from the mean. If the Govt. schemes introduced for the benefit of the population are able to motivate the people positively that will cause the departure from the normal or expected behaviour. This departure can be identified by the skewness of the distribution of the intensity of participation. (See Appendix-V)

In order to understand the level of cooperation we considered nine indicators e.g. (1) participation in Annual General Meeting (AGM) of FPC's and EDC's, (2) participation in patrolling and forest protection activities, (3) participation in discussion in the FPC/EDC meeting, (4) (5) participation in micro-planning, (6)

participation in Self Help Groups, (7) informing the Forest Department about the forest theft or illicit felling, (8) participation in the FDA sponsored afforestation programme despite lower wages than the minimum wages, and (9) participation in the intercropping. Each indicator has been measured in five point scale. Total cooperation is, therefore sum total of scores of all indicators. Since lower end of the scale indicates lower level of cooperation, the higher the total score signifies higher level of cooperation. (See Figure 1 & Table 20)

In case of measuring the incidence of resistances, we define that the institutional failure causes dissatisfaction which leads to frequent participation in the movement. Theoretically, it is expected that in absence of institutional failure we may assume the causes of grievances should not be existed and hence, the frequency of organizing movement will be less. Moreover, number of forest dwellers having extreme dissatisfaction as well as and also extreme satisfaction will be rare. It is quite expected that the majority of the population will lie within the two extreme situations. There are seven indicators to estimate the degree of participation in the movements e.g. (1) ratio of attending movement, (2) participation in the campaign programme, (3) participation in the fund collection, (4) participation in the rally/deputation, (5) participation in the boycotting meeting, election etc, (6) participation in the dharna/gherao programmes, (7) participation in the bandh or strike. Except the ratio each indicator has been measured in the five point scale. The ratio of attending movement has been calculated by dividing the number of attending movement of single respondent with the total number of movement taking place in the respective locality. Total resistance is, therefore sum total of scores of all indicators. We further define that higher the score signifies higher level of resistance and vice versa. (See Figure 2 & Table 21)

In the study empowerment has been seen as relative to both the framework of cooperation and resistance where the higher degree of participation of the forest dwellers both in the state sponsored collaborative process of resource management and episodic movements against the existing modes of natural resource governance signifies higher degree of empowerment of the population and on the contrary lower degree of participation implies lower level of empowerment. (See Figure 3& 4)

MEASURING COOPERATION

Figure 1

Cooperation Level

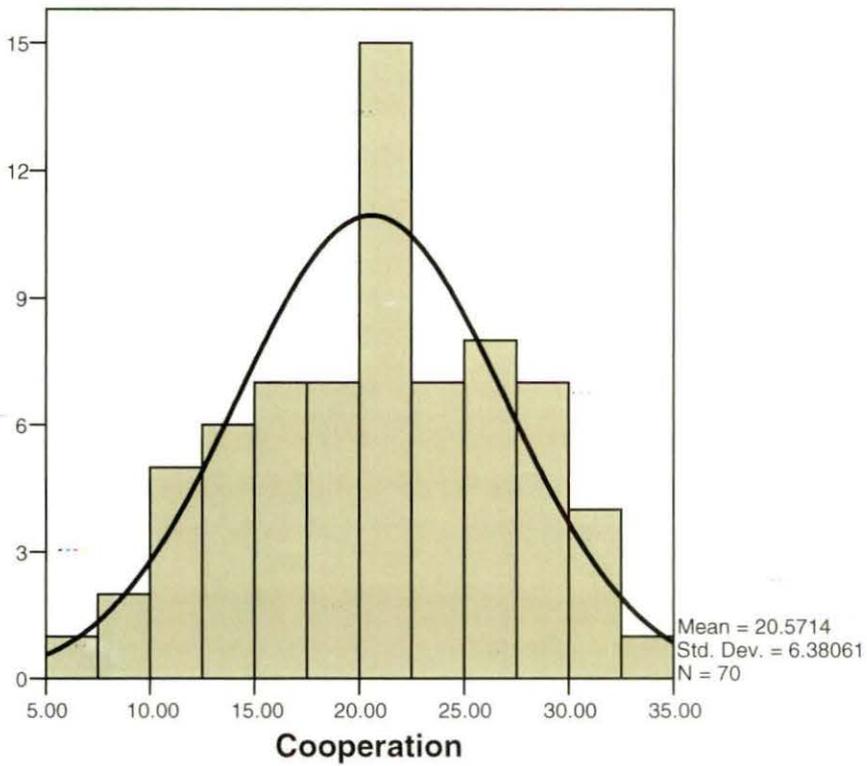


Table 20: Level of Cooperation from Below

Values	Frequency	Percent	Valid Percent	Cumulative Percent
High Cooperation	35	50.0	50.0	50.0
Low Cooperation	35	50.0	50.0	100.0
Total	70	100.0	100.0	

Source: Field Data

MEASURING RESISTANCE

Figure: 2

Resistance Level

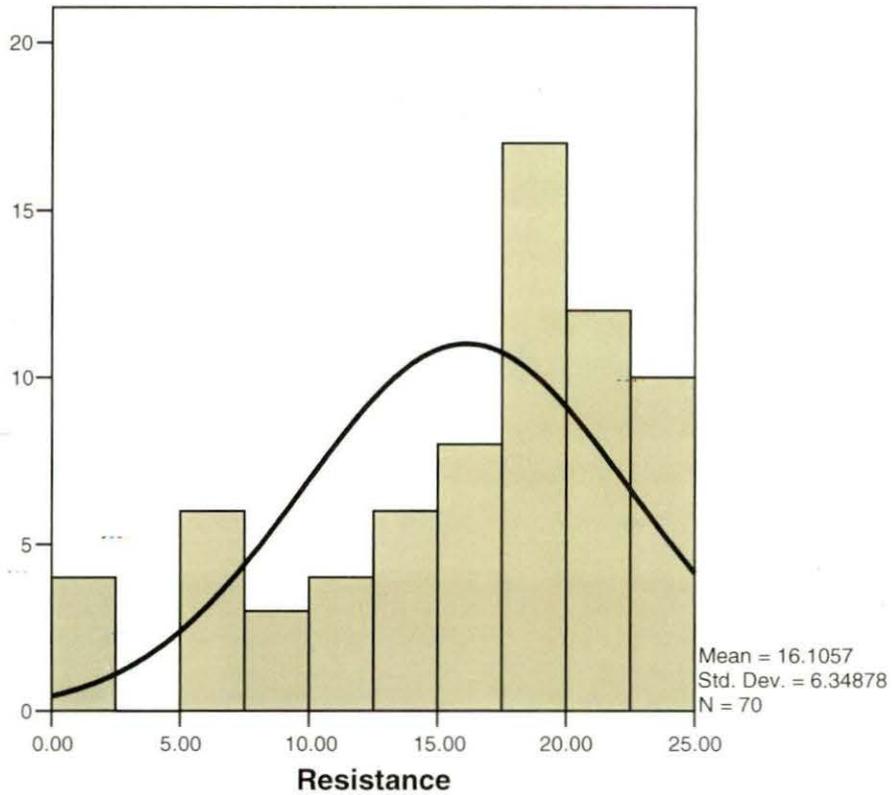


Table 21: Level of Resistance from Below

Values	Frequency	Percent	Valid Percent	Cumulative Percent
High Resistance	44	62.9	62.9	62.9
Low Resistance	26	37.1	37.1	100.0
Total	70	100.0	100.0	

Source: Field Data

MEASURING EMPOWERMENT

Figure : 3

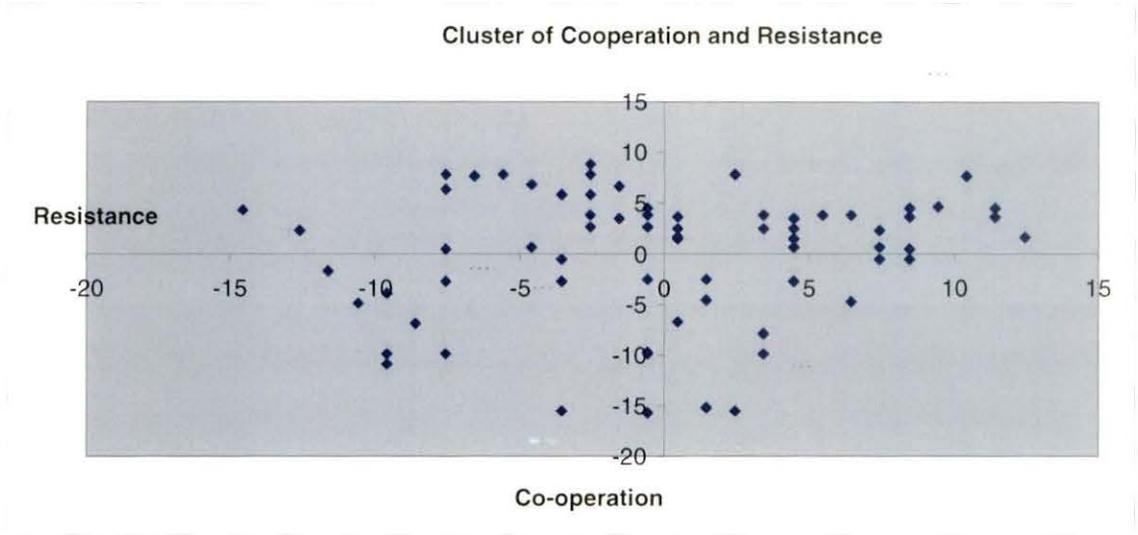
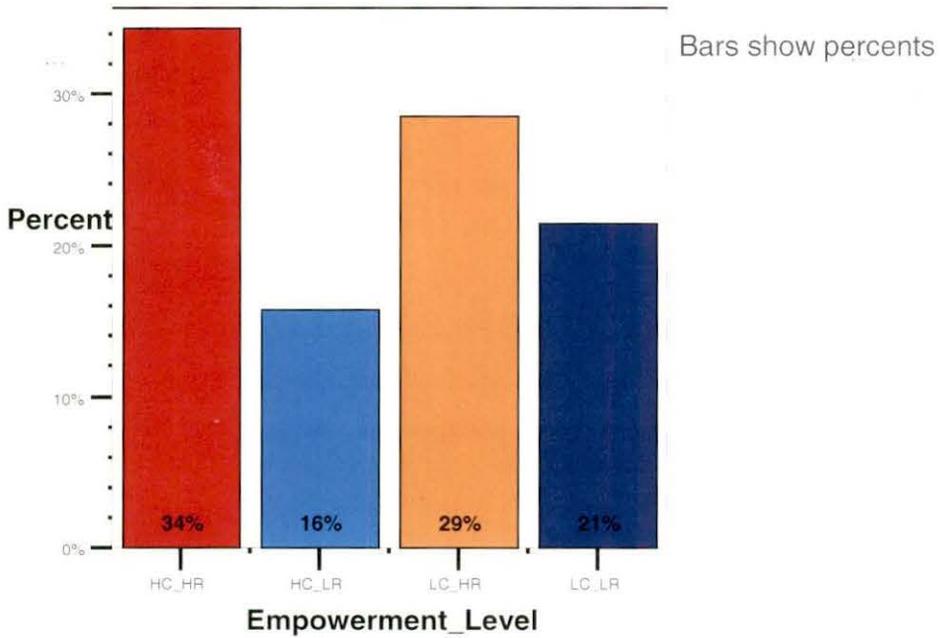


Figure:4



HC_HR= High Cooperation_High Resistance,
HC_LR= High Cooperation_Low Resistance
LC_HR= Low Cooperation_High Resistance
LC_LR= Low Cooperation_Low Resistance

The Figure1 and the corresponding Table 20 based on the indicators as stated above have produced a balanced and almost normal curve where both high and low cooperation could be identified. Similarly Figure 2 and Table 21 have presented us with a level of resistance where though high and low cooperation level could be identified as in the case of cooperation the curve is positively skewed indicating a greater tendency to resistance in the overall distribution. At one level this reveals forest dweller's increasing disillusionment with attempts at their empowerment from the above as well as their resolve to fight out corrupt practices and exploitation. However, what is theoretically more significant is the close cluster of cooperation and resistance as measures of empowerment through Figures 3 and 4. Out of four criteria and their possible combinations namely, high and low cooperation, high and low resistance (high cooperation, low resistance, high resistance low cooperation, low cooperation low resistance and high cooperation and high resistance) what ultimately could be found was high cooperation and high resistance as closely clustered. Our theory of praxis envisaged a dialectical relationship between cooperation and resistance and from it was presumed that a higher empowerment would also involve higher cooperation as well as resistance. What was not presumed of its possible implications for sustainability as the very institutional arrangement that conditioned the forest dwellers could have influenced that very sustainability either positively or negatively. The data presented above were not meant to capture that complexity. Nevertheless, the data could foretell the search for more liberating framework of governance by the forest dwellers.

9. Conclusion

The present chapter has revealed the complex nature of forest dweller's empowerment through participatory management practices. While the limits of the top down practices of sustainable forest management in empowering people and ensuring sustainability have been revealed generally our field experience has also pointed to the other side of the process of empowerment. In this chapter we have largely touched upon the alternative process of empowerment in North Bengal through movement of the forest villagers against imposed framework, bureaucratic corruption and unsustainable practices while at the same time adopting sustainable practices through cooperation with the Forest Department. However a more comprehensive understanding of empowerment may be possible when we also take up the issue of resistance in greater detail in the next chapter.

Chapter-4

Situating Resistance Below: Praxis and Empowerment in Movements

1. Introduction

As indicated in the last section of the previous chapter we might think of an alternative empowerment other than the broadly cooperative framework of empowerment and this is the subject of the section 2. The present chapter is firmly focused on the historic forest movement in the Dooars region of North Bengal and through section 3 to 11 we have introduced the colonial forest practices like Taungya, the onset of radical politics and the different phases of struggle from 1967 to 1976. Section 12 concludes the chapter.

2. The Other Side of Indian Environmentalism

The conventional discourse on empowerment is remarkably limited within the top-down framework of politics where it 'implies formal rather than substantive power and it involves an external upper level agency to grant power rather than people below seizing it in the course of struggle' (Mohanty:1995:1436). This notion of empowerment invokes cooperation among agents and revolves around the two sets of assumptions; one is that the distribution of power among the powerless people is utterly depending upon the legitimate scope provided by the powerful authority and the next is that the participation of the people in the state sponsored programmes is the sole guarantee of raising their skills, capability and assets to meet their needs and aspirations for development. This concept, however, hides the possibility of co-optation through the process of cooperation while promoting state agenda through the usurpation of people's power. It legitimizes also the authoritative distortions in governance by keeping people silent in lieu of providing some privileges to them.

Moreover it fails to capture the value of resistance in shaping of people's power emerging out from the struggle against that exploitative framework of cooperation. It denies the scope of alternative empowerment arising out of people's movement against exploitation and injustice which demands fair mode of collaboration. The realm of natural resource governance in North Bengal is perhaps the best example of that alternative empowerment where forest people denied even conventional empowerment and sizes the power from below through their struggle against the exploitative regime of forest governance under cooperative framework of forest management. Notably the JFM is not the only manifestation of that cooperative or collaborative management of forest in the region in particular and India in general rather this form of management dates back to the colonial period under British rule when the taungya system was introduced as a form of agro-forestry for the said mutual benefit of the forest administration as well as the forest dwellers. However, the process of alternative empowerment in North Bengal began in the late 60's through a historic struggle of the forest villagers against the very colonial framework of the Taungya which posed a serious challenge to the one-sided understanding of Indian environmentalism as the 'environmentalism of the poor'.

Chipko Movement is commonly appreciated as the starting point of environmental movement in post-colonial India. The movement, ranged between 1973 and 1980, initially was started against the 'blatant injustice' of allotment of ash trees for commercial purpose by the Forest Department instead of providing those to the peasants for making their agricultural implements. The innovative technique of embracing or hugging trees by Sarvodaya workers was born to stop felling of trees by companies in collaboration with the Department. The resistance later on turned its attention to wider environmental concerns like protection and management of forests by the communities against the commercial forestry and recourse to environmentally and socially just 'alternative technologies' against industrial-urban orientation of the modern development process (Guha, 1989, 152-184).The

movement gave impetus to a series of popular protests throughout the country around ecological issues and inspired the intellectuals and academics to conceptualize the Indian environmentalism as the “environmentalism of the poor” which refers to the struggle of the communities against ‘partial or total dispossession’ from their resource base by the commercial-industrial interests while their ‘own patterns of utilization were (and are) less destructive of the environment’ (Guhà and Martinez-Alier, 2000:5) It was further suggested that the origin of those environmental conflicts and movements in India in particular and the Third World in general can fairly be understood under the political ecology framework of “ecological distribution conflicts’ implying the unequal ‘burdens of pollution’ or unequal access to natural resources due to the “unequal property rights and social inequalities of power and income” (Martinez-Alier, 2004:Vii).

However, while not underestimating the practical and theoretical contribution of Chipko, the conventional position of it as the pioneer environmental movement might be challenged by a historical movement of the forest villagers in North Bengal prior to that of Chipko. The first and foremost point is that of the time period of the movement which started during 1967 and when the Chipko was in its peak the movement was in its last episode. Secondly unlike Chipko the movement was started against the colonial legacy of ecological exploitation of both the ecosystem and its people. Thirdly like Chipko the movement was not resultant of ‘ecological distribution conflicts’ but was emanated from the exploitative design of natural resource governance through co-option. There are much more characteristics and significance of the movement which deliberately focus on the other side of Indian environmentalism so far been neglected or underrepresented in the dominant discourse of political ecology especially in the Third World context. Further, unlike Gandhian shadow on the ideology or ‘vocabulary of protest’ the movement was indebted to the radical peasant and workers movement in Bengal and essentially inspired by Subhas Bose’s ideals including the freedom from slavery,

his technique of active resistance and his nationalist spirits of struggle. The movement is mostly relevant in its focus against ecological exploitation while going beyond the paradigm of distributive justice and principle of recognition particularly when the Indian State along with its global counterparts are continuously employing newer inclusive techniques of ecological exploitation through invoking collaboration or cooperation of the eco-system people. But, before going to the detail on its contribution in theory and practice of Indian environmentalism it is fair to get into the narrative of the movement and its practical achievements while imparting a look into its context.

3. 'Imperial Onslaught on Dooars Wood'

The Dooars valley in the Jalpaiguri District, known as gateway to Bhutan and the North-Eastern states of India, stretches from River Teesta on the west to River Sankosh on the east, over a span of 130 km by 40 km, was the birth place of this historic movement. The landscape with its fascinating natural beauty, rich treasure of flora and fauna, dense forests including two National Parks and wildlife sanctuaries interwoven with lush green tea gardens and crisscrossed by Teesta, Raidak, Torsha, Jaldhaka, Kaljani and other rivers and their innumerable tributaries, is lying in the Himalayan foothills of North Bengal. The region is populated by a large number of ethnic communities with their colorful rituals and unique lifestyles who are mostly tribals like Rava, Mech, Toto, Dukpa, Tamang, Orao etc.¹⁷ At the outset, the ecological context behind the movement was prepared with the British intervention on Dooars forest in 1866¹⁸ and simultaneous introduction of imperial management regime imbued with their colonial project of transforming the natural

¹⁷ Nature Beyond, <http://www.naturebeyond.co.in/area.asp?areaID=Dooars>, Accessed on 04/06/2010

¹⁸ British annexed 'Bengal Dooars' in 1864-65 from Bhutanese rule and the boundary separating Bhutan hills from the Dooars were finally demarcated with the creation of a new District, namely Jalpaiguri in 1869. For details see Karlsson, 1997, pp92-93

landscape.¹⁹ It was the period when systematic forestry began in India with the stabilization of British rule in the aftermath of 1857. The financial crunch following the revolt of 1857 led the ruler to set priorities before colonial forestry which were “essentially commercial in nature.” (Gadgil and Guha, 1997:141) In Dooars like other parts of Bengal initially the forest was administratively placed under the Revenue Department and remained open for “indiscriminate felling” but after 1874 with the creation of Forest Department the whole forest tracts became “reserved” and were divided into Jalpaiguri and Buxa Forest Divisions with the Torsa River as the border separating them (Karlsson, 1997: 97-99). Consequently the ecological fabric of the region was irrevocably altered either by a devastating depletion of forests or by introducing a significant change in the natural vegetation structure. A large tract of forests outside the Reserved category declared as “waste land” and handed over to the European planters for setting up tea gardens at “very low or nominal rent” which encouraged the establishment of 200 tea gardens within a mere span of 20 years by the end of the nineteenth century (Ibid, 100). A network of roads and railways to connect Dooars Plantation with the rest of the empire were built up by rampant clearing of bushes, grasslands and unreserved forests. Further all non reserved forests such as *khasmahal* forests and *jote* forests of the region were being disappeared soon with the extension of agriculture resulting in an increased pressure on Reserved Forests for fuel wood²⁰ (Ghosh, 2000;218). More than anything else the migrated tea labourers from Chota Nagpur region like Orao, Munda, Santal known as “best coolies” together with “agricultural settlers” from the south led to an increase of the total population of Dooars from 50,000 in 1865-67 to above 400,000 in

¹⁹ Despite its naturalness Dooars forests were not “virgin” at all during British annexation. Timber operations were regularly held by ‘special labor gangs’ and trees were sold to timber merchants. Ibid, p, 99

²⁰ During that phase in 1899 September in a letter to the Commissioner of Rajsahi Division the then Deputy Commissioner of Jalpaiguri acknowledged that due to rapid disappearance of non-reserved forests the pressure on reserved forests for fuel woods was increasing voluminously. See Ghosh, 2000, p 218

1901 Census²¹ which caused a tremendous biotic pressure on the Dooars forests in the forms of fuel wood, forest products, household and agriculture requirements etc. Moreover, within the domain of reserved forests forest vegetation was changed drastically and natural mixed forests were converted into more homogenous and productive forests characterized by “valuable trees” like Sal (*Shorea robusta*) and later on Teak (*Tectona grandis*). Though the primary motive behind the management of reserved forests was to generate revenue either by exporting commercially valuable timber outside or by supplying firewood and soft woods (for preparation of tea boxes) to the local tea gardens²² but with the construction of Bengal-Dooars Railway the entire focus of management had been changed significantly. As the demand for sleeper arose, the timber was granted free of cost to the North Bengal State Railway and Forest Department lifted its earlier restrictions temporarily on the felling of forest trees with a recovery period of 25-30 years. This change in focus led to the extraction 30,000 sleepers in 1881 from the Buxa Division and left the Tondu Reserve in the Jalpaiguri Forest Division “completely stripped of trees” by early 1890’s which rapidly exhausted the reserved forests in the region (Karlsson, 1997:100). Besides, there was a practice of excluding forests for broader purposes of the Empire. As for example out of 3,259 acres of total exclusion, 2,609 acres alone, comprising the whole of Teesta Forest under Jalpaiguri Division were deforested under a Notification by the Government of Bengal in 1905 (Trafford, 1905:3). These whole processes of large-scale deforestation, changes in the vegetation structure and abrupt extraction of forests for colonial purposes have best been described by Karlsson as “the imperial onslaught on the Dooars wood”. (1997: 96). The rationale behind this onslaught on forests through the progress of demarcation and reservation was to fulfill both the objectives of ‘revenue generation and supply of

²¹ The total population of the Jalpaiguri District rose to double or close to 800,000 in 1901 Census for the similar reason. See details in Karlsson, 1997, pp 100-101

²² Between 1900 and 1904, the export of timbers rose from 393 to 1,010 tons from the Jalpaiguri District and 2,170, 282 cubic feet firewood were removed for thirty-three tea gardens during 1904-05. See Trafford, 1905, p 6

sleeper woods and other industrial goods for the expanding commercial economy and growing political integration of the late nineteenth century.' (Sivaramkrishnan, 1999:202)

4. Advent of Taungya: Ecological Exploitation through Co-option

However, this model of systematic extraction of timber from Dooars forests for construction of railway sleepers to tea boxes and warship to office paneling facilitated the rise of resource production of particular timber species and its preservation. This aspect of 'scientific forestry' was closely related with regeneration and conservation of forests backed by continental approach towards resource use which was duly informed by the colonial priorities in silvicultural management. Dooars forests became an ideal site of this form of practice where even local knowledge of the forest dwellers found its place in that overall project due to the local climatic conditions which forced the foresters to go beyond the conventional approach of modular science transposed directly from European Laboratory. This location-specific forest protection programme made Dooars categorically distinct from the rest of Bengal at least in terms of overall framework of resource production and its conservation.

It is often argued on the basis of a distinction made between the colonial ruler and practicing forester that the motive behind the colonial initiative for forest conservation invariably related with particular method of regeneration and protection could not be explained best by drawing examples only from the 'extractive reality' but by a recognition to the wider concern for a rational regime of resource use implicit in the practice of scientific forestry. This agenda of 'modernizing nature' began in the late nineteenth century by replacing the ad hoc attitude towards forest management with the appointment of some doctors and botanists to the post of conservator of forests throughout the country following the establishment of the colonial forest departments who were duly aware of the

scientific value of nature imbibed with their scientific attitude shaped up under the training of scientific institutions and disciplines in Europe. Those men of science produced a strong discourse in favor of conservation within the overall framework of colonial resource management on the basis of evidence of the impact of deforestation on climatic change and soil erosion and therefore often involved in hot contestation with the other government departments over the issue of priority before management under the British Empire (Ravi Rajan, 2008, Grove, 1995) Though it is true that such thesis behind the motive of forest conservation cannot obliterate the true outcome of British penetration in the Dooars forests resulting either "historically unparalleled deforestation" (Karsson, 1997) or extensive "monocultural plantations" by destroying diversity (Ghosh, 2000) but necessarily finds the ground for justification of forest protection against uncontrolled resource use by the eco-system people for their subsistence. Similar to other parts of the country the techniques of scientific forestry were applied to regulate access of that very population and even in some cases their entering into forests were completely forbidden. Actually, the Dooars forests was not an exception to the wider colonial strategies of scientific management practised throughout the country which were developed "by carefully regulating the intrusion and exclusion of 'man', classified in the terminology of forestry science as one of the 'enemies' of the forest." (Guha, 1989:60) In Dooars the perceived threat before the conservancy regime was the shifting cultivators or "Jhumeas" who practised a typical form of agriculture known as shifting cultivation characterized by the clearing and cultivation of forest patches by rotation where use of fire was considered as key element for preparing land for cultivation.²³ As soon as the forest department was established in India the colonial forester waged a war against shifting cultivation which was viewed as 'the most destructive of all practices for the forest'. (Guha, 1997:151) The reasons behind such

²³ It is the most general or common description of shifting cultivation where a lot of technicalities involved which makes it distinct from "swidden agriculture" often used interchangeably with it. For detail discussion see Christanty Linda , 1986, pp, 226-240.

an objection against such practices were two fold. First its use of fire for the sake of primitive agriculture which led to the destruction of forest wealth as represented by valuable timber species. Second, it posed an obstacle before territorial control of the forest and facilitates the evasion of taxation. Fire prevention thus became the main concern of forest conservancy in Dooars like other parts of the country coupled with an objective of keeping other biotic influences like grazing out of identified forest tract. The process involved clearing fire lines internally and externally and 'sweeping them regularly, for which village head men and raiyats provided free labor in exchange for privileges in the forests.' (Sivaramakrishnan, 1999:220) The challenge before the Department in Dooars was to ensure and protect the natural regeneration of Sal the most valued tree in Bengal forests, from the 'Jhoomeas' who slashed and burnt young second-growth Sal for growing cotton. It was further observed by Dr. Schlich, the then conservator of forests in Bengal during time of reservation in Dooars that 'the villagers (shifting cultivators) continued to burn the forest and cause large forest fires and thus ruin the work of forest department.' Consequently the decision was taken by the Department to keep out the Rava and Mech villagers (shifting cultivators) from Jalpaiguri and Buxa Reserve in exchange of nominal compensation like Rs 5/acre of cultivated land and Rs 2/house shifted. The decision reaffirmed the position of colonial management in relation to that ecosystem people as set out in the Notification of the Reserves which prohibited all kinds of interference of them into the forests for mere subsistence. (Karlsson, 1997: 105)

However, the expulsion of fire from Dooars forests like other parts of the country caused havoc to the scientific forestry where protection, extraction and marketing of principle timber species like Sal were subject to natural regeneration. Within twenty years of preparing the first working plans in North Bengal it was found that the prescribed system of management of Sal was not yielding the desired result in Jalpaiguri and Buxa Divisions due to diverse forest conditions than any other

regions of the country. (Sivaramkrishnan, 2000:73) In this high rainfall zone the prevention of fire led to the tremendous growth of creepers and 'savannah grass cover favorable to Sal seedlings was replaced by a thick layer of undergrowth'. This new semi-evergreen species crowded old Sal trees and impede severely the growth of new Sal seedlings. (Karlsson, 1997:108 and Ghosh, 2001:3) Against the backdrop the radical solution was found initially by Hart, a British Forester having long experience of working in Dooars forest. This new method for combating weeds was further developed by E.O Shebbeare and J.W.A Grieve who argued in favor of introduction of fire after clear-felling the forest tract for artificial regeneration of Sal plants. The new system brought the fire back in the regeneration and protection of Sal forests which earlier was considered as the main enemy before the modular approach of scientific forestry. This new method was originated from the practice of shifting cultivators instead of scientific knowledge and was already been experimented by Sir Dietrich Brandis in regeneration of Teak in Burmese Highland. In Burma Karen people practised a particular system of cultivation where field trees were planted along with food crops. The system was known in Burma as Taungya meaning hill (Taung) cultivation (Ya) in which fire was used as a key component for burning the previous woody plant component to improve soil fertility and plantation were established in that cleared forest land. Originally it was the local term for shifting cultivation and was subsequently used to describe the regeneration method. The system was proved so efficient that Teak plantations in Burma were established at a very low cost. (Nair, 1993: 75) The first experimentation of Taungya in India began soon after its first introduction by Brandis in Burma in 1856. The first taungya plantations were raised in 1863 in North Bengal followed by further attempts in 1886 at Sylhat in Assam and in 1890 in Coorg. Although the regular taungya cultivation was not taken up until the first half of the twentieth century when it was used for raising Sal plantations in North Bengal and was soon extended to Teak in 1912. (Seth, 1981:31) However, the adoption of Taungya in India as a system of silvicultural practice under colonial framework of management was marked by a debate on

shifting cultivation among the British foresters. From Asia to Africa and Australia the British Empire was stuck in the dilemma of managing shifting cultivators under a rational framework of forestry science. On the one hand, a group of British foresters opposed vehemently the method on the ground that the very practice caused severe ecological disruption and immense destruction of forests which had major economic and political consequences followed by the successive elimination of superior species in favor of an inferior one. The other group advocated for a controlled regime of shifting cultivation as it provided a supply of reserve labor and resulting increased food production. Further, both the examples of successful regeneration of Teak in Burma with the help of shifting cultivation (Taungya) and failure in the natural regeneration of Sal in North Bengal were sought in this debate. Amidst this controversy a committee of 'neutrals' was formed which came out finally with the recommendations that though shifting cultivation in its crude form led to the destruction of forests and often denudation of the soil combined with associated political damage but at the same time if full use of the method is to be made it would help to the propagation of valuable species in suitable areas. To this end, the committee urged, especially for India, the establishment of forest villages for the practice of controlled shifting cultivation inside reserves as silvicultural operation. (Ravi Rajan, 2008:171-179) In this context by early twentieth century taungya system became regularized as the standard method of artificial regeneration in Dooars along with its key component of fire in the working and management of Sal forests. This introduction of Taungya reinforced the necessity for restructuring the forest village system as a whole because the earlier establishment of a few forest villages in the Dooars were made to ensure the supply of a permanent labor force for fire protection but under the new system more skilled labor were required who had the knowledge of cultivation by applying the technique of slash and burn. Hence, the indigenous shifting cultivators like Rava, Mech or Garo whom the British forester threw out from forests earlier staged a comeback in the new established forest villages. Taungya system could not work without fire and skilled taungya workers

were absolutely those indigenous jhumeas who knew the ecology of fire. (Ghosh, 2001:3) In this newly created taungya villages' villagers were allowed to raise agricultural crops for two years in clear-felled coups between the lines of forest plantation. As soon as the crops grew to shade the space between the tree seedlings, the villagers had to discontinue cultivation and move to a new site of plantation. According to Shebbeare, each household could cultivate nearly an acre of taungya every year and cultivated it for two seasons. Along with plantation, the villagers were involved in associated weeding, cleaning, thinning operations and further they had to save the plantation from fire and grazing hazards for 4/5 years. In exchange of their service the villagers were entitled to certain privileges and facilities followed by an yearly agreement or bond with the forest department like free timber and other implements for building quarters, drinking water, limited medical assistance, free firewood and fodder in addition to cultivable land not more than 5 acres and cash payment for extra work. Thus the system provided some sort of rehabilitation space for the earlier displaced shifting cultivators while paying at least moderate attention to the problems of their livelihood security. The system continued even after two decades of Independence and remained the crux of forest conservation and regeneration until the historic movement broke out in the region against this exploitative exercise amidst the atmosphere of highly industrialized production forestry.

However, from the viewpoint of forest management Taungya achieved a striking success as it successfully turned the destructive practice of shifting cultivation into a method of regeneration. It involved very low cost due to free labor supply in forest plantations and thus save the Government's exchequer which leads to increase in profit from timber operation. Further it incorporates the skill of the shifting cultivators in forestry operation while ensuring their livelihood at least at the subsistence level. It provides an alternative know-how for forest plantation where natural regeneration has failed due to locational peculiarities in the eco-system. It acknowledged also the gap embedded in laboratory based forest profession and

recommended for a site-specific management plan in forest governance. Above all Taungya brought the forest dependent people back into their eco-system who were displaced earlier and thereby preventing their first hand physical separation from nature. Considering its success, anthropologists perceived Taungya either as a 'revolution' in the environmental history of the Duras (Karlsson, 1997) or as a site for recognition of the local forestry knowledge under the colonial framework of scientific forestry (Sivaramakrishnan, 2000). These approaches focused implicitly or explicitly on the structural arrangement of cooperation as a hallmark of the system where the Forest Department accommodates both the shifting cultivators and their skill in the collaborative framework of natural resource management and extending certain privileges and facilities to them in lieu of their service for forest regeneration. But from the view point of praxis those assessments on Taungya have failed to understand the political ecology of exploitation inheres as an essential property of the system where the much projected vocabulary of cooperation has been transformed into a mechanism of co-option. Under the Taungya no customary rights of the forest dwellers were recognized in the region. Further the forest villagers were denied to make their choice even in the matter of field crops they were entitled to cultivate in between plantations. They did not have any authority to decide the species of their preference to be planted. There was no scope for negotiation with the forest department relating to matter of facilities and privileges usually offered to them. Rather the forest villagers had to sign a heinous agreement with the Department on behalf of the Governor of the State on terms and conditions to work 90 days free of wages and up to 275 days on daily wages of meager amount without any arrangement of education, drinking water and supply of working implements.²⁴ All the members of the family including women and children of the forest worker were made to work without any remuneration.²⁵ Even in some cases, when the villagers were granted homestead lands under the system, prolonged or permanent occupancy of the land was impossible because they had to shift to new locations after every plantation cycle. Moreover, in those villages living conditions were so

²⁴ See Writ Petition in the High Court of Calcutta.C.R. No 5165(W) of 1976, C.R. 8893 (W) of 1976 and C.R 800 (W) of 1976

²⁵ For further details see agreement between forest villagers of Bhutri Forest Village and the Government of West Bengal as on 1.1.1966, DFO Jalpaiguri Division

poor and the oppression so severe that villagers seldom stayed there for long.²⁶ Hence, marked by the absence of freedom of choice, authority in decisions making and scope of negotiation on the part of the forest villagers the system became an instrument of co-option in the hands of the Forest Department in order to realize their goal of extracting valuable timber species for serving commercial and strategic interest of the Empire. All those initiatives for incorporation of those useful indigenous tribes and recognition of their knowledge were nothing but to fulfill the gap of their knowledge and practice of eco-system management to cherish their colonial ideals, interests and purposes. However, in Taungya this political ecology of exploitation through the mechanism of co-option involved both the exploitation of ecosystem and its people. The first kind of exploitation manifested in the choice of principle timber species like Sal, Teak etc. for regeneration as well as conservation at the cost of multispecies forest eco-system which eventually encouraged the monocultural plantations by destroying diversity of the forest land. This type of exploitation continued even in the era of 'production forestry' or 'industrial forestry' during the post-colonial period and discontinued largely with the 'conservation regime' in the mid eighties. However, the next type of exploitation related with the exploitation of eco-system people has of greater relevance even today particularly in the context of ongoing experiments with collaborative forms of resource governance like Social Forestry, JFM, Participatory Watershed Management etc. In Taungya this kind of ecological exploitation of the eco-system people occurred fundamentally at two concurrent levels of their service towards the eco-system and their organic relation with the eco-system. Primarily it was the exploitation of the service of those eco-system people in order to extract values from nature to serve the ruling interest. The mechanism of co-option worked successfully behind the usurpation of their service. First, under the system villagers were encouraged for intercropping which contributed to the preparation of land involving the associated process of weeding, cleaning and burning for forest plantation at free of cost. Second, protection of the plantation from the attack of wild animals automatically took place with the

²⁶ For detail about the condition of the villagers under taungya in Dooars see Shebbeare, (1920) Working Plan for the Reserved Forests of Buxa Divisions of Bengal Forest Circle, Bengal Secretariat Press, Calcutta, Cited in Ghosh Soumitra, 2001

initiative of the villagers to save their own crops. Third, the system of uninterrupted, compulsory and free labor in lieu of granting certain facilities made the foresters free from headache to carry out their managerial success in forestry operation. There were many things more inherent in the nature of exploitation which were summarized best by former Inspector General of Forests in India in a report compiled for Food and Agricultural Organization (FAO) of the United Nations (See Appendix VI):

“In the taungya, the emphasis has always been placed on the success of the forest planting, more particularly on establishing a forest crop at the least possible cost. All operations are primarily in the interest of the forest species. Scant attention has been paid to the seasonal crops grown by the agriculturists, or to their possible benefits to or interference with the forest crop but without much supporting evidence, many of the most paying crops have been prohibited in different localities on the grounds that they interfere with the growth of tree seedlings.....facilities are designed primarily to keep the labor force of the taungya cultivators tied to their plots and in tolerable shape to enable them to look after the Plantations because if they have no place to live if they fall ill, frequently the plantation will suffer. These incentives are, therefore, primarily linked with benefits to the forest crop rather than with the welfare of the taungya cultivators and are given to them at the minimum possible scale. The system is frankly exploitative in concept and operation and cashes upon the needs of the landless and poor people to serve its own ends. The much vaunted incentives are only a cloak for uninhibited exploitation, as the savings effected by the Forest Department are many times more than the expenditure incurred on elementary conveniences provided to the working force.” (Seth, 1981:34-35)

However, ecological exploitation under Taungya was not limited merely to the exploitation of the service of those eco-system people but at another and more deeper level it was also the exploitation of the organic relation between those

people and their eco-system. This type of exploitation is unique in its kind and unlike the mere exploitation of working force it is peculiar to the field of natural resource governance where even innate association between man and nature has to be abused for serving the ruling interest. Organic relation between the ecosystem and its people is the by-product of that innate association which develops through a living and continuous process of material exchange. This organic relation has been encoded through an interactive process between man and nature which manifests itself in the form of specific eco-system based practices. The method of cleaning and burning under shifting cultivation was a concrete manifestation of that practice worldwide under forest eco-system with its location specific regional variations. Though it was seen as a destructive practice of converting forest patches into the agricultural land but unlike pure agriculture that conversion was temporary in nature and suit to the rotational intervention by the low density population into a relatively abundance forests. In Taungya the exploitation of that organic relation took place through the co-option of the indigenous technique of slash and burn into the domain of scientific management while disassociating it from its very purpose and corresponding mode of being. At this level the ecological exploitation led to the defacement of the organic relation between the ecosystem and its people either by distorting or disrupting the life process of interaction and material exchange with the eco-system under an oppressive bureaucratic praxis of forest management. The defacement does not mean the complete loss of harmony between the eco-system and its people but definitely implies the negative transformation in the attitude and orientation of those people towards the practice of resource use which perverts their mode of intervention into the nature. Earlier, when the shifting cultivation was their way of life they intervened into the nature for subsistence only but under the Taungya the motive for subsistence was transformed into a motive for incentives. This incentive culture of capitalism distorted their interaction process with the nature as it altered fundamentally their communal orientation towards subsistence born out from the necessities of life in favor of an individualistic utility maximizing

exercise to earn more money by cashing nature to satisfy multiple desires of life. Another dimension of defacement necessarily followed from the exploitation of organic relation was the concurrent loss of bonding with the nature. This loss was emanating from the framework of bounded interaction imposed on those populations in the taungya system. Under the practice of shifting cultivation they were free to interact with the nature as they felt necessary but the Taungya robbed that scope and put restrictions on grazing, collection of timber and firewood and thereby systematized their interaction to fit with the colonial project of 'modernizing nature'. This type of bondage through institutionalization of practice disrupted the free flow of exchange between the eco-system and its people and thereby resulted in loss of bonding with the nature. Though sometimes in some cases the forest dwellers attempted to revert the very process through the means of subaltern resistance against the rule by setting fire to the forests, grazing cattle and collecting firewood and various forest products in the prohibited zone under the Reserve but as a whole it was next to impossible under the regime of severe punishment. The threat of punishment was so obvious that in the annual Progress Report of 1877-78; the Conservator of Forests (Bengal) advanced that people "come to understand better what our object is, and when they see that they cannot set fire to the forests without becoming liable to severe punishment" (1878:39)²⁷. Thus restricting the free flow of life and disciplining under a new system disrupted their normal interaction with the ecosystem which affected negatively their practical, emotional and psychological bond with the nature and thereby prepared the basis for further attitudinal changes towards eco-system. The institutional imposition of rules on resource use created a paradoxical situation in which the material conditions of their dependence on eco-system remained same whereas they were forced to reduce their level of interaction with the eco-system. This paradox, under suitable circumstances engendered reaction among those people not only against the rule but against the nature also which was seldom manifested in the destruction of

²⁷ The quotation is cited in Karlsson, 1997:98, p, 98

forests by those people for certain petty purposes. However, this dimension of defacement is pretty obvious under the ecology of expulsion where ecosystem people were evicted or displaced by force or by imposed consensus outside the National Parks and Protected Areas for the sake of Wildlife Preservation. Thus, the defacement of the organic man-nature relationship as born out from the ecological exploitation under the Taungya or from the ecological expulsion under the conservation regime outside Taungya produced the similar results as it altered radically the space for praxis of those ecosystem people either by distorting or disrupting their interaction with the nature.

This ecological exploitation in the Taungya became severe after independence with an inept and corrupted bureaucratic atmosphere. The villagers were even deprived from their bonafide entitlements earlier enjoyed under colonial regime. The first onslaught came in the form of denial of nominal wages for their extra work beyond 90 days. Earlier the forest villagers were paid Rs 1.50/day for their extra work between 90 days and 275 days. After Independence the situation was changed completely as they were forced to finish all the works within 90 days by the lower grade forest officials so as to forfeit the money conventionally spent by the government for extra work. . Simultaneously, there was continuous threat of eviction from those officials if anyone failed to finish his assigned work within 90 days even due to the illness. This denial of entitlement became regularized along with ill-treatment and torture by the forests officials and staffs like Beat Officer, Range Officer and Forest Guards. Though the phenomenon was not new at all as in 1933 the First Taungya Conference under the colonial rule at Nainital in Uttarakhand (earlier in UP) admitted that the FD had a moral responsibility towards the taungya workers and the Department should protect the villagers from harassment by the subordinate staffs. (Ghosh, 2001) However, in the post independence period the torture and harassment by the Departmental staffs went beyond the limit. Those officials often asked for milk, Ghee and fish from those people at the free of cost.

The people were asked even to provide free labor for household work of those officials. Moreover, misbehave and insult from those officials became the norms of the daily life. Thus the system of Taungya was reduced completely into a system of slavery of the forest villagers in the post colonial period. The problem became intensified further with the increase of population since the establishment of the forest villages under colonial rule. Though after independence the population became more than double there was no initiative by the Department to accommodate those villagers under the Taungya. The second generation settlers stayed in the forest villages but without any agreement with the Department and were considered as "non-agreement" or as "*faltu*". The Forest Department did not treat those forest villagers like the agreement holders. They were deprived of any land holdings and other entitlements like free firewood, grazing, intercropping etc. Absence of agreement made them more vulnerable for oppression and torture. They were bound to do anything for the officials to secure their live in the forest villages. Those villagers used to stay in the premise of their relatives who usually were the agreement holders and shared the land for cultivation allotted to them. But it led to the fragmentation of the agricultural lands though unofficially which badly hit the basic subsistence economy of the villagers as a whole. Besides, certain changes in the eco-system during the period hit at the very base of survival of the forest villagers. The first and foremost problem was the increasing destruction of paddy and other crops by the wild animals for which the villagers often failed to take the products of intercropping back at home. There was no compensation scheme by the Department for them at that time. It was reported in working plans of Jalpaiguri and Buxa that monkey and pigs were the common enemy for fruit trees and certain kinds of vegetation used to be cultivated by the villagers between plantations. Besides, elephant caused considerable damage to the field crops of the villagers. Though the wild life attacks on crops became quite visible in the first part of the twentieth century due to continuous loss of habitat with the imperial destruction of forests, establishment of tea gardens and monocultural plantations but it increased

considerably during sixties due to further loss in their natural habitat in Dooars especially with the establishment of Binnaguri Army Cantonment and Hasimara Air Force Station along with several other Army-Camp aftermath of the Indo-Chinese War in 1962 and Indo-Pak war in 1971. Apart from that the constant influx of Refugees from Bangladesh after the partition of Jalpaiguri during Independence and from Assam after the initiation of "*Bongal-Kheda*" Movement in the late fifties and early sixties respectively caused tremendous pressure on the Dooars forests and loss of habitat of the wild life. Additionally shifting of river Torsha into Buri Torsha caused havoc damage to the Chilapata forests. Moreover, the Teak plantation which started during late 30s and 40s in the region increased enormously after independence and 'Teak Working Circle' constituted under different divisions of Dooars in order to meet the demand for industrial production forestry. Villagers reported that due to heavy temperature Teak plantations with a narrow spacing of 2 meters suppressed the field crops in between rows and blocked the undergrowth of vegetations and other inferior forest species which left any scope for grazing of their livestock. Last but not least was the problem of river bank erosion and concurrent floods in the region which not only damaged forest plantations but caused great harm to their agriculture, livestock and houses. In October, 1968 an unprecedented flood occurred in the Western Dooars along with Darjeeling after incessant rain for 60 hours. Entire habitations of the both banks of Teesta River were flooded and many lives including 20,000 cattle were lost and the paddy fields were silted. All those factors contributed in the formation of grievances among the forest villagers as the livelihood conditions were worsening day by day so was the oppression and exploitation under the taungya system. But until and unless the wave of radical politics stepped in with its ideology of struggle their aspirations and growing discontent were not crystallized into a form of organization for movement which could bring about justice against that exploitative regime of the forest governance.

5 Radical Politics Stepped in

Environmental movements owed much from other socio-political struggles took place in the colonial and post-colonial India. As integral parts of the social life environmental issues are shaped up in the context of larger socio-economic processes. Due to constant dialogue among different spheres of life environmental movements are often coincided with the other forms of struggle and vice versa. Further, it is observed that even in some cases like Chipko and Silent Valley Movement organizations of earlier social movements have been transformed later into platforms for environmental movements. Though Indian environmentalism is largely dominated by the ideology and technique of Ghandhi, the left-radical traditions of socio-political movements also have its significance on the history of environmental resistances. On the one hand the Gandhian strand within environmentalism borrowed the techniques of non-violent protest or *satyagraha* of Gandhi and has drawn heavily from his ideals of 'pre-capitalist and pre-colonial village community as the exemplar of ecological and social harmony' while rejecting heavy industrialization and modern way of life. (Guha, 1988:2580, Guha and Martinez-Alier, 2000:153) On the other, the left-radical strand relies upon the militant techniques of active resistance and concerned more about the transformation of existing power relations 'and of the prospects for the empowerment of marginalized groups'. (Kothari and Ahmad, 2004:11) In the context of Dooars though the radicalism of the said forest movement was greatly inspired by the ideals and techniques of Subhash Chandra Bose but it got direct impetus from the left-radical traditions of workers and peasants struggles in Bengal which started on the eve of Independence in the region.

Dooars remained largely unaffected by the currents of nationalist movement until late 30's due to its physical isolation from the rest of the country and the strict regulation for entering unauthorized outsiders made by the European tea planters and Forest Department. However, since the eve of Independence it became the hub

of radical peasants and workers movements along side the anti-imperialist struggle. It was with the formation of the Jalpaiguri District Krishak Samity in 1938 a peasant movement involving large section of Rajbanshi and Muslim peasants and *adihars* started during 1939-40 against collection of excessive tolls at the weekly rural markets, various levies by the *jotedars* from the *adhiars* over and above the half share and also high interest against loan for cultivation from them. Though the movement did spread nearby districts and became successful to a certain extent with conceding certain demands by the colonial administration but severe oppressive measures were taken against the leftist organizers as the CPI was banned during the period. Despite repression the Krishak Samity maintained its underground network and activities which became obvious after the withdrawal of the ban on CPI in July 1942. However, with the 1943 famine and consequent mass sufferings the exploitative relationship between *jotedar* and *adihars* was exposed once again. In this very context, the communists responded to the situation and in 'September, 1946 the Bengal Provincial Kishan Sabha gave a call for tebhaga i.e. two-third shares of the harvests in favor of the *adihars* recommended by the Land Revenue Commission in 1940.' Following the call a major peasants outbursts took place in the large part of the Jalpaiguri District including Dooars along with the districts of Dinajpur, Rangpur and Malda. The active participation of peasants in a large scale and intensification of the movement led to the publication of the Bargadar Bill in 1947 which incorporated some of the demands of the movement. The Bill gave further impetus to the movement which turned in violent agitation by its volunteer throughout the year. As a result many *Jotedars* either made a retreat or arrived at compromise with the peasants. In spite of launching repressive measures against the movement it created mass peasant awakening of their rights and built up confidence about their success against exploitation. However, in the early 1947, the movement was received support from the railway workers union and tea garden workers of Dooars which emerged as the sites of uncompromising labor struggle during the period together with the peasant uprising. The first large-scale workers

demonstration in Dooars began with the victory of CPI dominated Bengal-Assam Rail Road Workers Union (BARRWU) as a part of an all India agitation of the railway workers in the mid of 1946. The achievement of the workers in realizing certain concessions from the authority laid the seeds of workers movement in tea gardens. The railway lines in Dooars went through the tea gardens and a number of Railway stations in the region surrounded by a cluster of tea gardens. Besides the lowest ranking railway workers mostly tribals came into frequent contact with tea laborers. Moreover the CPI led organizers of the Bengal Dooars Railway tried to establish contact with the plantation workers to spread trade unionism in that crucial front. (Dasgupta, 1985:42-52)

Though the communist trade unionist were partially successful to organize certain agitations in tea gardens during 1946 on the issue of regular supply the workers with their quota of food ration it was actually *tebhaga* which showed the way for mass mobilization in tea gardens. The CPI led organizers of BARRWU found it as an opportunity for united action by workers and peasants in and around tea gardens. Consequently tea-garden workers were organized and volunteer groups were formed to carry forward the agenda of joint struggle. In 1947, as a part of this joint movement plantation workers revolted in a large number of tea gardens which was quite unfamiliar to the European Planters. The most common slogans of the joint movement were 'abolish *jotedari*', 'give us two-third share of the crops' and 'European Planters go back to London'. Several repressive measures were taken by the planters but the tea workers were unmanageable. At last daily wages of the tea garden workers were raised to disassociate them from the peasant's movement which was finally called off in May, 1947. After independence with the recognition of the fundamental right to organize and form associations, the trade union movement in the tea gardens of Dooars gained a new momentum. Several trade unions like AITUC, INTUC, UTUC, HMS etc affiliated to different political parties started to organize workers to realize their bonafide demands. In the 50's and 60's leftist trade

unions became the major force to organize labor movements in the region. During the period labor unrest was on the peak as the increasing trade union activity helped to highlight their grievance. The trade unions with the active support of the workers protested on so many different issues including lower wages, heavy work load, low qualities of ration and irregularity in bonus, provident fund etc. The workers frequently struck work on various issues. Hence the incidents of man days lost, production failures were very common during the period. The most remarkable movement during the phase took place in 1955 when the workers from all trade unions struck work for eighteen days on the demand for minimum compulsory bonus against a huge profit secured by the planters in 1954. The strike paralyzed all most all tea gardens in Dooars which was held in the peak season and resulting substantial loss in the production of tea. Despite arrests and atrocities by the police the struggle was continued. Finally in 1956 the Government was compelled to force the employers to abide by the principle of compulsory minimum bonus and a formula for the quantum of bonus for three years from 1953 to 1956 was settled. In 1962, the co-ordination Committee of Tea Plantation Workers (CCTPW) was formed to initiate further struggle over issues such as wages, bonus and benefits under the Plantation Labor Act. The committee played a vital role in forging the unity of the workers and joint actions on common problems. With the formation of the first United Front Ministry in 1967 along with its pro-labor policy the joint action got further impetus. Strikes were taken place for some specific demands of the workers in individual tea gardens as for example in 1967, in Hope Tea Estate; the workers continued a strike for seven months. After the second United Front Ministry came into power in 1969 the Coordination Committee framed a charter of demands and called for an indefinite general strike from 18th August of the year. The strike continued for 16 days and was ended up with the agreement that was reached between the planters and unions with the active intervention of the Government on behalf of the workers. With the movement workers achieved so many of their long standing demands including employment in permanent vacancies, additional

employment, ration at concession rate, increase of extra leaf price (ELP) etc.(Bhowmik, 1981:137-57)

The radical atmosphere as a whole behind the historic forest villager's movement against ecological exploitation was prepared with the peasant and workers movement in Dooars and several other militant movements in the adjoining districts of North Bengal like food movement and Berubari movement in Coochbehar during 50's and Naxalbari movement in Darjeeling during 60's. Nevertheless, the single and most important contribution behind the radicalism perhaps was credited to the tea garden worker's movement in Dooars which had its direct bearings on the awakening of mass consciousness against exploitation. The obvious reason was the multiplicity of interaction between tea gardens and forests on several counts. As it has been said earlier that inception of tea gardens in the region took place with the clear-cutting of forests by the British. Consequently most of the tea gardens found their place in the forest fringe area and did share almost similar characteristics with the forest eco-system. According to the recent Annual Divisional Reports there are 76 tea gardens in the fringe area of Jalpaiguri Division, 27 in the BTR (W) and 12 in BTR (E). Though the single natural landscape was divided artificially into two parts by the colonial ruler for sectoral development but it could not alter the common sufferings of the tea workers and forest villagers due to some common climatic and geo-spatial hazards like flood, cyclone, elephant attack etc. Further, tea workers depended heavily on the forests for their livelihood like fishing in the forest's river, firewood, and minor forest products etc. Besides, the immigrated tribals from Chhotanagpur known as 'best coolies' were not only brought for the tea plantation but a considerable portion of them were placed in forest villages particularly in the early regime of fire protection. Naturally in many cases forest villagers were found to be relatives of the tea-garden workers and vice-versa. Moreover, professionally both the tea workers and forest villagers visited frequently to each other's places. On the one hand Forest Department was the supplier of soft wood for tea boxes and

firewood required for tea gardens and to collect those materials tea workers used to come to the timber depot of the Department. On the other, during 60's it was often complained by the lower forest officials to the higher authority that the reason behind the problem of labor shortage in the Departmental operation lies in the tea industry which offered more attractive terms and conditions to the local labors who naturally preferred to seek employment there. All these factors contributed to the favorable conditions for continuous interaction between forest villagers and tea garden workers which led to the sharing of their problems and experiences of life. This sharing even turned into learning from each other for mutual benefit. Hence; the radical politics in tea gardens had the greater scope to influence the forest villagers directly. The impact of tea workers movement was evident in the 60's when villagers under Coochbehar and Buxa Divisions approached the RSP leaders who had stronghold in adjacent tea gardens to take up the issue of the forest dwellers but the Party leadership denied to organize people in that front. Further, probably, keeping this phenomenon in mind the Forward Block leadership chose a person as the secretary in the organization for movement who was the son of a tea garden manager and having some sort of experience in practical politics in that front. Moreover, there is no scope of denying the fact that the movement inspired largely by the struggle for wages and better livelihood conditions of the tea workers and also by their forms of protest like strike for achieving the demands.

Despite a great inspiration from the tea workers struggle the final ground for the movement was prepared with the formation of the first United Front (UF) Government in 1967 in West Bengal. The UF Government in its 18-point programme declared to recognize the legitimate rights to form unions by the employees of all categories including workers and peasants to raise their voice against all sorts of injustice. It decided to accelerate the democratic and legitimate struggles of the people from all walks of life and sought to foster workers and peasants' trade union movements free from the fear of police repression. It therefore attempted to

reorient the police in order to make them conform to the popular aspirations and demands. The Government was committed to bring about changes in the existing social structure to improve the condition of the people through active cooperation and association in all matters. The pro-labor policy of the Government was anticipated with legitimizing the technique of *gheraos* free from police intervention as introduced by the then Labor Minister Subodh Banerjee with a circular issued in March, 1967. (Ghosh, 1981:63-68) Such an initiative from the government took the workers and peasants on road against all sorts of oppression following mass mobilization across factories, workshops, government offices etc. Apart from the technique of *gherao* which was adopted extensively throughout the struggle against Taungya, the policy of the Government as a whole had a catalyzing effect on the forest villagers in Dooars to organize them for the first time against ecological exploitation.

6. The First Phase of Struggle (1967-68): Voice against Taungya

The success of the bonus movement of 1955 by the tea garden workers left a considerable impact on the psyche of the forest villagers. They realized the strength of a mass movement and felt the necessity for an organization devoted completely to their cause. By capitalize their sentiment RSP leadership who were dominated in the tea-garden movements in the large part of Dooars by 60's entered into a number of forest villages and created their forest workers union but soon the Union was proved to be inadequate as it did not raise any strong voice against the despot forest bureaucracy what it did in tea gardens movement. However, in the wake of their failure the first United Front Government in 1967 with its radical approach towards people's movement brought the opportunity to actualize the necessity to build up struggle in the forest. But the problem was that of a leader and organization who could shoulder the responsibility to organize those people courageously and lead them into right direction. Interesting enough Ramesh Roy, a ration dealer by profession at Hasimara, could not refrain himself from responding to that call of the

hour. He astonishingly observed that the forest villagers who seldom came to get weekly ration from his shop only took the kerosene oil and never asked for the sugar or rice. When he enquired the fact he became surprise to know that the villagers did not get any wages for their work for the Department and instead they had to sign an annual agreement with the Department containing the condition of free and compulsory labor for 90 days. Though, there was a provision for providing some nominal wages for extra work but the illiterate villagers were not even informed by the officials as the copy of that agreement was retained with the Beat or Range Officers. Further he kept informed about the untold misery and severe exploitation of the villagers who really live a life of slave. When he was convinced about the unconstitutional practices of the Department which violated the spirit of freedom he made contact with one of his lawyer friend at Jalpaiguri town. Mr. Binoy Kumar Bhowmik, the lawyer-friend, introduced Ramesh Roy with Professor Nirmal Bose in A.C.College who later on won the 1977 state assembly election as a Forward Block candidate from Jalpaiguri constituency. Professor Bose who himself met Subhash Chandra Bose at Jalpaiguri during pre-independence period and took the responsibility to cater his ideals inspired Ramesh Roy with his ideals to transfer power in the hands of the people and struggle for liberation against all sorts of slavery and exploitation. Through Professor Bose Ramesh Roy met other District Committee Members (Jalpaiguri) of Forward Block like, Mukulesh Sanyal, Satyajoyti Sen, and Sudhanshu Kumar Majumder who were the product of middle class radicalism in Bengal imbibed with the ideal of Subhash Chandra Bose during freedom struggle. However, Professor Bose assured Ramesh Roy that if he joined Forward Block they would extend all kinds of support to build a movement against the injustice. Returning back to Hasimara Roy convinced one forest villager namely Emanuel Kujur to accompany him in order to organize the forest villagers against exploitation. It was October, 1967 they started their first campaign at Kodal Basty followed by Godamdabri, Menda Bari, Holapara and other forest villages under Coochbehar Forest Division (Now Wild Life –II).

Initially a set of concurrent incidents during the period helped the organizer to mobilize people for the first time in Cooch Behar Division. The first incident took place at Kodal Basti where the DFO suddenly convened a meeting of the villagers and declared that a considerable portion of land under their cultivation should be vacated immediately by the villagers for plantation as those were actually belonged to the Department. Villagers were completely stuck to listen it and told DFO that they cultivated the land since British Period. But the Officer was arrogant and ordered village Mondal to take necessary step for fencing the land soon after the meeting. Naturally it annoyed villagers very much and they approached the RSP leadership in nearby tea garden to take up the issue but were denied to take any action in this regard. Amidst the bottleneck, Nikuddin Kujur, a villager, who had earlier contact with Ramesh Roy called him to the spot immediately. Upon his advice the forest dwellers gheraoed the Beat Officer and forest guard after few days. Following that another meeting was convened by the DFO but no solution was reached. However the villagers could not resist the Department for long to take away their land as the movement was in its embryonic stage and they were threatened and forced to give their consent in favor of the Department. Though the movement failed at Kodal Basti it registered it's first success at Godamdabri forest village under the same Division where the villagers under the leadership of Ramesh Roy successfully resisted the eviction initiative of 29 forest villagers who were the second generation settlers and had no agreement with the Department. Following the massive agitation against the Beat and Range Officer at Godamdabri along with frequent gherao of those officers Ramesh Roy was arrested by the Police and spent 15 days in jail custody. Returning from Jail he led a delegation to the Chief Conservator of Forest in Kolkata with the help of Nirmal Bose who actually arranged the meeting. Soon, the decision of eviction was temporarily withheld by the Department. It is to be noted that till then no exclusive organization of the forest villagers was formed and all movement works took place under the Banner of *Aragami Kishan Sabha*, a peasant organization of the Forward Block.

Despite the fall of United Front Government in November, the success at Godamdabri was quickly spread to other parts of the Dooars and in the beginning of the 1968 villagers from different divisions started to make contact with Ramesh Roy who already organized a group of volunteer to carry forward the struggle. The most well known of those volunteers were Emanuel Kujur, Nikuddin Kujur, Jogen Narjinary, Sarba Sing Lama, Khudiram Pahan and Harman Sing. Incidentally the then Governor Dharma Vira came to Hasimara at that time and 1000 of forest villagers under the leadership of Ramesh Roy organized a protest rally following a deputation placed before him. In that deputation forest villagers for the first time raised their voice against the Taungya and demanded to abolish it immediately. Taking the momentum of the movement in account and the peculiar identity of the forest villagers who were both peasants and workers at the same time, the banner of Agragami Kishan Sabha was found inadequate to capture the whole spectrum of the struggle. Consequently the organization for the movement was formed in the first half of 1968 namely the North Bengal Forest Workers and Jaigir Cultivators Union (NBFWJCU). Viewing the potential of the movement the Forward Block District leadership intended to keep their control over the movement as that was the only opportunity to spread their organization in Dooars where other left parties like RSP and CPI already established their stronghold through workers and peasant movements. Consequently two party members based at Alipurduar namely Dhiren Sarkar and Durgesh Niogy placed at the post of Secretary and working President of the Union respectively and another member of the Party namely Kali Charan Pandey, resident of a forest village-Garam Basti (BTR), was placed in the executive committee along with Ramesh roy and Emanuel Kujur who were the mass leaders of the struggle. However, Roy and Kujur did not oppose the initiative of the Party as their sole objective was to build up a genuine struggle for the interest of the forest people. The union became registered under Society Registration Act, West Bengal and a new chapter of the struggle began very soon.

In the mid of 1968 the Buxa Tiger Reserve²⁸ became the main centre of that struggle. The ground became mature when due to a heavy and continuous rainfall in June forest plantation was disrupted in Dooars. Forest Villagers at GaroBasty, naturally, failed to finish their weekly target for plantation in the Beach Line. But the Department was strict to complete all the works within 90 days and therefore issued a directive that all the pending works should be finished altogether with the stipulated work in a week by involving all the family members of the forest villagers through working along day and night. Hence, the Department forced the villagers to abide by the directive and to achieve the target the failing of which the villagers were said to be evicted from their village by the Department. When the villagers realized the impossibility of the target and preparing themselves to leave the village a few of them like Prem Kumar Sharma went to RSP Office at Kalchini to seek help from the trade union leaders of the tea gardens but he was refused to be assisted by the leaders. The villagers were disheartened though not frustrated as they had another option to make contact with Ramesh Roy at Hasimara who already emerged as the undisputed leader of the movement. Tanka Bahadur Chhetry along with some other villagers went Hasimara and met him and following his advice a meeting was called for at their village. Ramesh Roy and Emanuel Kujur along with Sarba Sing Lama, Kalicharn Pandey and Harman Sing came on behalf of the NBFWJCU to attend the meeting. Eventually the Forest Guard tried to dismiss the meeting but due to resistance of the villagers he went back. After the meeting the villagers leaded by NBFWJCU gheraoed the Ranger at Rajabhatkhawa in the evening. The gherao continued for whole night and the next day the villagers from Buxa Road, another village in the BTR joined the agitation and immediately the DFO came to meet the Union leaders at the place. A deputation was placed before the Ranger in front of DFO who gave written promises to keep their demand before the higher authority and the gherao put an end. There were two main demands in that deputation along with the others. The first was to abolish *Bhaga* System of work where each villager

²⁸ Now divided into two divisions i.e. Buxa Tiger Reserve (West) and Buxa Tiger Reserve (East)

was bound to finish all plantation works including cleaning, burning, weeding etc. in a hector of forest land for free within 90 days and if anyone failed to do so he would have been liable to do extra work without any wages until and unless the target was completed. The target of one hector plantation/villager (seldom two hectors/villager) within 90 days was actually an unrealistic one and villagers often were able to reach that and hence practically they had to work all along the year except one or two months without even realizing the wages of Rs 1.50 which was stipulated in the annual agreement for works beyond 90 days. The Foresters used to pay those nominal wages only in cases where the villagers were employed for work besides that one hectare. Naturally this *Bagha* System of one hectare was acted as the stumble block to realize their wages. The second demand in that deputation was the introduction of wages in all works @ Rs 3/Day. Though the demands of the agitation were not realized immediately but it put an end to the eviction process of the villagers from Garo basti in case of failing to reach the target of plantation. Few weeks later in another incident when the Department took initiative to destroy self made-houses of the villagers at Pampu Basti under BTR the DFO was gheraoed again for 24 hours at Rajabhatkhawa with the presence of Dhiren Sarkar which was withdrawn after coming of the Chief Conservator of Forest, Northern Circle to the spot where he made promise to withheld the decision. This success of the agitations led to intensify the movement throughout BTR and several demonstration programmes were also taken throughout the rest of the year which led to spread out the movement previously untouched parts of Buxa, Jalpaiguri, and Coochbehar Divisions. A landmark agitation programme was taken at Kumargram under BTR in this period where thousands of villagers' gheraoed the despot Range officer who frequently tortured the villagers but the police came immediately and latched on to the people and some of whom were severely injured including Ramesh Roy. In 1968 two fold strategies were taken by the movement leaders; one was to form village committee in each and every village in all the divisions of Dooars and the second was to continue agitation programmes involving mainly the techniques of gherao and

deputation at the Beat and Range levels. The main demands of that period were to abolish Taungya and introduce wages. Those strategies and demands penetrated the forest villagers successfully to mobilize themselves under the banner of NBFWJCU. During the phase Ramesh Roy was arrested by police several times and many cases were lodged against him for disrupting the Departmental activities. Kalicharn Pandey was also sentenced two years rigorous imprisonment for assaulting forest officials physically. Though the movement was slightly lost its momentum by the end of the year particularly after the devastating flood of October, 1968 in the wake of state assembly election which paralyzed all the activities of administration as well as all the parties and organizations except the relief work but it regained its radical gesture with the 2nd United Front came into power in 25th February 1969.

In this phase the NBFWJCU built up their stronghold quickly through out the Dooars. It is in this phase the movement became successful to resist the Departmental eviction measures against the villagers for some nominal reasons. The threat of the Forest Guards and other officials became liquidated and the forest villagers for the first time started talking against the Department openly and registered their voice against all sorts of injustice. The most remarkable achievement of the movement during the period was that due to throughout resistance by the villagers the Department failed to renew the Annual Agreement further which was considered as the backbone of the Taungya. Further in some cases the movement was successful to regularize the payment of Rs 1.50/Day for extra work beyond 90 days to the forest villagers.

7. The Second Phase (1969-71): Abolition of Taungya

As the Second United Front (UF) came to the power in the end of the February 1969 the movement got a new impetus. Forward Block was the crucial part of that Front and led the voices of the Movement to the orbit of power. Perhaps due to the persuasion backed by fervor of the movement the Second UF in its 32 point

programme includes the issue of protecting forests and forest dwellers as an important political objective of the Government for the first time in the history of West Bengal and perhaps in the history of India also. The point No. 3 (C) stated that "The UF Government will pay due attention to preservation of forests. It will look to the legitimate interests of the people who live in forest areas and depend on forests for their livelihood."²⁹ This positive approach of the Government instigated forest villagers to carry forward their struggle with great enthusiasm against all sorts of exploitation and oppression by the Department. It was the period when the villagers were organized in the Jalpaiguri forest Division and placed their first ever deputation to the DFO at Jalpaiguri followed by a mass rally. The movement immediately did spread to different villages under Coochbehar Division e.g. North and South Khairbari, Chilapata, MendaBari, Sal kumar hat etc. and Chalsa, Panijhora, Old Khunia. Khuklung, Mela, Reti, Mangal kata, Ghoasaihat etc under Jalpaiguri Forest Divisions and Panijhora, Bala para Santala Bari, Chunabhathi, Sankosh, etc under Buxa Divisions. Simultaneously a new group of leaders emerged like Jogen Rava, Lagrus Orao, Avilak Thakur, Prem Chand Lakra, Sanchu Munda etc. to lead the movement in the right direction. Several new village committees were formed while creating women and youth brigade where the former acted as a shield against police atrocities in each demonstration the later was responsible to mobiles people around particular agitation programme and maintained a network of information. In this phase to accelerate the movement Ramesh Roy was shifted from Hasimara to Rajabhatkhawa while leaving his profession of ration dealer to devote himself fully for the cause of the movement. The movement quickly grasped the popular support across divisions with its new and more crystallized demands including abolition of terms and conditions under the Taungya, introduction of wages @ Rs 3/day, maximum 6 hour working hours, introduction of Master Role and recognition of unregistered villagers as forest workers etc. Range and Beat wise agitations were

²⁹ See 32-Point Programme of the UF Government in 1969, in Ghosh, Anjali 1981: C-29, Appendix-Four

intensified in that period. Series of deputation, processions and gherao used to take place in every month. The normal departmental works virtually were paralyzed against the constant struggle. The lower grade officials and forest guards who were earlier enjoyed tremendous authority over those people became suddenly powerless. In some cases the movement took even a violent turn with the outbursts of the grievances of those long oppressed people. The most notable incidents of such kinds took place at Sankosh in Buxa Division and Godamdabri in Coochbehar Division. In Sankosh the villagers under the movement demolished the Beat Office and assaulted severely the Beat Officer who, according to the villagers was a tyrant and fixed a quota for every villager to provide him ghee in every week, milk in every day and rice, corn etc. in season. In another case Godamdabri forest villagers' gheared the Beat office while demanding wages and the payment of arrears @ Rs 1.50/day for extra work done by the villagers since long. But when Beat Officer failed to keep any promise to the villagers on their demand the Beat office was ravaged and the Officer was garlanded by shoes. Both the cases police came and arrested so many villagers and put them into jail. However, despite massive agitation programmes no demands were fulfilled and the leadership realized that until and unless the policy would be changed local forest official could do nothing for them. Consequently they prepared a 17 Points Charter of Demands and placed it along with a memorandum to implement it urgently before the Hon'ble Minister of Forests in Calcutta (now Kolkata) probably around the middle of 1969. The long Charter of Demands included the abolishment of terms and conditions under agreement in taungya system, permanent settlement of forest villagers along with 15 *bighas* of arable land /family with adequate irrigation facilities, introduction of wage @ Rs 3/day/head, weekly payment of wages on the basis of mastered role, six hour work day, payment of arrears, employment of unemployed forest villagers, agricultural loan facilities along with compulsory insurance of every villager, supply of necessary implements for forest works and drinking water in every village, establishment of primary school in villages along with proper communication facility of roadways,

establishment of division wise hospital and more importantly introduction of Panchayat in the forest villages.³⁰ The Charter of Demands actually was an omnibus one which included almost all the dimensions of life of the eco-system people which are even relevant in today's context. As for example their demand for permanent settlement was started to actualize with the enactment of FRA, 2006 in 2008. The demand for Panchayat System in forest villages was introduced only in 1989. And still there are many demands like insurance, agricultural loan; hospital and proper education are yet to be realized. However, on the basis of that Charter of Demands the then Forest Minister of 2nd UF Mr. Bhubotosh Soren convened a tripartite meeting at Writers Building with the presence of delegates from NBFWJCU and Principal Chief Conservator of Forest on 15th October, 1969. The resolution was taken in that meeting included introduction of master role and wages @ Rs 2.50/day which would subsequently increase to Rs 3/day in June, 1971. The issue of land was left for the consideration of Divisional Forest Officer. The terms and conditions under agreement and issue of permanent settlement were put under active consideration, The problems of school, hospital and Panchayat were decided to take up before the concerned ministry, It was decided to make allotment of fund in the next Budget for supply of drinking water and no discussion was taken place in the matter of agricultural loan, insurance and unemployed forest villagers related matters. The resolution was a considerable success brought out by the movement and with its decision to introduce master role and regular wage system it indirectly put the stamp on the discontinuation of the Taungya. But the most important problems with the resolution was that it put the question of land under the consideration of the Divisional Forest Officer and it did not discuss the matter of unemployed forest villagers. Both were the serious problem before the movement leaders particularly when there were a growing number of second generation

³⁰ See 'Annexure B', Writ Petition in the High Court of Calcutta.C.R. No 5165(W) of 1976, C.R. 8893 (W) of 1976 and C.R. 800 (W) of 1976, pp 21

settlers in the forest villages who took active part in the movement and were unregistered and deprived of all kinds of usufructs, facilities and works by the Forest Department. The problem became more serious when even after a month no Government Order or Circular was issued by the Department following the Resolution to introduce wages practically in forest plantation. The Beat Officers/Rangers and even DFO's were not agreed to pay wages without any Government Order in spite of showing the copy of the Resolution by the movement leader. Grievances were growing and the momentum of struggle was in peak. In this context, the executive committee of NBFWJCU convened an urgent meeting over the matter and decided to go for indefinite strike in all the Divisions of Dooars. By the end of the year i.e. in December 1969 the strike was called on by NBFWJCU which continued all three divisions more than one and half year and ended up with the death of five forest villagers by police firing in June 1971 who were acknowledged as the martyrs of the movement.

Initially, the Forest Department opposed the strike with all its forces. Several confrontations took place between the Union and the Department. In Chilapata Range when the villagers went to that strike the labor from outside forest villages were employed by the Department's contractor who attacked the forest villagers with guns and ammunition. The organizer of the movement tried to convince those people that their movement was not against them but the contractor's labor were motivated against them. Naturally a tussle broke out and several persons were injured from both the parties. Another incident took place at South Khairbari where the forest officials threatened the villagers and police came in favor of the Department. Immediately Ramesh Roy went there and was arrested by the police. Finally, in both the cases the Union was successful to begin the strike. In 1970 the movement took a new turn. It started exerting pressure on DFOs to settle the issue of land as it was put under consideration of DFO in the Resolution. In Jalpaiguri and Buxa Division DFOs placed the proposal to the Union for providing 2.5 acre of land

i.e. 7.5 bigha in accordance with their Working Plan.³¹ It was a demoralizing proposal for the movement because it was just half of their demand for 15 *bigha* and even less than the earlier regime of forest management. It was seen that under the new and revised proposal each household became entitled to get agricultural land not more than 2 acres which was earlier 5 acres during colonial period. Further this reorganization in the land holdings left the scope of poor and uncultivable land for many villagers who were already burdened with their increased family members. In this context, the Union placed alternative demand for 3 bigha land for non-agreement holder and the existing amount of land for the forest villagers but the Department totally denied that. Amidst the situation the leaders realized that this meager amount of land could not secure the livelihood of the forest dwellers in the context of growing divisions of land due to increasing population and the advent of the second and the third generation of settlers in the forest villages. Hence, there was no option before the Union to occupy forcefully forest lands with the unregistered settlers of new generation. Actually they were greatly encouraged by the land reforms programmes of the 2nd UF Government which promoted acquisition of unutilized land in plantation for the interest of the peasantry. The statement of Harekrishna Konar, Hon'bl Minister of Land and Land Revenue in the State Assembly on 21st July, 1969 also motivated the leader to a great extent. In that historic statement Konar asserted that the radical land reform programme would not success by relying on government machinery alone.³² Hence the call for occupying vacant land by the Union became spread rapidly throughout Dooars and villagers started their operation in almost all the divisions. In addition to occupy vacant land adjacent to villages a few new settlements were established like Bala Para, Naya Basti, Dima Basti. This land grabbing movement was intensified more in Buxa

³¹ Under this new policy in the plains area of wet cultivation allotted to each household shall not exceed 2 acres, or the total area of land allotted for homestead and cultivation may not exceed 2.5 acres. See Fifth Working Plan of Kurseong Forest Division (1969-70 to 1988-89), Vol-I, 1976, p 273 and the Seventh Working Plan of the Jalpaiguri Forest Division (1970-71 to 1989-90), Vol-1 1976, p 172

³² Published in "People's Democracy", Calcutta, August 24, 1969

Division along with two other divisions of Jalpaiguri and Coochbehar. It is worthy to mention here that though in that land grabbing movement some excesses took place in some villages where the villagers occupied land by cutting forests but the official position of the Union was not to harm forests which was manifested in the setting up of new villages in the vacant lands like embankment of rivers Bala (Bala Basti) Panchkole Jhora (Naya Basti), Dima (Dima Basti) and redundant land of tea garden near Garam Basti. This showed their non-harming attitude towards forests. After the completion of that operation the movement again returned to their primary issue of abolishing Taungya and introduction of daily wages. The Union sent 65 member of delegation to placed their memorandum to Governor in Kolakata in the mid of 1970 claiming the issue of Government Order effecting at least the Resolution taken place earlier under UF Ministry. This memorandum was taken seriously by the Government as the whole forests in Dooars went out of control of the Department and all activities were actually paralyzed which caused tremendous loss of revenue and put enormous pressure on Government exchequer. Finally keeping the agitation in account by 31st December 1970, Deputy Secretary, Government of west Bengal issued a G.O to introduce wages at per Resolution and to provide 2.5 acre to each 'genuine forest villager' and more importantly it asked the Department to regularize encroachment of land by the forest villagers on or before 28th July, 1970 and directed the Department to take stern action against any encroachment of land after the due date even by taking help from Police.³³ This Order for introduce wages and regularization of encroachment before 28th July boost up the movement further to celebrate their success on the ground. But the Department officials at the Division level who were annoyed very much with the villagers due to withering away of their land lordism took the Order as an instrument to punish the forest villagers. First of all in many cases they went to the forest villages accompanied by the police force and claimed that the occupation of land by the villagers took place after 28th July and therefore forced them to leave their occupation. In Panijhora forest village under

³³ Writ Petition, Annexure B, Kolkata High Court, 1976 .

BTR the volunteers of the movement successfully resisted that attempt. On 29th April, 1971, the DFO Coochbehar issued a notice to evict the premises of forest villagers describing that as an encroachment. On the basis of that Notice when the Departmental staffs came to evict the villagers from Sal Kumar Hat by Police, the forest villagers through their Union made a representation to the SDO, Alipurduar who ordered for inspection. The Inspection Report came up soon with its satisfaction that the encroachment whatever took place was happened before 28th July and hence all eviction attempts by the Department were considered as illegal. The said Order was communicated to DFO immediately and the Department was compelled to put stop on that initiative. However, the second kind of strategy to punish and harass the forest villagers was more dangerous than the first. It was to employ the outside labors under forest contractors in forestry plantation which earlier was the sole area of activity of the forest villagers. In 1971, this led to several clashes either in between outside labor and forest villagers or between the Contractor of the Department and the forest villagers. One of such incident took place in BTR where the forest villagers resisted successfully the Depot labor from RSP affiliated Union to refrain from forest plantation in the Division. However, in the same period another incident of such kind at Gossainhat under Jalpaiguri Forest Division took a violent turn. The movement at Gossainhat in particular and the Moraghat Range in general under Jalpaiguri Division which was organized by two undisputed and popular leaders namely Prem Chand Lakra and Sanchu Kumar Munda. When in the last week of May, 1971 the Department sponsored contractor from Gairkata started plantation with the outside labor near Gossainhat the forest villagers at first requested him not to do so. They gheraoed Beat and Range Office demanding employment of the forest villagers in that plantation but nobody heard to them. In this context thousands of forest villagers from Gossainhat, Mela and Khuklung forest village marched to the site of plantation under the leadership of Prem Chand Lakra and Sanchu Munda and physically assaulted the contractor on the spot and women volunteer put the garland of shoes on his neck and thereafter he was kept on the back of a horse and

was taken with a massive procession to Khuntimari Beat nearly 5 kms away from the site. They shouted slogan against the Department and ransacked the Beat Office. From that day the villagers stopped the plantation activities while patrolling the spot every day and asked outside labor to get back from the site. Immediately the Department lodged FIR against the two prominent leaders of the movement along with some other villagers. On 10th June, 1971 night at 1, O Clock the police from Dhupguri Police Station entered into Gossainhat to arrest those two leaders. The night was stormy with continuous pouring of rain but the volunteers of the movement were alert as they were expected such kind of reaction. When Police arrested Lakra and Munda the news did spread within a moment throughout the village. Ignoring the stormy weather villagers assembled immediately to make their leaders free from police arrests. To disperse the mob police started firing and five villagers were spot dead and several others were injured. Ultimately the police arrested more than ten villagers and took them to Dhupguri Police Station that night and produced before the Jalpaiguri Court on 11th June, 1971. The arrested persons got bail within a month and finally few years after the Union won the case which made them free from all charges. However, the martyrdom of five villagers namely Ajman Rava, Jetha Rai, Mongra Orao, Sadhu Orao and Chhandu Orao made a tremendous impact on the overall political atmosphere. With a couple of days a deputation was placed before Jalpaiguri DM and several processions were held at Jalapiguri and Alipurduar. Ashok Ghosh, the State leader of the Forward Block made press statement in Kolkata and demanded immediate introduction of wages and abolition of departmental oppression and exploitation, compensation for the family of the martyrs and action against police and the Department. On the very next week Deputy Chief Minister Mr. Bijoy Sing Nahar convened a meeting with Union leaders at Writers Building and finally Rs 3/day was introduced along with the consideration of other demands like quashing of terms and conditions under the heinous agreement in Taungya, six hour work and introduction of master role while providing employment to the non-agreement holders or unregistered villagers in forest.

villages. Moreover the Government agreed that the villagers would not be evicted further from the land they occupied.

The movement left a deep impression on the cultural sphere of the villagers. Japan Rava, a forest villager from Gossainhat and an artist by profession made a 'putul nanch' (Doll's Drama) on their historic struggle against the Taungya and conducted many shows at village hats (weekly market) and ceremonial occasions in different villages. Later on after few years with the initiative of Abhilak Thakur, a youth organizer of the movement and member of Student's Block in the District of Jalpaiguri, a documentary film was made by a Christian father from Kolkata namely "*Aranyer Adhare*"³⁴. There were other spheres of cultural activities particularly dance and song of the forest communities the incidents, struggles and stories of the movement occupied a significant place and became an important topic of discourse among the forest dwellers when they met with each other in public places for chatting.

However, with the demise of five villagers the movement finally brought the taungya system into end and a new era of forest governance began in North Bengal. From a reductionist approach Taungya was often viewed simply as a system of artificial regeneration involving the indigenous technique of fire. The exploitation of both the service and the organic relation of the ecosystem people with nature through the associated method of intercropping was hardly exposed by the approach. It was often forgotten that an oppressive system of management had constituted the very basis of the practice where any breach of contract on the part of the forest people led to an untold misery and painful suffering to them. The heinous agreement of that contract transformed incorporation of the forest dwellers and their knowledge into mere co-option in the top down system of forest management. Practically in the eyes of forest villagers it was nothing but a sort of slavery which

³⁴ During the period of making that documentary Mr. Abhilak Thakur left the party and joined the Church of North India (CNI) to which the Christian Father belonged

robbed them of all scope to live a life freely and with dignity. They were bound to serve their master at any cost whenever asked. It was a living on the edge of life where a continuous fear of punishment, torture and eviction haunted their everyday existence. However, there was a direct relation between the introduction of wages and the withering away of the Taungya. The provision of wages for the forestry works under the Department could not only create an opportunity to earn livelihood by the forest villager but broke down the entire system of exploitation under the Taungya. First it put an end to the free service for 90 days. Second, it compelled the Department to abide by the Minimum Wage Act and abolish the lower payment of wages for hard work as practised earlier. Third it reduced the working hours of the forest dwellers and kept it within six hours because more works means more pay to which the Department was not interested. Introduction of mastered role to reinforce the wage system created further opportunity to incorporate non-agreement holder in the forestry operation. Fourth and most importantly it put an end to the compulsory intercropping to which the techniques of cleaning, weeding and burning was associated for regeneration. Actually, in the wake of wildlife attack intercropping became ineffective and loss making for the forest villagers³⁵ but under the Taungya they were bound to that because ground preparation for intercropping through cleaning and burning corroborated to the preparation of land for forest plantation. With the introduction of wages villagers claimed money for cleaning and burning process which was earlier done by free of cost. Department took several initiatives to introduce intercropping by encouraging villagers for the production of valuable crops but the villagers refused to do that because in the most of the cases of intercropping even the choice of crops was determined by the Department and some of the crops or fruit trees even were banned as found unfavorable by the Department for forest growth. As for example in Buxa hill the Department banned the production of Orange Orchards as a species for intercropping during the period.

³⁵ In their 17 Point Charter of Demands NBFWJCU pointed out that minimum 35% of crops has been damaged in every year due to wildlife attack.

Hence while the intercropping was not serving their purpose of livelihood the villagers turned more and more to the agriculture in their own cultivable land because in cultivation they could make choice about the crops and as those lands were mostly nearer to their homestead it was easy for them also to protect crops from the wildlife. It was due to their disillusionment with intercropping they demanded more arable land in the movement. Thus, all those things put a full stop in the practice of Taungya and the colonial legacy of exploitation found its grave nearly after 25 years of Independence in North Bengal. But as a reaction to this the Department stopped the process of establishing forest villages in North Bengal by this time.³⁶ The forestry works were dropped down in an unprecedented scale and the first onslaught came upon the works of forest maintenance. As for example cleaning and thinning works became half than the earlier, killing of harmful insects in the forests was completely stopped. These naturally caused a great harm to the health of the forests. The reason, according to the Department was nothing but the shortage of funds. As long those works were free of cost under the Taungya they were serious about the forest health but when the question of payments came in all seriousness and sincerity became nothing but botheration for the Department. It points out to the fact that under capitalistic production relation the management of ecosystem alike other different sector is also based upon the exploitation of the people without which one cannot manage its own affair. However, the success of the movement brought about real empowerment of the forest villagers in the true sense of the term. They remained no longer the slave of the forest department and could decide their own fate. From then onwards they were in a position of negotiation with the mighty forest bureaucrats on all the matters. They started raising their voice against all sorts of injustice and oppression. They began to exert their authority in decision making in forest related issues through their Union. Indeed it was the dawn

³⁶ See Fifth Working Plan of Kurseong Division, Northern Circle (1969-70 to 1988-89), 1976, Vol I and II, and Seventh Working Plan for the Jalpaiguri Forest Division, Northern Circle, (1970-71 to 1989-90), 1976, Vol I and II, Directorate of Forest, Government of West Bengal, Coochbehar

of people's power in the domain of forest which led the movement into its third phase of struggle.

8. The Third Phase (1972-76): 'Drive out Corruption, save Forest'

In 1972, a martyr's monument was set up at Gossainhat Forest Village. On 10th June Villagers assembled from different parts of the Dooars along with the Union leaders around the Monument of the martyrs and took oath to carry forward their further struggle over issues affecting their life and livelihood directly. By this time certain drastic changes took place in the pattern of management of forests throughout the country which paved the way for an unholy nexus between the corrupt forest officials and the dishonest contractors leading to the indiscriminate exploitation of Dooars'es forests along with the rest of the country. The changes in the management started since early sixties when the central government began to provide financial incentives and encouraged state governments to take up industrial plantations in the wake of modernization process to meet the increasing demands of the expanding industrial commercial sectors. This approach to forestry merely as a revenue-yielding sector violated all the principles of sustained-yield earlier practiced in the management and consequently 'selective felling' was replaced by the method of 'clear-felling', mixed forests were replaced by the monocultural plantations of exotic species and a new regime of 'production forestry' was introduced. (Gadgil and Guha, 1997: 185-93) The immediate impact of this process of industrialization on Dooars was enormous as the necessity for rapid conversion of less valuable indifferently stocked forest to high value fully stocked forest was felt to increase the productivity of forests to meet the increasing demand for forest produce. (Lahiri, 1989:127) Though the method of clear felling was not new to the region and was adopted in North Bengal for the sake of artificial regeneration under the Taungya but the monocultural plantations of exotic species like Teak increased enormously in this

regime.³⁷ During the period new Teak working circles were constituted by different divisions in Dooars and even outside the Working Circles additional areas were brought under the plantation of Teak and other high value species. This great enthusiasm in Teak plantations along with the others industrial tree species to supply paper mills adversely affected the production of other required species for local use. A new thinning method was introduced namely 'heavy thinning' to extract more woods from a forest patches to sell out the industrial sector. The Uttar bangya Ban Babsayee Samitee in their Organ expressed their deep concern over the situation. The first was that the firewood production was heavily neglected by the Department in the wake of industrial production which led to the rise of the price of firewood in the local market and affected the local shops, hotels, tea industry and the rural population for whom which was the sole source of fuel.³⁸ Secondly, to satisfy the demands of paper mills the 'heavy thinning' which withheld crown support from the trees badly affects the forest health by making forests more vulnerable against natural disaster like cyclone.³⁹ The depletion of forests in Dooars due to the method of heavy thinning and Teak plantations took a serious turn with the inception of the large scale corruption where dishonest contractors along with the corrupt officials of the Department took the advantage of the high rise demands of industrial woods to make more money. The corruption was so serious that in 1971 the second issue of the Organ of the Uttarbanga Banababsayee Samity (traimasik), Banabani in its editorial pointed out the revenue loss of the government due to illegal felling by the corrupt contractors and demanded to expose them in order to protect their aggregate interests of business.⁴⁰ Though this corruption and associated illegal felling reached to the climax in the 80's and 90's the seeds of the very process were laid down in this period. Karlsson described 80's as a decade of

³⁷ In a meeting between the Conservator of Forests, Northern Circle and Uttarbanga Ban Babsayee Samity held at Sukna on 18th August, 1973 the first agenda of discussion was the production and exploitation of Teak among the 8 agendas of discussion, See Banabani, 1973:53

³⁸ Banabani, 1973:1-2

³⁹ Ibid

⁴⁰ Banaabani, 1971:1

large scale illegal deforestation in Dooars where the actors behind such operations were highly placed politicians, timber contractors and forest officers. To fight out the problem a well-armed paramilitary 'Special Task Force' was set up by the Department in the late 80's (Karlsson, 1997:136-40). Soumitra Ghosh in an article claimed that Buxa Tiger Reserve, a biodiversity hotspot in the Dooars of North Bengal, lost about 10 sq. kms of forest cover in 1998-1999 alone, as a result of a scam due to the activities of the mafia-political groups-forest staff nexus. Protected Area authorities issued false transit passes for illegally felled trees and timber felled from the Tiger Reserve was shown as timber from private forests. In another important Protected Area, Jaldapara Wildlife Sanctuary, adjoining Buxa Tiger Reserve, senior forest and police officers were found to be directly involved in illegal trade.⁴¹ As a result Salugara and Belakoba forests in Baikunthapur Division, a part of Tundu forest in Jalpaiguri, Poro forests in Buxa Tiger Reserve and Nilapara forests in Cooch Behar degraded tremendously. (Ghosh 2000:374) Moreover the corruption in the late 60's and early seventies was not limited to only the illicit felling of trees but it was extended to the illegal poaching of wildlife. The situation was so grave that the Conservator of Forest, Northern Circle issued a Notification on 1st September, 1970 and prohibited the hunting, shooting and capture of all wild animals and birds excluding the man-eaters for five years within the Reserve Forests.⁴²

However, for the forest villagers the problem of deforestation was more serious as the abrupt exploitation of forests not only affected their direct dependence on forests for fuel woods and other NTFPs but the increasing disappearance of forests led to the loss of animal (wildlife) foods like *purundi*, bamboo etc which proved to be alarming to save their crops and life from the increasing animal attacks. The man-animal conflict was on the rise in that period due to several reasons and it was reported by the *Ananda Bazar Patrika* (A Bengali Daily News Paper) on 30th August, 1978 that only in between three years since 1976

⁴¹ See Ghosh Soumitra (2005) WRM Bulletin , Issue.98, September

⁴² See Part-I of the Calcutta Gazette, 17th September, 1970: 1723 (Regulation on Hunting, Shooting etc)

elephant took hundred lives in Dooars and destroyed paddy fields and property of tea gardens to a great extent.⁴³

Against this backdrop a two days conference of the Union took place in the mid 1972 at Khuklung Basti under Jalpaiguri Forest Division and a new chapter of struggle was introduced in order to throw the enemies out of the forests. The Union and the villagers unanimously found the corruption and the unholy nexus between the contractors and forest officials as their main enemy as it violated all the norms of sustained yield and cut down even immature trees to supply the industrial sector and thereby caused large scale deforestation. The movement raised its voice against the Contractor System as it created the scope for corruption and demanded handing over all the responsibilities of logging and transporting of timber to the forest villagers. A new slogan was born in this struggle i.e. "Chor hatao, Jungle Banchao" (Drive out Corruption Save Forests) and several memoranda were placed before the higher authority in the Forest Department citing specific cases of illegal felling. But the Department did not bother about their demand and relied heavily upon the prevailing system. Soon the people of the movement realized that they should take initiatives on their own to stop deforestation by involving the villagers. Several 'motivation camps' were organized across divisions to make the forest villagers aware about the ill-effects of deforestation and the awareness raising campaign culminated with the formation of 'village party' through which villagers started patrolling at night to undo corrupt practices in the domain of forests. Though during the period the initiative of patrolling by the villagers to protect forests was unauthorized in the eyes of the Department, after several years in the regime of Joint Forest Management during 90's the concept became the only recourse to protect forests under the regime of the sustainable forest management throughout the country. However, without bothering about the permission from the Department the village patrolling was started at several places under three divisions of Jalpaiguri, Buxa and Coochbehar. A number of officials and contractors were caught red handed

⁴³ See Banamahala, 1978-79, Vol:30, page 1

and thousand cubic meters of logs were recovered by the village party and the Union. In 1972 the first patrolling group was formed in BTR which recovered three hundred stamps from forests. In another incident in the same year the Union members caught read handed the contractor who was involved in felling trees beyond the marking done by the forest officials which was took place in SRVK-II compartment near Rajabhathkawa. When the Union was reported by the villagers that the contractor was cutting down trees illicitly they rushed to spot and asked the contractor to show authorization letter from the Department which they could not produce. Immediately the Beat Officer came to the spot and ordered the contractor's labor to carry on their operation. The leaders asked the Beat Officer to place supporting evidence but he could not produce anything in favor. The Union member's gheraoed the Beat officer and some of the members were sent to the DFO to bring him in the spot. Finally after coming of the DFO, Beat officer was found guilty and the Contractor left the spot immediately. Actually there were serious flaws in the felling through marking system which was often manipulated by the corrupt officials and contractors. Trees were marked in a scattered way depending upon their size and level of maturity and the contractors were permitted to enter into the forests to cut down those marked trees. But they often cut down the unmarked trees by managing the forest guards and officer and this led to the indiscriminate felling in the forests. In one after another case in 1972 and 1973 the Village party and the Union stopped such kind of illegal felling at Panbari Range, Madhugach and other parts of the Buxa Division and raised there voice against the system of felling and the permission of the contractor to enter into the forests. Due to their constant resistance the Department at BTR was bound to bring certain changes in the marking system in the last part of 1973. However, there movement against corruption was continued. In 1974 two trucks were detained by the Panijhora Village Party under the leadership of Lajrus Orao, the secretary of the village committee in the Movement. The trucks carried the illicit logs from Buxa forests. As a consequence the DFO came to the spot and promised to take action against the corrupt officials. The similar type of incidents was took place at Garambasty where the Village Party

unloaded the illicit logs from the truck and sent to it to the Range Office. The leadership of Ramesh Roy in the movement was quite obvious. At Salkumar Hat in Chilapata Forests under Coochbehar Division when Sal trees were cutting down by the forest guard along with the contractor and loaded it on the trucks bound for Punjab, the villagers under the leadership of Ramesh Roy blocked that truck and took it into the Beat office and simultaneously ghearod the Beat Officer along with the truck for 24 hours. Ultimately they found that the Beat Officer took Rs 4000 from the contractor for the said illicit felling which was acknowledged immediately to the higher authority along with the demand to suspend the Beat Officer from the job. In the early 1975 there was a regular involvement of people from a Dolomite factory to bring illicit logs from Diamakuari near 29 Basti to Alipurduar via the Bengal-Dooars Railway. When it was known to Ramesh Roy he stopped the train and recovered 150cft log from the train and handed over to the DFO, BTR at Rajabhatkhawa. There were many such incidents of catching the thieves by the Union and the Village Party which continued until the imposition of internal emergency by June, 1975. Though the people on movement caught several Beat officers and a few Rangers on the spot throughout the period, they were also well aware about the indirect involvement of some DFO's in that unholy alliance and the movement therefore placed several memoranda against those officers to the Chief Conservator of Forest, Northern Circle but no action was taken against them.

However, the Union's objection to the ill-practice of earning a lot in collaboration with corrupt contractors made it an eye-shore to some corrupt forest officers who made huge money by ransacking the forest in collusion with the dishonest contractors. Some of the forest officers who made enough money in collaboration with contractors started to allege before the higher authority that the forest became out of control of the Department and no authority could be exercised over any matter in the forests as it was completely taken over by the Union. All these factors annoyed the Department's officers very much who were very much afraid of loosing either the business or the job. Consequently all developmental activities

were suspended in the forest villages as the officers denied providing no-objection certificate to those works. As a reaction the Union started strong agitation programmes throughout forest divisions which paralyzed all the activities of the Department throughout the region. In this context the Forest Minister convened a meeting at Hollong (Jalapiguri) with all the DFO's along with the MLA's and MPs of North Bengal on 9th June, 1975. In that meeting the decision was taken to remove the forest villagers from the forest enclave to the peripheral forest areas in order to enable them to get the benefits of the various developmental activities in the district. It was decided further that the removal should be gradual and done by persuasive methods and never by coercive methods, for which special inducements should be offered in the shape of alternative forest land for cultivation, transport facilities for transfer, cash benefits, and payment of cost of shifting huts and properties to the peripheral areas. It was resolved that the matter would be taken up to the Chief Minister for obtaining Cabinet decision by July next.⁴⁴ But on 21st June 1975 the emergency was imposed and under the emergency rule a cabinet meeting held on July 23, 1975 where the cabinet accepted the proposal of the Forest Department to adopt special emergency measures with the help of the police to evict encroachment on forest lands 'to save and preserve the green gold of the nation'.⁴⁵ On the basis of that decision Deputy Secretary, Govt. of West Bengal sent a Directive to DFO's on October, 1975 asking to take immediate measure against encroachment and sent the Report on action back to the Government. On the basis of that Directive, the Department took up the task of removing encroachments of forest lands in the Balabasty and Dima Basty under BTR on December, 1975. CRPF marched in those villages immediately and the villagers were evicted by the March, 1976. Similar process of eviction was started at Dalbadal and Bhutri forest villages under Coochbehar Division. Taking the situation in account NBFWJCU filed a writ petition at Kolkata High Court in the last week of April, 1976 (See Appendix-VII) and

⁴⁴ Annexur D Writ Petition in the High Court of Calcutta.C.R. No 5165(W) of 1976, C.R. 8893 (W) of 1976, Page 27

⁴⁵ Annexur E Writ Petition in the High Court of Calcutta.C.R. No 5165(W) of 1976, C.R. 8893 (W) of 1976, Page 31

an interim order of injunction was passed by the High Court on 27th April, 1976 which restrained the Department from continuing its eviction process. In its Writ Petition to the Kolkata High Court, the petitioner (NBFWJCU) argued that whereas the encroachment at Bala and Dima along with other forest villages took place before July, 1970 and was duly regularized by the Government Order of 1970 it was very surprising that why the Department took initiative to evict those people from their land 5 years later which was utterly illegal and violation of the Government Order. They continued in that Writ Petition that the reason behind that was not to save forests but to demolish the movement of the forest villagers. This because the movement, as claimed in Writ Petition below:

‘boldly raised a voice, “Drive out corruption, Save forest”....Your petitioner have endorsed the policy of afforestation in North Bengal to save forest in national interest and also in the interest of saving national animals....That all the aforesaid protests of your petitioner annoyed the divisional authority and who are continuing in indulging an anti-national policy in depriving the forest villagers of their legitimate wages, wide scale deforestation in collaboration with some corrupt contractors and liquidation of valuable animal s livestock causing serious loss and damage to the national property’⁴⁶

Though the final judgment of the Case was given in 1979 which stopped finally the recurrent eviction initiative of the Department in North Bengal Forest Villages, the movement was ended in 1977 with the coming of the Left Front in Power. There were several reasons behind that. The first was as argued by the leaders of the movement that Parimal Mitra, MLA from Kranti assembly constituency near Malbazar became the first Forest Minister in the Left Front who opened the flood gate of corruption and often told in the public meeting that ‘make use of forest

⁴⁶ Writ Petition in the High Court of Calcutta.C.R. No 5165(W) of 1976, C.R. 8893 (W) of 1976,1976, p, 9-10

to meet your needs' which encouraged both the contractors as well as revenue villagers to cut down forests. This kind of observation was supported by another field work by Karlsson who was told by the Rava forest villagers that 'the late Parimal Mitra, the former Minister of Forest in West Bengal was involved in or was, in fact, one of the main actors in the illegal trade. Public opinion holds that when Parimal Mitra became Forest Minister the large-scale felling began.' (Karlsson, 1997: 136) However as the Forward Block was the partner in that Left Front they could not encourage opposing such kind of initiatives and the Union leaders became disheartened. Secondly, a personal clash began between Ramesh Roy and Dhiren Sarker. Some of the villagers said that it was an ego conflict while others told that it was over financial matters. Whatever may be the reason due to the clash Dhiren Sarkar resigned from the Union and with his hundred supporters along with Durgesh Neogi Joined RSP and consequently the Union was broken down. In the following year Ramesh Roy formed a new Union namely Dooars Forest Workers and Jaigir Cultivators Union (DFWJCU) which later on built up a strong resistance against the Department's cutting of Orange Orchard in Buxa Hills during 90's. Thirdly, one of the main organizers and comrades in arms of Ramesh Roy was Emanuel Kujur who left India for USA sponsored by the Christian missionary and another leader Abhilak Thakur left politics and adopted Christianity and joined Church of North India. Last but not the least was that under the Left Front Government villagers found security of their lives as both the RSP which had stronghold in Dooars and the Forward Block who organized the villagers against taungya system were in power which infused a sense of stability among those people. All these factors along with others brought the historic movement to its end and a new episode of the conflict and cooperation between the Department and the Forest Villagers began.

Though in this phase the movement could not make success to stop corruption in the domain of forest as it did in case of ecological exploitation under the Taungya but it obviously points to another face of ecological exploitation where

common property resources are being exploited for individual gain which is not only illegal but also at the same time immoral. Indeed the corruption is a big problem to ensure sustainability in the management of forest resources because it is one of the most important underlying causes of forest degradation.⁴⁷ One of the major problems in forest-corruption is that it does not only involve forest officials to play role in deforestation but more importantly it involves also the forest people from the below in that very process. This involvement of forest dwellers cannot be explained in terms of poverty only because a large section of the young forest villagers involved in illegal felling in order to 'get access to the fortune of the consumer society' which is otherwise next to impossible for them. They used to spend the money to buy motorcycle, TV, Radio, Wrist watch etc and more importantly the money they earn does not support the family economy in any way. (Karlsson, 1997:138) The involvement is an outcome of defacement in their organic relation which led them to exploit public property like forests to meet private desires of life. One of the major contributions of the movement at least at the local level was that it successfully protected those forest villagers from that ill-effect of defacement and resulting involvement in corruption. It built up alternatively a public ethic among those people to save their forests from making it a source of earning money. It was due to the fact that the contractors could not involve those villagers into that unfair and unjust practice and were compelled to hire labor from outside of the forest village for cutting down the illicit trees. It successfully prepared the ethical ground on the minds of the forest dwellers that for private interest public property particularly the forest could not be spent. The movement which was not fought according to the class line showed its responsibility and obligation to the national property like forest. The anti-corruption movement successfully tuned the villagers with the spirit what one of the movement volunteer told me that "we would save our forest". They did not wait for government or Department's approval rather under the leadership of

⁴⁷ Transparency International

http://www.transparency.org/regional_pages/asia_pacific/forest_governance_integrity/corruption_and_forestry. Accessed on 7th July, 2010

the Union they took the initiative by their own. May be their way can be debatable but their spirit cannot. Finally the movement gives us the lesson that unless and until peoples movement to save forests are built up corruption can not be exposed and thrown away from the domain.

9. Was It a Forward Block Movement?

It may be worth taking up the question here whether the movement can be called as a Forward Block movement or not?⁴⁸ My own field work suggests that though the movement got assistance and support from the Forward Block leadership but it was never a priority area of the Forward Block both at the District as well as at the State Level. The most obvious evidence of this was revealed by the then District Secretary of the Forward Block who told me that despite its potentiality no article was published in the 'Jonomot', the Organ of the Party. He further asserted that though Ashok Ghosh released a press statement after the martyrdom of five villagers at Gossainhat only a section of the State leaders actually was interested about the movement like Kanai Bhattacharjee, Sambhu Ghosh etc. This lack of interest of the state leadership infected the district leadership also. Two of the most prominent district leadership including the Secretary never visited any spot of the movement and did not attend any mass or public meeting of the Union. This approach was so dominating within the Party that no records of that glorious movement were kept in the office or elsewhere by the leadership. The District leadership unanimously told that it was the movement of the forest villagers under the great leadership of Ramesh Roy who was an ideal, rare and respectable leader devoted to the cause and free from all kinds of opportunism. The role of Dhiren Sarkar was only to assist Ramesh Roy from behind. Secondly, the formation of the Union was itself an

⁴⁸ Karlsson (1997) viewed the movement as a Forward Block Movement in his sketchy account of about merely 3 pages which is based upon his interview with a single leader of the movement namely Abhilak Thakur. The account is utterly incomplete in its representation and contains serious flaws about incidents of Gossainhat and Bala. In this respect in my interview with Abhilak Thakur he admitted that his speech was misrepresented by Karlsson probably due to language problem. Moreover Karlsson failed to grasp the significance of the movement to a great extent.

evidence of its separate existence from the Forward Block. Though the movement was started with the banner of Agragami Kishan Sabha, the peasant wing of the Forward Block the leaders and forest villagers soon realized the difficulty with the organization while recognizing the peculiar dual identity of the forest villagers who at the same time cultivators and workers both and to deal with the peculiarity they formed their own union. It was registered union under Society Registration Act but was not affiliated to Kishan Sabha or any other mass organization of the Forward Block. Thirdly, the entire decisions during different phases of movement were used to be taken by the leaders and activists of the movement and not by the party leadership. This autonomy in decision making was reported by the members of the Union in the incident of High Court Case where as they told me that the State leadership was against the decision of the Union to move to the Court rather there suggestion was to resist the Department at the spot what Ramesh Roy and other Union leaders found unsuitable in the period of emergency. As a result of that autonomy and independence the movement could not create loyalty among the forest villagers to the Forward Block and so in 80's and 90's a large section of the forest villagers either joined RSP or CPIM though they remained loyal to Ramesh Roy's leadership in case of struggle around forest issues. Therefore it can be unequivocally said that in appearance it was the Forward Block Movement but in essence it was a forest dwellers movement the objective of which was to address the issues of forests and forest villagers and not to fight for the party in order to take it into the power.

10. The Impact of Subhash Bose on the Struggle

No account of the movement would be complete unless and until one can remember the impact of Bose's philosophy of action on the struggle against ecological exploitation. Professor Nirmal Bose who introduced Ramesh Roy to Bose's ideals was a by-product of the middle class radicalism which was influenced very much by Bose in Bengal. During freedom movement Jalpaiguri was one of the most important

centres of that middle class radicalism in North Bengal. In 1939 Bose's visit to Jalpaiguri as the President of AICC to attend Bengal Provincial Congress inspired a large section of the youth to carry forward his ideals most of whom joined Forward Block when it was formed at Jalpaiguri in 1942. Professor Nirmal Bose played a pioneering role along with others in the freedom struggle led by the Forward Block in the District and took active part in the post-independence struggle for the interest of the people. Professor Nirmal Bose and other district leadership of the Forward Block extended their full support to the forest villager's movement which conforms to Netaji's plan of action what he visualized in the 'Indian Struggle' that the Party would stand for the interests of the masses like peasants, workers etc. against the vested interests and for the complete political and economic liberation of the Indian people. (Bose, 1981:349) The movement against ecological exploitation was thoroughly consistent in its demand to transfer power in the hands of the forest villagers which is nothing but the reflections of Netaji's ideal to empower communities against the elite. In this context one of the major demands of the movement in its 17 Point Charter was to establish Panchayat in the forest villages which might get impetus from Bose's one of the programmes for 'social reconstruction' which was to 'build up a new social structure on the basis of the village communities of the past, that were ruled by the village 'Panch' and will strive to break down the existing social barriers like caste.' (Ibid: 349-50) Besides the ideals the movement was greatly indebted to his technique of 'active resistance' what Bose viewed as the only method to overthrow the unjust system. One can remember that Bose criticized Gandhian technique of passive resistance as it could bring only reformation into the system but would fail to contribute to the revolutionary transformation. Following the method of 'active resistance' the movement was of militant in character throughout the course of struggle where it took recourse to the techniques of gherao, strike, agitation etc in order to bring down the exploitative regime of forest governance. Further, one of the most important reasons behind the spread of the movement was its identity with the name of Subhash Chandra Bose. In

my field work the forest villagers often told in this manner that "earlier we were the member of RSP but after that when the Party of Subhash Chandra Bose came with its anti-Taungya standpoint we joined it to make the oppression and exploitation of the Department to an end." The militancy and commanding nature of Ramesh Roy made him an icon before the eyes of forest villager who was seen as the bearer of the ideals and spirit of Bose. Villagers often called him 'Roy Babu' and inspired very much by his charismatic leadership and self-less pursuit who was successful what Bose called 'to merge one's individual consciousness in mass consciousness' (Bose and Bose, 2004:19) During that period there was actually no communication of Roadways or Railways in the forest villages which is even inadequate still today. In this context Ramesh Roy organized the movement by walking mile after mile with his bare foot and until his death in 2008 he was familiar as the 'bare footed leader' among the people. When I was asked about the reason in my first meeting with him he told that until and unless all the forest villagers could not make arrangement for shoes or sandal he would not wear any shoes or even sandal. Most importantly he knew all the languages of different tribes in the region ranging from Rava language, Sahdri (language of Orao, Munda etc) to Nepali and Bhutia. His life was simple till his death. He was living in a multi-fractured hut at Rajabhatkahwa with his wife and children where he was shifted from Hasimara for the cause of the movement. Though after 1977 with the coming of left into the power a number of left leaders somehow managed to live better but Ramesh Roy retained his life-style same which was marked by an abject poverty. He could not even manage to bear his cost of treatment before his death. In short his life style, motivation, courage, skill to organize people, dedication to the cause and militancy made him true disciple of Subhash Bose in true sense of the term which left a long standing impact not only on the psyche of the forest dwellers who remember him with respect and love even today but also secured a place in the heart of entire mass of the people in the region including timber merchants, business people, government employees, NGO activists etc. Above all, the movement which scarified five lives of the forest villagers to

struggle against the Taungya while equating it with a system of slavery in the domain of forests upheld one's again Bose's message what he conveyed to his countrymen in this 'Political Testament' that 'Forget not that the greatest curse for a man is to remain a slave. Forget not that the grossest crime is to compromise with injustice and wrong. Remember the eternal law: You must give life, if you want to get it. And remember that the highest virtue is to battle against inequity, no matter what the cost may be' (Bose and Bose, 2004:197)

11. Significance of the Movement

The historic forest movement in North Bengal which took place prior to that of Chipko represents the alternative paradigm within Indian environmentalism both in its content and form. Though the movement broadly falls within the left-radical tradition of struggle as it conforms to the general standpoint of the left regarding 'a positive and pro-active role of the state in the sustainable harnessing of local resources' (Prasad, 2004:14) and greater access and control of the ecosystem people over the natural resource base. (Gadgil and Guha, 2000:120) but it differs considerably with the conventional Marxist position in its approach and ushers the nationalist ideals of Netaji in its spirit. The movement does not categorise itself as a working class movement against the ruling class represented by the state rather as a movement of eco-system people it adheres to the national interest while fighting against the exploitation of both the nature and its people. This conviction to nationalism was manifested in the statement made before the High Court in Kolkata where it was said that the Union has 'endorsed the policy of effective implementation of policy of afforestation in North Bengal to *save forests in national interest and also in the interest of saving national animals.*'⁴⁹ (Emphasis is mine) The movement was not organized to fight against any specific class enemy but the focus was essentially against the system of praxis. The focus remained consistent in its

⁴⁹ Writ Petition in the High Court of Calcutta.C.R. No 5165(W) of 1976, C.R. 8893 (W) of 1976, p 10

both the issues of struggle against the Taungya as well as corruption. In both the struggle the movement demanded for the abolition of modus operandi associated with the specific system of exploitation. Against the Taungya the main demands were to abolish 'outdated terms and conditions' and 'works without remuneration' and against corruption the demand was to get rid of the practice of handing over the responsibility of logging to the outside contractor who did not have any bearing on forests. The movement explicitly or implicitly rested upon the holistic view of organic dependence between the ecosystem and its people where protection of forests implied protection of those very people from all sorts of suffering and vice-versa. Hence, the historic struggle of the forest villagers was not around merely the issue of livelihood but it was simultaneously both for the better forests and better conditions of livability. This holistic underpinning of the movement led it to emphasize more on the issue of fair and just governance of forest and its people with a due recognition to the people's organization for movement in the overall process.

However, the movement exposed the limits of one sided understanding of the nature of Indian environmentalism as 'environmentalism of the poor'. The movement highlighted that the environmentalism in India did not always arise out of conflict over natural resources but often emanated from the ecological exploitation through co-option under an apparent cooperative gesture of the state in the management of ecosystem. The idea of 'ecological distribution conflicts' could not capture the inclusive technique of domination over the eco-system people and usurpation of their contribution to the eco-system in order to further the top-down agenda of resource management. The 'environmentalism of the poor' therefore rested on the inadequate criteria of characterization of the struggle of the eco-system people against the oppressive system of resource use. Secondly, along side the struggle of the eco-system people against all forms of ecological expulsion like displacement, unequal access to the resources the movement is equally critical

about the pseudo recognition of their role merely at the local level of implementation in lieu of providing certain incentives but without acknowledging their authority through their organization of movement in the arena of policy making. Thirdly, like the 'environmentalism of the poor' the movement was not limited only to the demand for fair distribution of ecological goods and recognition of rights of the eco-system people but demanded also for a fair system of harnessing natural resources free from corruption and a fair opportunity of employment of those people in the process of regeneration, felling and maintenance of forests. Finally the movement raised the fundamental question about the justification of ascribing a misleading phrase to the struggle of the eco-system people in India as 'environmentalism of the poor' which confined understanding of the struggle of the eco-system people merely around the issues of livelihood and subsistence while undermining the issues of their dignity against humiliation and their desire for better live against exploitation which might work as motive force behind their struggle.

The issues which the movement upholds are still relevant in the context of natural resource governance not only at the regional level but national and global level also. Notwithstanding certain progressive legislations like NREGA, FRA, 2006 at the national level, the problems of unemployment and land right are yet to be solved to stop plunder of resources particularly when conservation regime has choked the regular employment opportunities of those people and globalization of forests is taking away the minerals rich forest lands by the MNC's at the cost of displacement. Corruption as a system has hardly been pointed out as a serious problem before sustainable forest management especially in the context of India. Though the contractor system in felling against which the movement fought its anti-corruption struggle to save forest has been abolished, the system of contract remains within the plantation and maintenance of forests where forestry operation takes place under per hector contract with the forest people under National Afforestation Programme. Villagers have often accused that the system of contract jeopardizes forest

preservation due to irregular cleaning, thinning, weeding etc and often deprives them of their legitimate wages guaranteed under the Minimum Wage Act. The critical standpoint against corruption what the movement has developed is demanding to investigate such issues to unmask the entire system of abuse and manipulation that currently prevails in the domain of forest. The Movement reveals further the politics of co-option through the inclusive technique of incorporating people's knowledge and workforce which continues to exploit the eco-system people under the disguise of collaborative or participatory resource management at the global level. This exploitation hinders the organic exchange between life forms and results in defacement of that relation. The defacement leads to the attitudinal changes of those people towards intervention into the nature and hence once custodian of nature has been transformed into its destroyer. The lesson what the movement has left is to build up resistance against the exploitation to find more democratic space of negotiation, alteration and challenge the entire process of eco-system governance for the sake of both forest and its people while innovating new ways to keep the process of organic exchange alive and free.

The movement continues to inspire several resistances and movements of forest dwellers in North Bengal. The orange orchard resistance in Buxa hills during 93-94, introduction of Panchayat Movement during 98 and Loading movements through out the 90's got impetus from the historic movement and more importantly the legacy of the movement is still continuing at least in the form of leadership in the ongoing forest rights movement⁵⁰ where the senior most Regional Convener happens to be the proud disciple of Ramesh Roy. Moreover what the other resistances including the present one owes to that pioneering struggle is the method of empowering forest people through movements which is diametrically opposite to the much projected paradigm of participation in the imposed mechanism of forest management. The key to this alternative process of empowerment is to build up

⁵⁰ The following chapter presents an elaborate discussion on the present movement

people's own authority through their own organization as it prepares them for transcending their existing conditions of living that goes beyond the limit of capacity building initiatives in terms of sharing usufructs and opinions following a predetermined structure and agenda of natural resource governance. The next chapter points to the continuation of that legacy of alternative empowerment in the present form of movement though under a different context and new forms of participatory forest management.

12. Conclusion

In this chapter we could see the historic forest dwellers movement in the Jalpaiguri District of North Bengal as an iconic movement of alternative empowerment, something that may be appreciated in sharp contrast to the much hyped Chipko movement. We have also seen in that movement promises of different practices of environmental sustainability through new forms of struggle and practices, something which we would take up for further analysis in the next chapter where we will be talking about the ongoing forest dweller's movement in North Bengal.

Chapter-5

The Ongoing Forest Dweller's Movement in North Bengal

1. Introduction

Section 2 of the present chapter is about the beginning of the movement of forest dwellers in North Bengal which is the ongoing movement. The section connects the ongoing movement from the 90's to the movement of the 60's by discussing the interconnecting factors. Section 3 discusses the contemporary framework of natural resource governance and section 4 connects the grievances arising out of it and the early signs of the movement. Given the fact there have been definite changes in the rhythm, directions, objectives and strategies of the movement the ongoing movement has been divided into three phases discussed respectively under section 5 to 7. Section 8 discusses the significance of the movement and section 9 concludes the chapter.

2. The Beginning of the Ongoing Movement

The movement of the 60's left a considerable impact on the psyche of the forest villagers in the region. It built up their confidence, courage and generosity to undertake struggle for common cause and against issues affecting their life process adversely. But the disintegration of the NBFWJCU impeded the opportunity to mobilize those people at the regional level against all sorts of injustice and authoritarian onslaught perpetuated under the regime of natural resource governance. The landscape of struggle became fragmented, so were the leadership and organization. The unprecedented victory of the Left Front in 1977 State Assembly election in West Bengal accelerated the process further. The seat adjustment among the partners of the Left Front in Jalpaiguri left a single constituency for Forward Block namely Jalpaiguri from which Professor Nirmal Bose

was elected but the rest 11 constituencies in the District were divided among the CPIM and RSP where the former held six assembly seats and the latter captured five seats in the election. It drastically changed the entire political map of the Dooars. All the centres of the historic movement like Alipurduar, KumarGram, Kalchini, Dhupguri, Malbazar etc were left by the Front under the purview of RSP or CPIM. Consequently, the Forward Block who sponsored the Movement earlier directed all its supporter and organizers of the movement to follow the strategy for the greater interests of the Front. Hence, organizers of the Movement who were inclined more to the Froward Block chose either the banner of RSP or CPIM accordingly in election campaign for ensuring massive mandate of the forest villagers in favor of the left. The election onwards the division alongside the party line began. It was the period when Dhiren Sarkar, the resident of Alipurduar where RSP candidate won the election, left the Block and joined the RSP along with hundred volunteers of the movement. In this context the Union was broken down and lost its relevance as the sole organization of the forest villagers throughout the region. Though with the initiative of Ramesh Roy another Union namely Dooars Forest Workers and Jaigir Cultivator's Union was formed soon but it largely concentrated its activity mainly in the Buxa Division around his place of residence. Despite showing allegiance to the struggle of Ramesh Roy at the personal level most of the forest villagers in the Coochbehar and the Jalpaiguri Divisions initially extended their support to the RSP sponsored Forest Workers Union to get their demands realized through the Party which was in power in the region. Further, this tendency to satisfy their demands through the cooperation with the ruler without any further struggle led a section of them to quit RSP and joined CPIM, the dominant party within the front, during the late 80's in Jalpaiguri Division. However, this fragmentation of the struggle caused havoc to them as the oppressive regime of forest management got the opportunity to cherish their landlordism again across the divisions. Several isolated resistances took place against the regime during the period under the leadership of different organizations like Orange Orchard Resistance in Buxa under the Dooars Forest

workers and Jaigir Cultivators Union, the Loading movement in Khuntimari (Jalpaiguri Division) under the banner of CITU etc. The villagers ultimately realized that they were lacking power and consequently were suppressed by the bureaucracy which pushed them to raise their voice across divisions in the late 90's for introduction of Panchayat in the forest villages which was one of the most important demands in the 17 point Charter of the earlier movement. Hence, several incidents of protests and resistances like suspension of forest works, gherao, deputations were organized simultaneously under different banners throughout the region. In Jalpaiguri the leadership was in the hand of CPIM, in Coochbehar it was RSP and in Buxa it was led by both FB and RSP. Their demand was ultimately fulfilled and with a new circular in 1998 the Panchayat System was introduced in the forest villages of North Bengal. But the ineffectiveness of the Panchayats to deliver goods to the people was revealed very soon. Apart from the Panchayat, the prohibitive praxis of natural resource governance in the region prepared the internal context of another region based movement of the forest villagers since 2000 which is still going on across divisions both in the Jalpaiguri and the Darjeeling District of North Bengal.

3. Natural Resource Governance and the Formation of Grievances

After the Movement the Department put a stop to the practice of establishing new forest village. Permanent settlement of the forest dwellers took place in the forest villages with certain fixed amount of lands and livestock⁵¹ and the shifting of villagers under taungya from one place to another for the sake of plantation had been stopped altogether. Further it was decided under the same Rule that in case of intercropping each household was required to grow field crop in one acre of new

⁵¹ In the plains forest the total area of land allotted for homestead and cultivation for each household shall not exceed 2.5 acres. In the hill forest the corresponding amount of total land shall not exceed 1.5 acres. Though in both the cases each household was entitled to keep not more than 2 plough cattle or draught animals, 2 milch cows or buffaloes and 4 calves; 2 goats or sheep may also be allowed with the condition of stall feeding, (See Rules regarding establishment of permanent forest villages, Para 59, Appendix V(A), page 171, Directorate of Forest, Government of West Bengal, 1976

plantation area and in another acre of 1 year old plantation permitted under the working plan of the concerned division. As far as wages for forestry works to the villagers were concerned, the above mentioned concessions and facilities seemed mostly beneficial to sustain their livelihood. But, during the period several things like increase in number of families particularly who were not registered further by the Department, ceiling of agricultural land in between 1.5 acre in the hill forest and 2 acre in the plain's forest, occasional eviction threats etc. put the villagers into a miserable condition. The 1972 Wild Life Protection Act together with the 1980 Forest Conservation Act further worsened their condition as they were denied all access to forest usufructs in areas within sanctuary limits. In other areas also those privileges were drastically curtailed. Simultaneously those acts choked regular employment opportunity in timber operations as such were stopped by the Department. As a result the availability of their per capita man-days was brought down from 100 – 120 per year during 1970's to 40 – 60 days per year during 80's and in some cases even to less than 20 days.

In North Bengal⁵², where the forests are more economically productive, compact in form and cover approximately 26% of the state's forest in West Bengal, the JFM Programme was introduced in 1991. Hence, it was assumed that these programmes would empower forest dwellers economically and socially while also allowing them to share usufruct with the Forest Department (FD) in lieu of their participation in the forest protection activities through the formation of FPCs. But after nearly a decade of J.F.M. and Eco Development Project, it was seen that whereas in South Bengal till 1998-99 a total of Rs. 277.39 lakh had been paid to 369 number of FPC's and 40283 number of beneficiaries, (State Forest Report, 2000:51) there was no mentioning of benefit sharing in North Bengal even in 2000 State Forest Report. Moreover, while assessing the performance of JFM and Eco-

⁵² I used the term to refer the extremely northern part of the West Bengal comprising three districts of Darjeeling, Jalpaiguri and Coochbehar covered with the natural forests.

Development activities and status of conservation and development of the forest resources, West Bengal State Forest Report 2002-2003 clearly stated that –“There is no denying that performance of FPCs have tended to vary amongst regions endowed with different bio-physical parameter but there is also appreciable difference in the level of performance of FPCs characterized by similar resource parameters. 50% to 60% of FPCs have been identified as good to very good in South-West Bengal whereas only 30% of FPCs can be attributed to this category in the northern part of the state”. (State Forest Report, 2002-03:39) In addition, despite having highest revenue generating two districts of West Bengal namely Darjeeling and Jalpaiguri (De 2005:86) a field survey conducted by an Siliguri based independent N.G.O, in 2000 showed that only 18.75% of these committees under study in the forest village of those districts were benefited from revenue and usufruct sharing. Besides, most of the committees in the study area had not even bank accounts till 2000.(Gosh, 2000:8-9) This clearly shows the lack of economic empowerment of the community through JFM. The same study showed how bureaucratic apathy, absence of marketing mechanism, unplanned support activities and unwillingness to relinquish any power to the community contributed largely to the failure of the J.F.M and Eco. Development Programmes this region.

Outside the J.F.M framework, the Panchayat system was introduced in those forest villages in 1998. Nevertheless, as they were not allowed to take any land-based activities due to absence of land entitlements of the forest dwellers it failed considerably to uplift livelihood status, of the community. In most of the cases the Department denied to provide NOC to the Panchayat except a few cases where the villagers had shown their unquestionable obligation to the Department. Development programmes of the Panchayat relating to health, sanitation, housing, employment, education and so on have never been carried out properly in those villages which remained far away from the focus of urban-centric media.

Moreover, man-animal conflicts increased highly during this period. Elephants and other wild animals regularly destroyed crop and killed or injured people whereas compensation schemes of the Forest Department remained inadequate as well as mostly irregular. Though a few elephant squads were formed by the Department but they did not make much headway due to under staffing of those squads against a vast tract of forest area which left the landscape unmanageable and vulnerable before the wild attack.

Besides, landlordism and apathetic attitude of the forest bureaucracy towards the forest dwellers contributed further to worsening their situation. The forest bureaucrats are not willing to relinquish any power to the forest dwellers and they treated them merely as laborers belonging to a lower species than the human being. This attitude often led to the entire exclusion of those communities from the participatory management practices. Above all, the rampant cases of opening fire, killing of forest dwellers, false arrests, tortures, illegal or legal harassments, and eviction threats in the name of forest and wildlife protection resulted in gross violation of human rights in the region.

All of these factors led to the accumulation of grievances among the forest dwellers. Such grievances were quite varied before J.F.M, so were the practices and aspirations throughout the region. Under JFM regime however, their aspirations and grievances were being institutionalized and consequently it paved the way for regional basis of their demands. But the existing forest workers' unions by different political parties were unable to redress their demands at the regional level and to provide leadership and organization, as their activities were concentrated locally. This gap, which was palpable between the growing aspirations and discontents among the dwellers on the one hand and the limited operational areas of the Unions on the other led to further regional crystallization of the objective conditions of a strong movement.

4. Shaping Resistance

Against the backdrop, NESPON, a Siliguri based NGO, which was acting as a catalyst in the implementation of the J.F.M and Eco Development programmes to support Forest Department in the region, convened a meeting at 10th Mile Forest Village under Kurseong Divisions of all FPC and EDC members of the region in the early 1999 and decided to form *Uttarbangya Banabasi Samity*(UBBS), a non-political platform to press their demands including issues like forest conservation, land and livelihood rights of the forest dwellers (See Appendix VIII). The meeting concluded with identifying the following objectives of the UBBS⁵³:

- to build up a peoples movement for conservation of forests
- to build up a movement for securing rights of the forest villagers
- to raise their voice to introduce community Forest management by replacing J.F.M.

However when they initiated their movement they were mainly addressing issues at hand and therefore acted on a symptomatic basis rather than under an unifying and general ideological direction. This resulted in their futile search for an effective leadership and organizations working for the forest dwellers in the different parts of the country. Finally, they succeed to make contact with the leaderships of National Forum of Forest People and Forest workers (N.F.F.P.F.W) in Delhi which sent their representatives in the next meeting of UBBS in early 2000 at 10th mile forest village. In that meeting U.B.B.S decided to join the N.F.F.P.F.W with an objective to build up a non-partisan platform of the forest dweller's which tried to bring together different groups and organizations that may be political or non-political and would work to protect livelihood of the forest dwellers and natural resources. In the following meeting held at Garubathan (Kalimpong Forest Division) in November 2000 different workers unions from different political parties like RSP,

⁵³ Resolution taken by Uttarbanga Banabasi Samity, 10th Mile Forest Village, 16-17th January, 1999

G.N.L.F etc joined in the N.F.F.P.F.W and agreed to send their representatives in the national conference on Forest Villages to be held at Sukna in May 2001. The conference became a success where almost 200 representatives participated from different forest villages under different forest divisions.⁵⁴ In the same year in November 2001 by a regional conference of N.F.F.P.F.W at Siliguri a regional committee was formed to lead the regional movement of the forest villagers across all the divisions in North Bengal and a permanent campaign centre of NFFPFW Regional Committee was decided to establish at Siliguri. The Conference identified certain key issues in the struggle of forest people and forest workers which were:

- Violation of Livelihood, Land and housing rights of communities living in and around Protected Areas (e.g. national parks, wildlife sanctuaries, biosphere reserves, etc.).
- Ownership rights over collection, processing and marketing of Non Timber Forest Produce (NTFPs) for all communities dependent on NTFPs for livelihoods.
- Land and housing rights, and rights to equitable development for people residing in Forest and Taungya villages, and other forest settlements.
- Land alienation of forest people through industrialization, urbanization and other development programmes.
- Impact of WTO and other global pacts and treaties on forest people and workers.
- Human rights violations and atrocities against forest people.
- Unity among various Groups and Organizations working on the forest question
- Unity among various Groups and Organizations working with people dependent on natural resources.

⁵⁴ A Paper on Forest Villages in India in the National Conference on Forest Villages, Sukna, held on May 25-26, 2001

Further, the Conference highlighted the problem areas before struggle in North Bengal including multi ethnic dependence on forests, unemployment among forest dwellers, organized deforestations, violation of human rights by the Forest Department, failure of JFM/Eco-development in the region, lack of civic amenities, conspiracy to evict forest people in Protected Areas, wildlife depredation etc. It decided to build up a solid organizational base in North Bengal and took the resolution to organize public demonstration programme throughout the year at the Beat, Range and division level in the region. (NFFPFW, 2001)

Besides the Regional Conference, the first phase of the movement in North Bengal, got impetus also from the National Conference of NFFPFW held in Nagpur on 30th September to 2nd October, 2002, which formed a National Committee comprising 46 members and prepared a long National Charter of Demands including regional demands throughout the country. The Conference ended up with declaring four point resolutions to build up movement against the anti-people forest polices, eviction of the forest villagers, Forest Department activities under the guidance of World Bank, IMF and MNC's, spreading of communal disharmony and the Report of the Labour Commission violating the rights of the working class. (NFFPFW, 2003)

5. The First Phase (2001 to 2005) : Struggle for Land and Livelihood

Since its formation in 2001 N.F.F.P.F.W organized several major programmes in this region. A large number of forest dwellers participated from different parts of the region in different programmes. In this course of movement, the focus in first phase was marked by the struggle for land and livelihood rights for the deprived forest villagers of the region'. Simultaneously, the resistance against other injustice to the forest villagers and violation of human rights by the FD continued side by side of the main struggle. However, in North Bengal in order to strengthen the regional level struggle the following major programmes were taken in the following years:

- On 10th Dec, 2001, in the occasion of International Human Rights Day around 2000 forest villagers from recorded forest villages mainly in the hills and terai areas of North Bengal demonstrated at Siliguri against all the 'black laws' of the centre and state government which tend to view them as burden and denied even constitutional rights of land and livelihood to them. The demonstration took a regional character in the true sense of the term as out of 173 recorded forest villages in north Bengal forest dwellers from 168 villages took active part in that demonstration. On that day they placed a memorandum before the Hon'ble Minister in charge of Forest Department, West Bengal where they argued that the JFM policy has failed miserably to deliver the goods in this region and accused the Department as Panchayats are denied to carry out any land based development schemes in this region by them. Following the programme deputations were given to the CCF North Bengal and the District Magistrates, Darjeeling and Jalpaiguri⁵⁵.
- In April, 2002 to press their demands of "more land and livelihood rights" the forest dwellers of North Bengal took out a relay '*padayatra*' which 'continued for 10 days and traversed more than 600 kilometers' the *yatra* started from two extreme points of Maneybhanjang and Sankosh and by covering 82 forest villages it culminated at Birpara in Jalpaiguri.
- In June 2002 NFFPFW organized successive strategy workshops at village and regional level. The process culminated with formal meeting between the Senior Forest officials and the forest villagers of North Bengal at Sukna, where the Forest Department conceded in writing that they do not have any objections to converting forest villages to revenue villages and guaranteed that the Panchayats would be allowed to function smoothly in forest villages, among other things.

⁵⁵ Memorandum on the Rights of Forest Dwelling People of North Bengal, placed before the Hon'ble Minister of Forest, Govt. of West Bengal, Kolkata, 10th December, 2001

- In July, 2003, the NFFPFW North Bengal Regional Committee started a 'unique campaign programme' from the Bhuttabari Forest village of Kalimpong to press the demand for immediate conversion of all forest settlements into revenue villages. Under this campaign the villagers in remote forests and mountain areas have started to prepare elaborate land use maps for their villages to strengthen their contention that the land they had occupied for more than last 150 years were homestead and agricultural and not forest. They prepared more than 100 maps of this kind during the process.
- Since NOV. 2003, the NFFPFW, Regional Committee has been protesting along with other local and national level organizations against the NHPC promoted Teesta Low Dam Projects at 27th Mile and Kalijhora. They demanded for suspending the project until and unless people's grievances over environmental impacts and rehabilitations are met.
- On 10th Dec. 2003, N.F.F.P.F.W held a colorful rally at Darjeeling town. More than 7000 forest villagers from all over North Bengal joined the programme.
- In January 2004, NFFPFW Regional Committee sent a 72 member delegation to the World Social Forum, Mumbai.
- On 10th Dec 2004, the regional committee of N.F.F.P.F.W. organized division wise demonstration programmes. Where deputations were placed before all the Divisional officers from all the forest divisions of North Bengal. Himalayan Forest Villager's Union from G.N.L.F., Forest Majdur union from R.S.P. and Dooars Forest Workers and Jaigir Cultivators Union from Forward Block participated in those demonstrations under the Banner of N.F.F.P.F.W.

In 2005, the 2nd Regional Conference of North Bengal held at Rajabhatkhawa under BTR (West) Division on 31st March and 1st April. A new Regional Committee has been formed to carry out the ongoing movement. It decided strategies for future struggle which were almost same with the 1st Regional Conference like to undertake

agitation programmes at the divisional or district headquarters in order to gain revenue status to all forest/taungya villages, to combat the threat of eviction in the Buxa Tiger Reserve, to demand immediate medical intervention in all forest areas threatened with malaria and other diseases and to demand for a comprehensive compensation package for all types of depredation etc. But the Conference registered its discontinuity with the earlier one by emphasizing two other issues which were claimed to be paid immediate attention of the workers of the movement despite their holistic infeasibility in the short term without policy changes at the national level. Those two issues were 'forest management' and 'livelihood support.' To make it success, the Conference decided to strengthen its organizational efforts to provide livelihood supports to the deprived and marginalized forest peoples in the Darjeeling Hills and Rava areas of Jalpaiguri and Chilapata. In terms of Forest management it planned to provide a model of 'Community Forest Management' (CFM) and in terms of livelihood programmes it thought to initiate community tourism, micro-finance and NTFP marketing with required organizational strength. Further the Conference resolved to develop joint programmes with cinchona plantation workers, and small/marginal farmers and agricultural workers along with special stress on building alliance with the tea workers as many of the tea gardens in the region were closed and several more facing closer during that period of severe crisis at the tea gardens of North Bengal. (NFFPFW, 2005)

The Conference was followed by a Public Hearings in Indian Protected Areas at the same venue (Rajabhatkhawa) on 2nd and 3rd April, 2005 where people from 30 villages in Buxa Tiger Reserve (BTR) presented testimonies to the panel comprising Justice Samaresh Banerjee (Executive Chairman of the State Legal Services Authority), Sadhan Roy Chowdhury (a senior advocate of the Kolkata High Court and human rights activists) and Prof. Subhendu Dasgupta (a noted economist and columnist). Several gruesome stories of torture and murder of the forest villagers, human rights violation, livelihood displacements and administrative and financial

mismanagement by an inept and corrupt forest administration came to the light in that Public Hearing. Following the Hearing Local activists have succeeded in filing a complaint before SDJM, Alipurduar and get an order in one of the cases, for exhumation of the body that was buried in the woods adjoining the village after cool blooded murder by the FD. A case was registered against the local Range Officer and Deputy Field Director, BTR. Soon after the Hearing the Regional Committee observed a symbolic road-block programme across divisions on 1st May, 2005 in order to protest against “heinous atrocities” committed by the Forest Department in Buxa Tiger Reserve area against Ravas and other forest dwelling communities. (NESPON, DISHA & NFFPFW, 2005)

6. The Second Phase (2005 to 2008): Campaign for Forest Rights

However, during this period certain crucial changes in the national scenario regarding the rights of the tribal and other forest dwellers affected the course of the movement at the regional level. The background was prepared by an eviction drive of the Forest Department throughout the country following the Supreme Court Order on February 2002, to regularize illegal encroachment of the forest lands. This resulted in countrywide eviction drive by the FD during May 2002 and 2004. However, following resistance and mass protests by tribal communities, after the May 2004 general elections, the UPA (United Progressive Alliance) Government, in its Common Minimum Programme, committed itself to discontinuing the ‘eviction of tribal communities and other forest dwelling communities from forest areas’. In January 2005, the prime minister decided that a bill granting forest rights to tribals should be drafted and tabled in Parliament. The task of drafting it was assigned to the ministry of tribal affairs (MoTA) which constituted a Technical Resource Group, consisting of representatives of various Ministries, the civil society and legal specialists, to draft the Scheduled Tribes (Recognition of Forest Rights) Bill, 2005. Several provisions of the Bill were met with stiff opposition from various quarters. Wildlife conservationists and the MoEF expressed concern over the purported

potential adverse impact of its implementation, which could, according to them, extensively damage the existing scarce forest cover. In December 2005, the Bill was referred to the Joint Parliamentary Committee (the 'JPC') in order to settle these differences. The JPC's recommendations, which were presented to the two Houses of the Parliament on 23 May 2006, were also hotly contested by conservationists. In order to resolve the crisis, a group of ministers was asked to arrive at a consensus, which took the form of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Bill, 2006 (the 'revised Bill'). Despite further opposition the revised Bill was approved, and the Act was passed by the Parliament on 18 December 2006. Subsequently, the MoTA set up a technical support group to prepare the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007 (the 'draft Rules'), which supplement the procedural aspects of the Act. After a one-year delay, the Act was finally notified on 31 December 2007 and the final Rules (or 'the Rules') were notified on 1 January 2008. (Bhullar, 2008:23-24 and Munshi, 2005:4406)

Against this back drop, the main focus of second phase of the struggle was the campaign for forest right throughout the region. Several programmes were taken by NFFPFW regional committee in this regard during November 2005 to December 2007. This phase of struggle was inspired and intensified further with the 2nd National Conference of NFFPFW held in Ranchi, Jharkhand on 31st Oct-2nd November, 2006. The central theme of the Conference was "Resist Commodification of Forest, Support Community Forest Governance". The four workshops were organized around the four themes in order to evolve strategies for further struggle which includes 1) Community Forest Governance and the Forest rights Bill, 2) Privatization of Indian forest and role of IFIs, 3) Environmental politics and livelihood, and 4) Future of forest communities: Challenges before the youth. The Conference formed a new National Steering Committee and was concluded with the following major resolutions: (NFFPFW, 2006)

- This Conference demands that the Scheduled Tribes and other Traditional Forest Dwellers (forest rights recognition) Bill be immediately passed in the Winter Session of the Parliament, with all amendments proposed by the Joint Parliamentary Committee. Together with all people's movements fighting for forest rights and rights over natural resources, the conference resolves to step up a nation-wide struggle for the enactment of the Bill, and if this is delayed, not to let the Forest Department function from January 1, 2007. NFFPFW won't accept any dilution of JPC recommendations. While welcoming the Joint Parliamentary Committee's recommendations, the Conference resolves to fight for a new and comprehensive forest legislation that replaces all existing black Forest Acts, and establishes people's governance over forest resources.
- The Conference notes with alarm and concern that the Government of India, in connivance with the World Bank and Indian Pulp and Paper Lobby, has been trying to push through a dangerous forestry sector reform called Multi-Stakeholder Partnership. The Conference denounces this underhand attempt to privatize people's forests, and resolves to resist all such attempts. International Financial Institutions and Corporations won't be allowed to enter forest areas anymore, and, together with other people's struggles and movements in the country and the world, NFFPFW vows to resist all forms of monoculture plantations in India.
- The Conference resolves to resist all forms of environmental trading including the carbon trading and demands that the Indian Government immediately review all such trading projects going on in the country.
- The Conference also denounces the latest attempt of the international financial institutions such as the World Bank and the Asian Development

Bank to foment trouble by eyeing the resource rich and community owned and governed forest areas of the north eastern states.

- The Conference notes with great concern and alarm that people in forest areas are increasingly being subject to brutal state repression in the name of national security and anti-terrorist operations, and demands that the Government of India and State Governments immediately ensure that people's lives and livelihood remain protected. The Conference also denounces militarization of resource-rich forest areas and the trend of state-sponsored private armies being set up in forest areas, and demands that all such illegal and anti-constitutional efforts like the Salwa Judum be immediately stopped.
- The Conference condemns all anti-people repressive laws like Armed Forces Special Forces Act, and demands that all such acts be immediately repealed.
- The Conference resolves to stop all such development projects in forest areas that threaten people's lives and livelihoods, forest and biodiversity.

Moreover, the key strategic demands and campaigns identified by the conclave include:

- All negotiations on forest issues must be carried out between the government and the forest people. NFFPFW rejects any of intermediary mechanisms such as the World Bank supported Multi-stakeholder dialogue process that gives industry unwarranted access to forest resources.
- A moratorium on entry of International Financial Institutions such as the World Bank, Asian Development Bank and the Japanese Bank for International Cooperation (JBIC) into the forestry sector through projects

such as monoculture plantations in poplar and eucalyptus. The campaign against plantations would take on both on domestic and foreign companies.

- A focus on alternatives in community forest control. The Forum will consider evolving processes such as collective agriculture and people's forest produce cooperatives. Cultural expression was seen as crucial to building resistance and organizational strength.
- In the event of the stalling of the Forest Rights Bill 2005 in the forthcoming session of the Parliament, the NFFPFW proposes local actions against the Forest Department through dharnas and gheraos at local offices. Recapturing of land usurped from forest communities under various projects will also form part of the proposed actions.

Above those factors however led to shift in focus of the struggle at the regional level. The movement started campaign programmes for forest rights prior to and the post Conference periods while carrying out the spirit of the Conference. The programmes of the movement spread out across forest divisions in North Bengal even with greater impact than the first phase of struggle. Besides, the ground level campaign and exerting pressure on administration, during this phase of struggle, the regional committee took part also in the lobbying at the national level to amend the proposed bill as well as to enact "The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The major programmes taken in the period are given below:

- A 'Jail Bharo' programme in various areas of North Bengal from 15th to 30th November, 2005 as part of a nation-wide campaign for quick introduction of the Proposed Forest Rights Bill with all proposed amendments to undo the historical injustice against forest dwelling communities.

- A mass protest demonstration and rally at Jalpaiguri on 10th December, 2005 along with submitting a memorandum to the Divisional Commissioner, Jalpaiguri Division as a part of nation-wide campaign for introduction of the Proposed Forest Rights Bill with all amendments
- A Maha Rally of 5000 forest dwellers was organized at Siliguri on 26th July, 2006 for immediate introduction of the Proposed Forest Rights Bill with Recommendations by the Joint Parliamentary Committee.
- Simultaneous demonstration programmes were held in 19th Range Offices across 4 forest divisions were organized on 23rd November, 2006, demanding immediate enactment of the Bill.
- Following the passing of the Forest Rights Bill in the parliament a series of Public Meetings were organized in Kalimpong, Coochbehar and Buxa on 25th, 28th and 29th December, 2006 Hundreds of forest villagers took part in those meetings.
- In January, 2007, the NFFPFW proposed to utilize the Bill as a movement weapon and without waiting for the Rules/ Notification/GOs would give a call to constitute Gram Sabhas according to the definition in the Bill to prepare the base for Community Forest Governance mechanism
- A historic Cycle Rally took off from the Khunia Forest Village in Dooars on 10th March, 2007 and ended in Mendabari Forest Village on 22nd March, 2007 as a part of the National Campaign Programme-“Gram Sabha Banao Aviyaan”. The Rally covered 38 forest villages in Buxa, Coochbehar and Jalpaiguri Divisions in its 500+kms long way and thousands of people participated spontaneously in the programme.
- On 21st June, 2007 a memorandum has been placed before the state Forest Minister, Govt. of west Bengal demanding all atrocities on forest

communities by the FD must be stopped immediately, all FPC/EDCs and similar type of structures promoted by the FD should be redundant and illegal as it violated the FRA, 2006 Act which gave the Gram Sabhas in all forest villages complete management power over community forest resources, FDA funds should be disbursed and utilized in consultation with villagers and forest villagers movement in the region to keep intact the spirit of the new Act.

- In August and September, 2007 Gram Sabhas were formed at six villages of Kalimpong, Coochbeher and Buxa Forest divisions. Two more Gram Sabhas were formed in the November, 2007
- The full Regional Committee of NFFPFW met in Chalsa in early December, 2007 and drew up a plan for North Bengal wide campaign, demanding immediate notification/implementation of the FRA. A mass rally in Siliguri has been planned for January 2008.

After the Notification of Rules of FRA, 2006 on 1st January, 2008, the campaign programme was intensified further. A press conference was held in Kolkata Press Club on 9th January, 2008 by NFFPFW where it demanded that the Government of West Bengal must start the implementation of the Forest Rights Act in right earnest, giving full primacy to the *Gram Sabhas*, and not to the so-called JFM (Joint Forest Management) Committees formed by the Forest Department, the completely illegal notification for 'inviolable' critical tiger habitats in the Sunder bans and Buxa issued by the Government of West Bengal be immediately withdrawn and suitable amendments be made to the Forest Rights Act, to include the recommendations of the Joint Parliamentary Committee, and to ensure that all genuine forest-dwellers of the country come under it, and rights enshrined in the Act do not get in any way compromised by interference from, or by the whims of, State Government Officials. In order to get justice to those demands, the Regional

Committee organized a number of programmes in subsequent months. The most notable among those are:

- On 25th January, 2008 about 7000 forest dwellers across three districts of Darjeeling, Jalpaiguri and Coochbehar participated in a historic Rally at Siliguri demanding immediate implementation of the Act. Prior to the Rally, in each forest Range and Sub-Divisions in forest areas of North Bengal, demonstrations were organized demanding legal accesses to forests.
- On February 2nd, 2008, the Deputy Field Director, BTR was gheraoed in Rajabhatkhawa and the departmental timber auction was stopped against the deliberate murder of Samuel Rava, a 15 year old boy from Poro Beat who was attacked while exercising his rights of grazing of cows and collecting firewood as a forest dwelling Schedule Tribe which are firmly enshrined in the FRA, 2006. Following the demonstration a memorandum was placed before the State Forest Minister-in-Charge on 12th February, 2008

7. The Third Phase (2008 onwards): Reclaiming the Forest Commons

The third phase of struggle was started with the Government Order in 2008 to initiate the process of implementation of FRA, 2006 within the state.⁵⁶ The Order created a commotion among the people who fought for the forest rights as it stated that “A committee named Forest Rights Committee (FRC) shall be formed at the level of Gram Sansad in the meeting to be held to before 31st March, 2008...” However, the Order was found inconsistent with the original Act. The Order proposed the formation of Forest Rights Committees (FRC's) at the *Gram Sansad* level to settle down the rights of the forest dwellers whereas the FRA (Rule 3.1) clearly stated that the formation of FRCs would have been at the *Gram Sabha* level in which the *Gram Sabha* has been defined as the village assembly comprising of all adult members of a

⁵⁶ The GO No.1220/PN/O/I/1A-2/07 issued by the Principle Secretary, Gov. of West Bengal dated 17th March, 2008

village (The Gazette of India, 2007:3). *Gram Sansad*, on the other hand, according to the Panchayat Act, 1973, West Bengal, is a body constituted with all the voters in a constituency of the Gram Panchayat. The constituency, however, may comprise of several villages, depending upon the size of voting population, even residing at a considerable distance from each other, which often left the opportunity for elected Panchayat Member from that *Gram Sansad* to favor his own village at the cost of others while distributing benefits of a government's scheme. There is even no upper limit in the number of villages under a *Gram Sansad* whereas *Gram Sabha* is based upon a single village. In an extreme case 11 numbers of remote and spatially dislocated forest villages in the Buxa Tiger Reserve (East) Divisions of Jalpaiguri District constitute a single *Gram Sansad* under the *Rajabhatkhawa Gram Panchayat*. Therefore, formation of FRCs at the multi-village *Gram-Sansad* level instead of single-village *Gram Sabha* level could make the process of recognizing rights ineffective while providing the forest bureaucracy with an opportunity to manipulate the overall process of implementation in collaboration with corrupt Panchayat members. Hence, as a reaction to the Order, NFFPFW, North Bengal Regional Committee placed a memorandum before the Chief Minister of West Bengal on 26th March, 2008 where it demanded an immediate withdrawal of the Order which it saw as a violation of the spirit of the Act.⁵⁷

Hence, as a reaction to the Order, NFFPFW, North Bengal Regional Committee placed a memorandum before the Chief Minister of the state on 26th March, 2008 (See Appendix IX) where it complained that "by making *Gram Sansad* co-terminus to *Gram Sabhas* (as defined under FRA, 2006), the Order entirely violates the letters and spirit of the Act." It condemned the inclusion of *Gram Unnayan Samitis* in the Order where neither the Act nor the Rules mention any such bodies and therefore which are clearly external to the Act. The Memorandum stated

⁵⁷ Memorandum on Immediate Withdrawal of the Govt. Order for Implementation of FRA in West Bengal, placed before Chief Minister, Govt. of West Bengal, 26th March, 2008

that the FRC can only be meaningfully formed when and after the *Gram Sabhas* have been democratically constituted and the *Gram Sabha* meeting to form FRC has been attended by two thirds of the members but according to their best of knowledge in many villages of Jalpaiguri Districts where FRCs have been formed on 24th and 25th March, there was no quorum and Attendance Registers were being circulated either the previous day or after the meeting. The Memorandum, therefore, demanded that

1. The illegal and arbitrary Order issued by the P& RD Department gets immediately withdrawn
2. All Governmental Activities to form FRCs under this Order in all parts of the State are suspended immediately
3. All FRCs formed through this Order are dismantled immediately.

Following the Memorandum, NFFPFW released a press statement on 27th March, 2008 condemning the implementation process of the Act, following the said Order by forming Forest Rights Committees (FRC) at the Gram Sansad level which violated the provisions under the Act to form FRCs under Gram Sabha as defined by the ACT. However, the whole phase of the struggle during the period was characterized by the opposing initiatives between the Forest department and NFFPFW to implement the Act on the ground. The FD in most of the cases denied the validity or legality of the FRCs formed at the Gram Sabha level as initiated by NFFPFW and on the other forest dwellers under the leadership of the Movement derecognized the FRCs formed by the FD at Gram Sansad level. Nevertheless, due to the intense movement at the forest village level Siliguri SDO and later on Jalpaiguri DM admitted the logic of the NFFPFW to form FRCs at the Gram Sabha level as defined by the FRA, 2006 and not by the W.B Panchayat Act which the definition of Gram Sabha differed completely with the Act. But despite their admissibility of the argument they could not make much head way to implement the Act in toto as the State Government did not revised its order. Taking the reality into account, 30 forest villages under the leadership of NFFPFW along with Nagarik Mancha, Kolkata filed a

writ petition against the State Government regarding the implementation process in the High Court of Kolkata on May, 2009⁵⁸. The case is going on till date. However, during the period NFFPFW organized several demonstrations, agitation and constructive programmes to establish the community claim over the forests. The landmarks among them are as follows:

- Hundreds of forest dwellers aggrieved by the illegal and slipshod attempts by the Government of West Bengal to implement the Forest Rights Act, gheraoed Block offices at five different places of Dhupguri, Kalchini, Madarihat, Birpara and Alipurduar-1 simultaneously on 3rd April, 2008
- A Janajagan Yatra comprising NFFPFW/NESPOON members toured the remoter forest villages of the area, and held public meetings at nine locations, to raise peoples' awareness about the provisions of the FRA against the false propaganda by the FD. The Yatra continued for nearly three weeks from 23rd March to 12th April.
- Demanding that the trees belong to the people, from 24th April, 2008 onwards, agitating forest dwellers closed one after another timber depot in North Bengal. Out of 34 government timber depots across Darjeeling, Jalpaiguri and Coochbehar districts, four in Kurseong, six in Kalimpong, two in Darjeeling and two in Coochbehar have been shut for one month.

The third phase of struggle took a unique turn with a workshop on Community Forest Governance in North Bengal held on 24th-26th May, 2008 at Takdah in the Darjeeling Himalaya co-organized by NFFPFW North Bengal Regional Committee, Himalayan forest Villagers Organization and NESPOON (See Appendix X). The workshop was attended by Dr. Ajit Banerjee from Kolkata and national conveners of NFFPFW. (NFFPFW, 2008)

⁵⁸ The Writ Petition No. 13635 (W) OF 2009 at the High Court of Kolkata

50 Forest Dwellers from all over North Bengal attended the workshop and discussed the possibility of establishing community control over all natural resources in their forest areas as provided in the Forest Rights Act. The consensus was in favor of starting the practice in select areas immediately, without waiting indefinitely for the extremely uncertain and so far dubious Governmental process of implementing the Act. Apart from creating a lot of confusion over the nature of both rights and rights holders, the West Bengal Government has up until now done nothing to implement the Act (issuing a number of Orders utterly violated the Act, and harassing and intimidating villagers in the process).

The position taken in the programme was that:

1. The Act admits that there are rights which the forest dwellers have been denied unjustly.
2. It lists and defines some such rights.
3. It defines and lists a set of conservation tasks for the rights holders.
4. It creates and defines an institutional mechanism for the forest-dwelling communities in order to enable them to exercise their rights.
5. It creates a mechanism for the Governance to list and recognize the already-existing rights.

Therefore a conducive legal environment exists to reclaim the commons, and start a peoples Governance Process in the existing/and newly-created community forests. The workshop then discussed the possible contours and theoretical boundaries of such a CFG process, and outlined a set of simple tasks to initiate it in North Bengal:

1. Forming the *Gram Sabhas* and FRCs, Where *Gram Sabhas* would form FRC involving the Panchayat. If the Panchayat does not get involved, let *Gram Sabha* tell in writing the intent and date of forming the FRC.
2. Start claim-listing and processing through the FRC.
3. Demarcate CFRs at landscape level including agricultural areas, grazing lands and water bodies.
4. Prepare a resource map of the CFR. Publicly proclaim control of the area.

5. Prepare a Management Plan of the CFR.
6. Initiate Governance process, form necessary committees and other institutions..

After carefully analyzing and assessing the strength of the ongoing forest movement in the area, and other variables like the amount of and type of natural forests left in the CFR, six forest areas have been selected for immediate practice of CFG:

1. Darjeeling: A cluster of 4 Gram Sabhas adjoining/inside Senchal Wild Life Sanctuary.
2. Kalimpong: A Cluster of 5 Gram Sabhas adjoining Neora Valley National Park.
3. Kurseong: A cluster of 5 Gram Sabhas adjoining/inside Mahanada Wild Life Sanctuary
4. Jalpiguri: A cluster of 5 Gram Sabhas adjoining Gorumara National Park.
5. Coochbehar: A cluster of 2 Gram Sabhas inside Jaldapara Wild Life Sanctuary.
6. Buxa: A cluster of 2 Gram Sabhas inside Buxa Tiger Reserve.

The first three will be in the hills and the next three in the plains.

The workshop concluded with the note that the only way to stop imminent privatization/commodification of forests and resources is reclaiming and reinventing forest/village commons, and establishes social control over such areas. It would also be an answer to Climate Change, by ensuring forest conservation and further ensuring that forests remain effectively within community control.

Besides, in this phase NFFPFW Regional committee started a campaign against the relocation initiative by the State Forest department of forest settlements in the BTR (East) under the provision of the 'Critical Wildlife Habitat' As a part of the campaign programme following the FD Notification a 4 member team visited those settlements on 30th and 31st May, 2008

However, taking CFG as a main thrust of the struggle in the region the following organizational and movement programmes were taken by NFFPFW:

- In July, 2008 several meetings were organized in Coochbehar division. A Forest Right Committee at Gram Sabha level was formed at Kurmai village. Similar programmes were taken in the Moraghat Range under Jalpaiguri division and the Terai area of Kurseong division.
- In August, 2008 a mass rally held at Alipurduar where 16 villages from Buxa Division and 3 villages from Coochbehar Division submitted mass petitions to the SDO to dissolve existing Samsad level FRCs and to form new Gram Sabha level FRCs.
- In September, 2008 CFG meetings were organized in Kodal Basti in coochbehar Division and Karmat-Kandung villages of Kurseong Division. By this month FRCs at the Gram Sabha level were formed at all villages of Coochbehar Division and several villages in Jalpaiguri and Buxa.
- A Community Forest Governance meeting held in Kodal Basti in Coochbehar Division on 1st October, 2008. On that day, hundreds of youths belonging to Rava and other tribal groups proclaimed complete community control over their forests.
- In November a meeting was held at Kalimpong Division to initiate the CFG in Pankhabari Range. Simultaneously A Gram Sabha and FRC was formed at Gajoldoba under Baikunthapur Division. Further a joint meeting of NFFPFW and Himalayan Forest Villagers Organization have been organized at Jorebunglo, Darjeeling to discuss issues related to the implementation process of FRA in Darjeeling District
- The biggest event during November, 2008 took place in the Chilapata area of Coochbehar Division, where tribal youths launched a revolutionary campaign that effectively established peoples control over the area's forests. This led to a violent conflict on 13th November between the movement organizers and the Forest Department along with its sponsored Timber mafia

- In 20th and 24th November, 2008 two subsequent memorandums were placed before the DM at Jalpaiguri and Darjeeling to point the manifest irregularities in the FRA implementation process in those district.
- From 26th November to 2nd December, meetings were organized in Buxa Division to combat governmental excesses and harassment of villagers in the name of the FRA implementation in Buxa. A six member's team of NFFPFW/NESPOIN visited 20 villages to discuss CFG related issues.
- On 6th and 7th December, 2008, a fact finding team comprising representatives of Nagarik Mancha, Kolkata and civil society representatives from Siliguri visited Chilapata and Buxa forests to talk to the villagers regarding the irregularities in the FRA.

In 2009 the forest dwelling communities under the leadership of NFFPFW organized several agitation and demonstration programmes to challenge the faulty and politically biased implementation of the FRA by the Government of west Bengal. Empowered by their new formed awareness of the pro-people Act they issued a stiff challenge to the existing hegemonic control of the state over all forest resources. In one after another Gram Sabha areas the communities continued proclaiming their legitimate governance control over their forest resources. Though such activities gained the most intensity in the Coochbehar and Kurseong Division, every forest division in North Bengal resonated. This led to a confrontation situation in many forest areas, where the state owned forest department tried to sneak in a 'new' JFM Resolution to counter the FRA, and kept on intimidating the villagers with withdrawal of development money unless new JFM committees were formed according the Departmental dictate.⁵⁹ The confrontation situation became more manifest with the faulty 'patta' (land title) giving process to the selected recipients by the FD only before the Parliamentary Election. The confrontation get further

⁵⁹ JFM Resolution No 5969, dated 3/10/08 issued by the Forest Department, Govt. of west Bengal, Kolkata. In this Resolution 15% share of timber to the forest dwellers has been stipulated additionally along with prevailing 25% share of usufructs to the forest dwellers

intensified when in November and December witnessed several incidents of firing at the forest dwellers in the BTR. Following those incidents all the forest offices in Dooars and three divisions in Darjeeling District were shut down for two days on 10th and 11th December, 2009. However, during the period the organization had called for the initiation of community forest governance in the entire area at individual Gram Sabha level in the Kurseong and Coochbehar Divisions. Each forest village under those divisions was asked to set up display boards indicating forest areas, forest block number and compartment number etc. under Gram Sabha. The process started effectively when a leading news paper namely Telegraph reported that on the January 6th, 2010 more than 500 forest villagers “took control” of a 2,985 hectare forest tract on the outskirts of Jaldapara Wildlife Sanctuary by putting up a board on the Kodal Basti area under Coochbehar (Wildlife III) Division while announcing that no one would be allowed to conduct any activity in the area without the permission of a Gram Sabha they had formed. The villagers invoked Section 3(i) and Section 5 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. (Chaudhuri, 2010) The incident was preceded by a movement in November, 2009 when the villagers had stopped the forest department from felling trees in the Bania V compartment of the Chilapata Range of the same division. The forest officials had then sat with the villagers to sort out the issue, but no solution was reached and the felling has been suspended since then. The Newspaper reported that the villagers celebrated the “take over” of the forest land by bursting crackers, smearing each other with gulal and cracking open coconuts. The residents of North and South Mendabari, Kurmai, Andu, Mantharam, Banin and Salkumarhat assembled on the grounds of the Kodal Basti community hall at 1pm and trekked to the forest on foot. On the way, they had not been stopped by guards at the forest check post. As a reaction to the incident the local Police, backed by the Forest Department, lodged false cases against the movement leaders which invoked further confrontation between the forest villagers and the State of West Bengal. Recently a mass convention has been organized against police atrocities and the strategy for a

ground level campaign launched. Other civil society groups' involvement has also been encouraged as part of a series of steps taken to exert pressure on administration alongside ongoing legal battles. Anyway, this is the first case of a Gram Sabha putting up a notice board publicly declaring its community forest resources and indeed can be regarded as a first historic step towards establishing Community Forest Governance in the region against the Govt. initiated forest management regime. Moreover, another important achievement of the movement in 2009 was that in the state assembly election the Forest Right Act, 2006 became the major issue in the Kalchini Constituency which comprises of BTR (West) and BTR (East) Divisions. The Gorkha Janmukti Morcha (GJM) supported candidate finally won the election while keeping promise to implement the Act in toto.

8. Significance of the Movement

The movement has been growing fast day by day, both in terms of its support base and its capacity to bargain with government administration. To sustain the struggle, it is trying hard to build up strong ties with other organizations working for the rights of indigenous people of the land. With its main slogan - "protect livelihood and protect resources" - the organization of the movement is attempting to establish social control of the 'primary producers' by means of instituting an equitable and decentralized resource management system. It is striving for a type of institutional mechanism which would consider the socio-ecological and economic needs of the forest communities according to their varied cultural profiles. (NFFPFW, 2003) The primary objective of the movement is to resist the unequal social system of resources used by the prohibitive bureaucratic apparatus of the State and to stop the systematic plundering of forest resources by global capitalism, which is aided and abetted by Trans-National Corporations in the country. By remaining under the constitutional framework of the country, the forest dwellers' movement has raised the demand for a 'new regime of primary producers' based upon the principle of 'right to self rule', which would recognize the inherent plurality of Indian society

across class, caste and gender borders in the practice of sustainable resource management. It would also draw attention to the serious flaws and contradictory provisions within the legal framework of the forest policies in particular, and in the constitution in general. Through such means one is made aware of other contradictions, regarding rights of the local communities, in The 1972 Wild Life Protection Act and 1980 Forest Conservation Act along with the Panchayati Raj Act 1998 and Panchayat (Extension and Scheduled Areas) Act 1996, the 73rd Amendment and also the JFM Orders. Thus it demonstrates the need for the restructuring of current citizenship rights, as they appear in the constitution, without which participatory forest management programmes cannot hope to be successful. Further from this, the movement identifies several drawbacks and loopholes within the prevailing system of participation and criticizes the trend of adopting and implementing a general policy framework, irrespective of the contextual peculiarities of specific regions. The policy framework of the JFM programme in the State of West Bengal is no exception to this trend which requires its replacement by more and more decentralized and context-specific institutional frameworks in order to make the programme a sustainable and successful exercise.

Further, the movement pointed out to the several organizational weaknesses within the JFM mechanism and made it clear that organization did not imply only institutions like FPC's or EDC's rather it is a dynamic process for which different institutional framework is necessary for different stages of progress. The movement therefore demanded for bureaucratic reorientation including a change from authoritarian to participatory styles and a shift in responsiveness from orders from above to demands from below. In a word, forest bureaucracy should adopt learning process approach instead of blueprint approach to achieve participatory goals. Moreover, in the context of biased and manipulated implementations of the FRA by the State of West Bengal, the movement is tasked with the construction of a political community - at least at the village level - where sole responsibility and

authority has been given to the Gram Sabha to settle their livelihood rights, ensure food security and sustainable use of resources as well as to protect forests and biodiversity so that the ecological balance of the forests is maintained in accordance with the conservation regime. Putting this concept of Gram Sabha, or village assembly, into practice the movement inspires the creation of a vibrant community duly aware of their rights and responsibilities, at least at the village level, while also cutting across the ethnic and religious boundaries. Last but not the least is the way in which the movement has created a new space for political mobilization in order that the forest communities are able to raise their voices against unjust governmental practices, while going beyond the traditional party lines or trade union based struggles which mostly revolve around elections at the institutional, provincial or national levels. It broadens the scope of the flourishing trend of 'new politics' throughout the country, which is 'built up around voluntary associations in civil society' 'rather than political parties, around new social movements rather than labor organizations, and forged in communities as much or more than in work places.' (Harriss, 2006:257). It is too early to predict the future course of the struggle but undoubtedly it can be asserted that a new ideology and practice of forest governance by the communities is under the process of crystallization in the region which might, in the long run, replace the hegemonic claim of the Forest Department over the forests and would create a site for democratic praxis.

Despite having a lot of potential, the movement, it should not be denied, has faced and it likely to face a few major impediments both in and outside the framework of movement that may influence the future struggle. So far as ideology of the movement is concerned my interview with the leaders proved that the degree of internalization of the ideological elements has been very low especially by the community leaders who can be considered as the pillars of the movement. There may be a three-fold reason behind it.

Firstly the ideology is itself in the process of making as admitted by the leaders and thereby ambiguous and contradictory positions regarding a number of questions clearly surface. A lot of scope for debate remains within the framework. Since it is confusing, in a number of cases it is not possible for anyone to grasp it properly. Secondly the community leaders are mostly uneducated, as they could not even finish their schooling. Thirdly most of the community leaders of the movement belong to different political organizations and used to take a leading part in local political Organizations. Consequently, each of them had their own distinct political-ideological premises. And it is not a fact that their political organizations are following same direction and objectives in terms of ideology and programmes with the N.F.F.P.F.W. So the contradiction exists between the two different lines of thought. It is another significant problem to internalize the ideology.

Hence this type of movement is difficult to sustain without firm ideological conviction, which is essential for organizational centralism and instrumental role in the hands of the activists for motivating the self as well as the other. This lack of ideological commitment may weaken the movement from within.

Another important impediment of the movement is the absence of whole time workers in good number which is imperative for building up a successful movement. A rigorous organizational discipline is required to sustain the movement for a long term which can be built up by the whole time workers who devote their full energy and time to the cause and inspire the masses to make them free from the spontaneity character of their protest which are otherwise impossible with the part time workers.

The third major impediment behind the movement is the problem of communication. As most of the forest villages are in remotest part of the region, sometimes within deep forest, there exists no comfortable means of communication. Telephonic communication is hardly possible. They did not have

even the roadways to enter into the villages. As a result in case of emergency or any sudden attack on the villagers they are virtually helpless to communicate with their counterparts as well as with the leaders of the movement. During any organizational programme that creates a lot of problems. The progress of the movement demands immediate communication channels through which information exchange can take place comfortably among the activists and between the villagers and the organizers of the movement.

9. Conclusion

So far we have reviewed different stages of ongoing forest dwellers movement in North Bengal and it is more or less clear to us that the movement has left the institutional space for sustainable forestry largely open and contested. At one level it has firmly established the limits of the blueprint approach of participatory forest management and at another level it has both revealed the possibility of community forest governance and the ideological shortcomings of the movement towards that. Last but not the least, in the face of strong and spontaneous movement interacting with state mediated framework of community forest governance through FRA regime, we are left clueless about future development in this regard. Nevertheless there is little doubt that a learning approach to sustainable forest management has been adopted in the contested domain.

Chapter-6

Summary and Conclusion

The facts and arguments that we have presented throughout the analysis signified an attempt to locate the status of people's empowerment in the praxis of natural resource governance in North Bengal. In the context of sustainable forest management the study has made use of both the framework of cooperation and that of resistance around forest eco-system to understand the problems and possibilities of empowerment of forest dwelling communities particularly in the district of Jalpaiguri.

The study has shown that the trajectory of forest governance in the region is marked by the opposing initiatives of the Forest Department and that of the Forest villagers to exercise power upon each other according to one's necessity, interest, choice and priorities over resource use. In the context of a general picture of natural resource governance in India the experiences from the region deserve to be seen as unique primarily on three counts. First, the relative failure in capacity building through the cooperative framework of forest management does not result in disempowerment of the communities who have already been accommodated by the alternative process of empowerment through struggle. Second, the episodic resistances of the forest dwellers do not always revolve round the issue of controlling resources rather the main thread of struggle points either to the problem of inclusive technique of exploitation like taungya or Gram Sansad based FRC's while implementing the FRA etc. or to the various forms of exclusions like eviction, absence of usufructs under JFM etc. Third, the cooperative framework of empowerment finds its success at the field level, though under special circumstances, only when the villagers are entrusted with the exclusive authority to determine their own fate instead of following dictum from the top. Hence, the whole spectrum of empowerment at the field level is characterized by the movement from the below which does not only pose serious challenge to the framework of

cooperation defined by the state mediated participatory forest management but indicates also the simultaneous failure of the movement from the above in ensuring sustainability on the ground. The following summary of the findings of each chapter would justify the argument of this concluding discussion.

In the context of increasing depletion of resources causing environmental degradation worldwide, the Government of India adopted the National Forest Policy of 1988, which made a significant departure in the management of vast forest resources throughout the country. Though the concern for deforestation, changing physical-climatic conditions and the need for involving communities in forest extension were felt earlier in the post-colonial 1952 forest policy, a comprehensive recommendation for people's participation in the management of forest resources to satisfy their needs while achieving the broader environmental goal was made for the first time in the 1988 policy. Hence, following the spirit the Government of India notification in 1990 evolved the strategies for Joint Forest Management in order to empower the forest dwelling communities while recognizing their role in restoring and conserving forests. Arrangements were made under the Programme for sharing of usufructs among communities prescribed by the concerned state forest department along with the limited access to firewood and grazing for each household in lieu of their participation in the forest protection activities. This kind of participatory forest management programme initially was introduced in the degraded forests with the formation of Forest Protection Committees (FPC's) at the village level and was further extended even to the good forest areas after 2000 with the financial assistance from the World Bank and other bilateral donors. Simultaneously, since the early 90's another variation of participatory management institutions came up with the setting up of Eco-Development Committees (EDCs) in the Protected Areas of Sanctuaries and National Parks in the country with an objective to divert biotic pressures from the wildlife zones. In Jalpaiguri JFM started with the FPC resolution, of 1991 which covered also the plain areas of North Bengal

excluding Darjeeling Gorkha Hill Council (DGHC) area. Other than FPC's, Eco-Development Committees (EDC's) were also introduced with a resolution in 1996 to apply the same principles of sustainable forest management in the Protected Areas of the District. Today as on 31.03.2008, there are 200 registered FPCs across five territorial divisions in the District comprising of 33,139 members responsible for protection of 67,241.28 hectare of forests area. Similarly, there are 57 EDCs in four wild life divisions of the district comprising of 4,451 members responsible for protection of 55, 693 hectare of protected area. The extension of JFM in the District covered both the forest fringe revenue villages as well as the 76 forest villages which were established during colonial regime to satisfy the imperial needs. However, following the guidelines of the Ministry of Environment and Forests under the rubric of National Afforestation Programme (NAP), the entire JFM programme was revised since the middle of 2000 with the formation of two tier set up of Forest Development Agencies (FDAs) and Joint Forest Management Committees (JFMCs) across six forest divisions in Jalpaiguri. With the enactment of The Scheduled Tribes And Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, the revision in the programme got further impetus following a new Resolution on JFM issued by the State Forest Department in 2008.

The all India experiences of implementation of the SFM programme through joint management of forests suggest that the collaboration has become successful in terms of improving vegetation status and the protection of forests from illegal extraction to a certain extent whereas it has failed largely to empower forest dwelling communities both in terms of involving themselves in the decision making process as well as enhancement of their livelihood opportunities by financial capacity building. In Jalpaiguri also the Programme in its early phase had failed miserably to ensure usufructs and other developmental benefits to the communities while often excluding them from the participatory framework of FPCs and EDCs. Several studies conducted during the period showed how bureaucratic apathy,

absence of marketing mechanism, unplanned support activities and unwillingness of the Forest Department to relinquish any power to the communities etc. contributed to the gross failure of the JFM and Eco-Development Programmes in the region. However, during the Xth Plan period (2003-08) the situation has improved to a certain extent. Against the backdrop of increasing financial assistance and more or less regularization of usufruct sharing, the number of FPCs and EDCs has increased considerably in the District. Moreover, the earlier defunct committees have been revived while keeping the promises before the villagers to consider their problems of livelihood. The formation of FDAs under the National Afforestation Programme ensures sustained flow of developmental funds while seeking greater participation of the communities in the newly formed Joint Forest Management Committees. The formation of Self Help Groups (SHGs) in the forest villages has extended the alternative livelihood opportunities with an objective of reducing the level of dependence on forests. Further, the initiative to introduce 'The Project for Infrastructure Development and JFM Support in North Bengal.' during 2003-04 by the West Bengal Forest Development Corporation promotes the co-operation between the local people and the forest staff for natural resource management and protection. The recent progress with the implementation of NREGA and The Scheduled Tribes And Other Traditional Forest Dwellers (Recognition of Forest Rights) Act has created newer possibilities of empowerment by generating employments and providing land titles to the forest communities while creating additional spaces for their involvement in forest protection.

Despite the interventions from the above the field study undertaken in the seven forest villages under four largest forest divisions in the District shows the derisory position of empowerment among the communities. The present status of empowerment has been examined comprehensively under the framework of cooperation between the Department and the forest villagers in the context of natural resource governance in general which often goes beyond the Sustainable

Forest Management practices through JFM and Eco-development Programmes. In so far as the cooperation from the above is concerned it is seen that the Jalpaiguri Forest Division has relatively higher status than other divisions in terms of empowering communities through regularization of usufruct sharing, distribution of developmental benefits, building of community assets and providing greater man days under NREGA etc. as the other divisions are lagging far behind in securing those opportunities for empowerment under the same parameters despite registering a bit of improvement in the Xth Plan period. Nevertheless it has been found that the whole exercise of empowerment at the field level is merely limited within the practice of providing financial or other kinds of material assistance to the communities while ignoring the need for involving them in the participatory process of forest management. The total exclusion from the decision-making process and consequent underestimation of their choice in forestry operation as a whole undermines the very basis of sustainability on the ground. But, there exists a reverse process of empowerment which has been characterized by the cooperation from below where villagers are seeking departmental assistance to carry forward their goal of development in order to transcend the existing mode of being in their own way. The invention of Saji Kanchu (*Colocasia esculenta*) as a species for intercropping particularly in the context of shortage of water due to climate change and increasing wildlife attack can be regarded as the best example of that kind of empowerment. A few successful experiments with the SHGs in Jalpaiguri Division extend the scope for further engagement with this kind of empowerment through the active initiatives from below. However, the process of empowerment in the forest villages of the District is not limited merely to the framework of cooperation rather it is being conditioned by the historical process of movements. This alternative process of empowerment through movements in the region has begun with a pioneering struggle of the forest villagers during 60's against the exploitative regime of forest governance.

Notably the JFM and the Eco-development are not the sole examples of using the framework of cooperation between the forest villagers and the Department in North Bengal. Rather the collaborative approach in forest governance was introduced for the first time under the Taungya system of artificial regeneration during the colonial regime of forest management. Under the Taungya the forest dwelling shifting cultivators of Dooars like Rava, Mech, Garo etc were incorporated under the guise of scientific resource management of the colonial forestry where those forest dwelling people made use of their indigenous technique of slash and burn for preparation of the field for artificial regeneration of sal (*Shorea robusta*) and later on teak (*Tectona grandis*) species. In order to perpetuate the system the permanent forest villages were established within the reserved forests in the District and villagers were allowed to raise agricultural crops for two years in clear-felled coups between the lines of forest plantation. As soon as the crops grew to shade the space between the tree seedlings, the villagers had to discontinue cultivation and move to a similar site of new plantation. In exchange of the free and compulsory labor of the villagers they were entitled to certain privileges and facilities followed by an yearly agreement or bond with the forest department like free timber and other implements for building quarters, drinking water, limited medical assistance, free firewood and fodder in addition to cultivable land not more than 5 acres and nominal cash payment for extra work beyond 90 days. The system was fairly exploitative as the forest villagers were bound to provide free labor under any circumstances to raise the plantation of valuable timber species and failing to do that resulted in physical punishment, torture and even eviction from the village. Moreover, their indigenous technique of cleaning and burning was abused to serve the colonial interest while disassociating the technique from its very purpose and corresponding mode of being. The institutionalization of the practice disrupted their free flow of material exchange with the eco-system and thereby contributing to the defacement of their organic relationship with the nature. After the independence the exploitation of those people became severe as they were denied even the

regular facilities enjoyed earlier in the system. The payment for extra work was stopped altogether along with the denial of other entitlements protected under the system. Besides, the second and third generation settlers were not registered by the Department and hence were deprived of all the privileges of being forest villagers. In this context inspired by the left-radical tradition of the peasants and workers movement in the region like the *tebhaga* and tea-workers movement along with a congenial political climate under the First United Front Government of west Bengal the forest villagers in Dooars initiated a struggle against the exploitative system since 1967. With the assistance from the Forward Block District leadership imbued with the ideals and struggle of the great Nationalist leader Subhas Chandra Bose, North Bengal Forest Workers and Jaigir Cultivators Union was formed to mobilize the forest villagers against the colonial legacy of injustice. In its earlier phase the movement continued across different divisions in the District with the 17 points demands including abolition of taungya system and introduction of wages, permanent settlement of the forest villagers, recognition of so far unregistered forest villagers and providence of arable land not less than 15 bighas/household and building of adequate infrastructure of health, education along with the introduction of panchayat system in the forest villages. In course of struggle the villagers occupied forest lands forcefully under different divisions to settle the unregistered villagers. By the end of 1969 the Union called for a strike in all forest divisions in the District which continued for 17 months and it ended with the death of five forest villagers of Jalpaiguri Forest Division in police firing in June, 1971 which finally brought about the end of taungya and the wages for work was introduced soon. The later phase of the movement started in 1972 against the ill practice of cutting down unauthorized and immature trees by the dishonest forestry officials and corrupt contractors in the wake of commercial forestry. The movement waged war against the unholy nexus and enemies of the forest under the contractor system and raised the slogan-‘Drive out corruption and save forests’. Several corrupt forest officials were caught red handed on the spot and more than thousand cubic meters of illicit log were

recovered by the villagers under the leadership of the Union. Further village patrolling and motivation camp were started as a part of the struggle. As a reaction the Department started forceful eviction of the forest villagers particularly in BTR (West) with the help of CRPF during the emergency period in 1975. The Union moved to the High Court in Kolkata in 1976 against the illegal operation of eviction as the occupied additional land became regularized earlier by the Government Order in 1970. Finally with the injunction from the High Court the Department stopped the process and the final verdict of the Court came out later in 1979. However, with the Writ Petition at the High Court the movement came to an end with several achievements which inspired the other resistances of the forest dwellers in the subsequent years in North Bengal.

In spite of the historic success of the movement against the exploitation of the forest dwellers and in contributing to the well being of their daily life by the introduction of wage system the livelihood condition of those people started worsening in the 80's. The Forest Conservation Act together with the 1972 Wild Life Protection Act choked the regular employment opportunities which brought down per-capita man-days from 100-120 per year during 70's to 40-60 days per year during 80's and in some cases even to less than 20 days. The situation was further aggravated with the denial of their all access to the forests within the sanctuary limit and increasing division of land due to the growing of unregistered families on an unprecedented scale. After the introduction of the Joint Forest Management and Eco-development Programmes in the region during 90's it was expected that the forest dwellers would become more empowered economically and socially in lieu of their participation in the forest protection activities. But initially those programmes failed miserably in the region to deliver any good including the usufructs which the forest people were entitled to get under the programmes. An independent study in 2000 showed how bureaucratic apathy, landlordism, absence of market mechanism, unplanned support activities and unwillingness to transfer power to the communities

by the Department contributed largely to the failure of those programmes. Against this backdrop the process of systematic and organized protests with the initiative of National Forum of Forest People and Forest Workers (NFFPFW) started throughout the region with its main slogan 'protect livelihood and protect resources'. Since its formation in 2001 the NFFPFW organized several major programmes against the injustice under JFM in the region. Those were attended by a large number of forest villagers from entire North Bengal including the District of Jalpaiguri. In this phase the movement was not limited to demanding the proper implementation of JFM across divisions rather they upheld the larger issue of land and livelihood rights of the forest dwellers and demanded the abolition of all 'black laws' of the Central and the State Government which tended to view them as burden for forest conservation and hence prescribed for their wholesale eviction from the forests. Since 2008, after the notification of the Forest Right Act, 2006 by the Govt. of West Bengal, the movement has gained a new momentum as it resists the biased implementation of the Act through the formation of Gram Sansad based Forest Right Committees (FRC's) which has violated the letter and spirit of the Act's instruction to form FRC's at the Gram Sabha level. In 2010, a remarkable achievement of the movement has taken place in Coochbehar Division in the Jalpaiguri District where forest villagers forcefully have taken control of a 2,985 hectare of forest on the outskirts of the Jaldapara Wildlife Sanctuary while announcing that no one will be allowed including the Department to conduct any activity without the permission of Gram Sabha which they formed spontaneously. Though the villagers could not retain their control of the forest tract for long against the intervention of Police on advice of the Department and lodging false cases against its leaders, the movement has been continuing to mobilize people at the Gram Sabha level in order to construct a multi-ethnic political community to establish social control of the 'primary producers' by means of instituting an equitable and decentralized resource management system while replacing the hegemonic claim of the Forest Department over the forests in the region.

It is no denying the fact that there is an appreciable difference between those two movements both in terms of issues and forms of struggle. Though the former movement was fought under the banner of North Bengal Forest Workers and Jaigir Cultivators Union it was strongly backed by a political party while embodying the ideals and techniques of struggle of the founder of the party – the great leader of Indian Nationalism, Subhash Chandra Bose. On the contrary the later movement is basically a non-party political movement and therefore is inspired by strategies and ideology of struggle which are still in the process of making. The earlier movement was inspired by the then left-radical tradition of peasants and workers struggle in Bengal whereas the later movement draws its inspiration heavily from what Harriss called 'new politics' centering civil society organization around new social movements of 90's in the country. The older movement waged its struggle to abolish the exploitative system of taungya and to make an end to the practice of corruption in the domain of the forests in order to ensure the healthy conditions of livability and the forests but the focus of the new movement is to protect land and livelihood rights as well as to protect resources. More importantly the fundamental difference between the two movements is that the former movement upheld the demands for transferring all the power in the hands of the Union- the sole representative of the people and thereby demanded for the abolition of the then contractor system and radical alteration in the practice of forest governance whereas the later movement mainly focuses on the proper implementation of Government policies and Acts and thereby aims to reform the current system of forest governance in favor of a more equitable and decentralized resource management system. Therefore the older movement was radical in character whereas the newer movement is somewhat reformative in nature. Despite those differences it is no denying the fact that both the movements contribute to empowering forest communities by building capacities to transcend their extant mode of living while creating newer spaces and ways of engagement for negotiating their demands and claims with the Department around the issues and mode of governance of natural resources in the region.

Now we may relate specific findings to the research questions and theoretical framework stated in Chapter 1. The chapter 1 established a link between the concept of empowerment and participatory development in the context of forest management in the forest rich area of West Bengal especially the Dooars region of North Bengal famous for its wildlife and ecology. We were also introduced to two different dimensions of empowerment, the empowerment from above and the empowerment from below. In Chapter 1 we also suggested that one may conceptualize empowerment as praxis containing two interrelated aspects of cooperation and resistance in relation to participatory forest management. In the context of what we have learned in Chapter 3 we could at least offer an answer to one of the research questions asked in Chapter 1 about how do empowerment on the one hand and sustainable forest management in particular and natural resource governance in general on the other relate to each other in field situation. Our studies have not found positive implications of top-down approach of forest management or of participatory management from the above for forest eco-system and conservation. Our review of the practices of sustainable forest management in Chapter 2 further showed that in the context of India the empowerment initiatives through SFM produced uneven results across states. In the context of North Bengal in general and Jalpaiguri in particular the state interventions at least in terms of fund outlay, introductions of new schemes like NAP, SHGs etc had increased to a considerable extent in the Xth Plan period compared to the early phases of its implementation. Still this did not indicate success of top-down process of empowering communities and was marked by inconsistent bureaucratic endeavor in the Jalpaiguri District which resulted in differential progress of the Govt. schemes, formation of FPCs/EDCs and utilization of available funds across the forest divisions. Besides the progress of NREGA and FRA, 2006 lacked supportive evidence which put question marks on the sincerity of bureaucracy in implementation of those programmes seriously in the District. In fact the extent of effective execution of those programmes and the fate of both the empowerment and sustainability in the

field situation could not be estimated without understanding the degree of penetration of the collaborative engagement on the ground. In Chapter 1 while laying the theoretical foundation of our research we had observed that in the field situation we could expect to have both cooperation among stakeholders and resistance to 'empowerment from without' as a part of wider social movement. The main research problem could be explained as a conflict between two kinds of movements or two kinds of empowerment. The relative success of empowerment from within may be related to positive realization of sustainability. Further, the cooperation between stakeholders would be of tactical nature, a way of living with what is bare necessity, but also a way of developing new needs and capacities that is likely to be expressed in a overtly political manifestation. Participatory structures for natural resource governance thus could be seen as capable of both integration of needs and capacities of opposed kinds, for preservation of entrenched dominant structures of needs and capacities as well as for outgrowing that integration by a process of empowerment through social learning and experience , cooperation and resistance , a process of movement away from particular social organization to general social organization , from metabolic 'rift' to natural metabolism around cooperative production. These lines of argument were more or less validated by our findings. In Chapter 3 our quantitative analysis pointed to the confluence of a high rate of cooperation and high rate of resistance of forest dwellers with respect to forest bureaucracy. Similarly, in Chapter 5, especially in relation to ongoing movement of the forest dwellers, we could see a move to community forest governance, albeit with ideological and organizational weaknesses, but nevertheless, decisively outgrowing the imposed frameworks of forest bureaucracy such as JFMC.

The above summary of the findings while affirming the role of forest based resistances in empowering local communities raises certain serious questions about the framework of cooperation as a method of empowerment designed from the above to back up the ongoing praxis of participatory forest management in India. In

the context of inconsistencies and gaps in the policy and practice of sustainable forest management it expresses the doubt about the real intention behind the state sponsored paradigm of empowerment. So far as the inconsistencies and gap within the policy and practice are concerned the paradoxical position has been held by the Indian state to manage forest resources throughout the country. On the one hand the policy recognized the 'symbiotic relationship' between the tribal's and forests and viewed that forest conservation cannot succeed without 'the willing support and cooperation of the people'. But in case of protected area network like national parks, sanctuaries and biosphere reserves which are viewed as 'essentials of forest management', forest-people are viewed as mere disturbances and harmful presence for the conservation of biological diversity on the other hand. This discriminatory strategy of conservation is manifested in the two consequent programmes taken by the MoEF on the basis of the 1988 policy. One is JFM in the reserved forests and the other is Eco-Development in the protected areas. The JFM programme made an arrangement among the State Forest Department, the village community and the voluntary agency/NGO to set up village forest protection committee (FPC's) in order to establish and monitor management plans while providing access to the resources like grass and NTFPs to the villagers and also a potential share of the income to them from the timber sold by the Forest Department. But under the Eco-Development programme the rights of the people to the forest resources were denied, the emphasis was on a variation of rural development directed towards natural resource conservation which would promote income generating activities and sustainable land use practices. Actually eco-development, it is argued operates within the parameters of the Wildlife (Protection) Act and assumes that wildlife conservation is a priority which overrides people's rights to resources within the protected areas (Baviskar, 2003:276).

This double standard in relation to empowerment of the people has also been manifest in the recently enacted Forest Right Act, 2006. On the one hand the

Act recognizes the rights of the forest dwelling tribes and other traditional forest dwellers including their responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance but simultaneously, the Act attempts to create 'human free wildlife zone' by displacing the communities from the forests in the critical wildlife habitat as defined by the state governments. (The Gazette of India, 2007:1) This approach indeed is based upon the categories of 'separation' and 'exclusion' and borrowed in the Indian context from the West based upon the Deep-Ecological tradition in the US. Unlike 'anthropocentric' perspective the Deep-Ecology is an eco-centric perspective and attempts to preserve 'pristine wildernesses devoid of any kind of human presence. But how far this anthropocentric/eco-centric divide is justifiable to ensure sustainability is a matter of long standing debate. John Bellamy Foster argued that 'there is a tendency to turn endlessly in circles, so that the analysis stops where it started, no more equipped at the end than at the outset to deal with the real problems of environment and society. Numerous studies have been written on anthropocentrism vs ecocentrism, arguing that this or that thinker, culture or civilization was more or less anthropocentric. Although this has frequently opened our eyes to issues that have too often been downplayed, the dualistic perspective perpetuated here tends to block any genuine development of knowledge or meaningful practice. Indeed, the dichotomization embodied in such views tends to perpetuate the "humanity vs nature" conceptions which are in many ways, the source of the problem' (Foster, 2001:17-18).

Further, though the JFM programme at first recognized the role of forest dwelling communities in restoring and conserving forests, only participation in patrolling and regeneration has been emphasized and encouraged by the Department while underestimating their participation in decision making and micro-planning in the governance of forests. Even when in some places the possibility of participation in the decision making process arises the Department imposes its own

decision over the people from its privileged position in the exercise of authority. In the practice of JFM the participatory mechanism is being used by the authority to achieve their project target while legitimizing the system of governance as predesigned by the neo-liberal agenda of the state. The undermining of participatory essence once again has been found in the implementation process of the Forest Rights Act where the Forest Departments across states are more reluctant to transfer their power to the Gram Sabha and are more interested in providing individual land titles while ignoring the communal rights over the forest resources. Hence, both in policy and practice the framework of cooperation has been limited by the principles of exclusion in the context of wildlife conservation or been reduced to a mechanism of co-option in the conservation of forests. This has generated new contradiction and conflict leading to new power equation, the victim of which is none other than the eco-system people and the powerless nature. However, one need not be a pessimist either. In the month of September, 2010 a delegation of the National Forest Rights Act Committee, constituted jointly by MOEF & MOTA, visited the forest regions of North Bengal and reviewed the implementation of FRA. They inter alia commented on poor awareness campaign about FRA by the State Forest Department and of sticking to Gram Sansad and not replacing them with Gram Sabhas which represent FRA's favored institutional arrangement of community governance. This has loosened the psychological hold of the forest bureaucracy on the forest villagers and the officers looking after Tribal welfare have found a new area of intervention. The strugglers have now something to rejoice and we may have a little hope that newer and more sustainable forest management practices may evolve.

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Appendices

Appendix - I

Government of West Bengal
Department of Panchayats & Rural Development
Panchayats Branch
11A, K.S. Roy Road, Calcutta-700 001.

No. 207/PN/O/I/AM-1/97.

Dated, Calcutta the 21.1.1999.

M E M O R A N D U M

At the time of Fifth Panchayat General Elections held in 1998, areas under the Tea Gardens and Forest Villages within different districts of this State, were brought within the operational jurisdiction of the West Bengal Panchayat Act, 1978 as subsequently amended (hereinafter referred to as the Act). Consequently, elections were held from such Tea Garden and Forest Village areas to 3-tier Panchayats and at present such areas together with other revenue land areas in most cases, constitute various units of different tiers of Panchayat i.e. Gram Panchayat, Panchayat Samiti and Zilla Parishad.

Various measures for infrastructural development in such areas recently included in the Panchayats as also a number of welfare measures for the inhabitants of such areas are being provided exclusively by the Lessee of the land and/or Tea Garden Management (hereinafter referred to as the Management) in Tea Garden areas and by the Forest Department of this State and as its agent by the Forest Directorate and/or the West Bengal Forest Development Corporation (hereinafter referred to as the Department) in forest villages. In terms of the provisions under plantation Act, 1951 (Act 29 of 1951) and rules thereunder in force, the Management is obliged to take appropriate measures in the field of health, sanitation, education and different social welfare measures in the tea garden. The Department on the other hand is maintaining communication facilities and implementing other infrastructural development programmes in the forest villages. It is also observed that in such areas, the entire land is leased out to the Management of the tea gardens and is under control of the latter; similarly the entire set of forest lands within which the forest villages are located, are under the ownership of the Department. Consequently, within the Tea Gardens and Forest Villages, there is no land available for use of the general public where jurisdiction and authority of the Panchayats statutorily extends.

In view of the aforesaid special features obtained in the tea garden and forest village areas, it is considered necessary to clearly define the powers, functions and duties of the Panchayats,

amendment of the relevant rules and other provisions of law as be necessary, powers, functions, and duties of the Panchayats and other units of administration operating in such areas need be defined by an order issued in this behalf.

Now, therefore, in exercise of the power conferred by section 212 of the West Bengal Panchayat Act, 1973 as subsequently amended, the Governor is pleased hereby to issue directions as follows :-

(1) In tea garden areas, the management concerned shall continue to remain responsible for the facilities and benefits now being provided as also required to be provided in future, to the workers of the tea gardens and the people inhabiting the tea garden area in terms of the provisions under the Plantation Labour Act, 1951 (69 of 1951), any rule made thereunder and any other provision of law for the time being in force. The Gram Panchayat or any other Panchayat shall not interfere in any manner, by any act or commission or omission, in valid performance of the aforesaid functions of the management. Without prejudice to the generality of the aforesaid provisions, the facility and benefits at present made available by the management as enumerated hereunder shall continue in future also without any interference from any Panchayat.

(a) Ration facility: The management is providing ration at subsidised rate to garden workers and their dependants. The facility shall continue.

(b) Medical facility: The management provides free medical facility to the workers and their dependants including non-worker adult family-members. Free ambulance service is also provided on occasions. Such facilities shall continue to exist.

(c) The management provides free house-hold requirements of fuel to the garden workers in commensurate with their working status. The arrangement shall continue.

(d) Under a statutory provision, the management provides safe drinking water to the workers and their families by sinking deep tube-wells, big bore tube-wells or pucca wells as may be appropriate. Bathing enclosures for the women are also provided by the management. Such facilities will continue in the same manner as necessary.

Management also provides street lighting in the labour lines and other places at their cost. The Management will continue to extend such facilities.

(f) Under statutory provision, the Management provides housing accommodation in pucca quarters to the workers and their families. The provision shall remain in force.

(g) Roads, streets and other communication links within a garden area, are the responsibilities of the Management for their construction, repair, drainage facility and maintenance. The arrangement will continue to exist.

(h) The Management provides certain recreational facilities such as club room, play ground etc. for use of the employees. The facilities shall be extended in similar manner.

(i) The Management prior to imposition of rural cess, was required to provide education to the children of the workers by setting up a primary school for every 25 children or more. The arrangement now existing shall continue. The Management also provides certain other facilities such as free transport for school-going children, provision of fund for construction of school/college building and for equipments in these institutions. The facilities shall be provided in the same manner.

(j) Additional workers who are usually employed for six to eight months in a year are usually extended the benefits and facilities stated in the foregoing paragraphs. The system at present in vogue, shall continue without any curtailment.

(2) (1) With respect to forest village, the Department shall continue to extend such communication, drainage and other facilities to the inhabitants of the forest villages as are being extended now or as a logical consequence, shall be extended later. The Gram Panchayat or any other Panchayat shall not interfere in any manner, by any act of commission or omission, in valid performance of the aforesaid functions of the Department. Any Panchayat body, an inhabitant of the forest village or any other person shall not make any permanent construction without clearance from the Department or when necessary from the Govt. of India. No one shall be allowed to violate any provision of the Forest (Conservation) Act, 1980 (59 of 1980) and National Forest Policy circulated by the Govt. of India.

(ii) In a forest village, the Panchayat may provide permanent infrastructure for the villagers only after obtaining written

(iii) The Forest Department/Directorate may identify the persons/families in a forest village who are willing to be shifted from such forest villages and send the list to the Panchayat Samiti/Gram Panchayat concerned. The Panchayat concerned shall endeavour to locate suitable resumed land or khas/vested land for shifting of such persons/families and take further action to rehabilitate them.

3. (i) Since control and management within the area of a tea garden is under the control of the Management and the entire land ~~of a tea garden or forest village~~ in a forest village is under the ownership of the Department, the Gram Panchayat or any other Panchayat concerned shall not normally undertake any land-based scheme within the area of a tea garden or a forest village. If any land-based scheme is considered necessary and expedient, the Panchayat concerned shall forward such proposal to the Management or the Department as the case may be, and obtain prior written concurrence of the Management or the Department before taking up implementation of the scheme. The Management, before communicating its concurrence, shall obtain permission of the District Magistrate concerned for implementation of such land-based schemes. If there is, however, any resumed land of a tea garden within the jurisdiction of a Gram Panchayat, Gram Panchayat is at liberty to take up appropriate land-based schemes in the area.

(ii) A Gram Panchayat may sponsor suitable self-employment schemes for one or more residents of a tea garden or forest village area taking into consideration income of the person/family concerned in terms of the guidelines applicable for a scheme.

4. There are considerable quantum of resumed land in many tea gardens. The Panchayat Samiti concerned with the assistance of the Gram Panchayat and in consultation with the local officers of the Land and Land Reforms Department of this Government, shall take measures to resist/remove encroachment on such land, arrange distribution of available land to the deserving families and explore the scope and possibility of making available to the Gram Panchayat a piece of land for construction of administrative building (Panchayat Ghar).

5. (i)(a) For the purpose of imposition of tax on land and buildings in tea garden areas by the Gram Panchayat concerned under section 46 of the Act, it is necessary to calculate the annual value on the basis of market value of the

after the assessment and construction of buildings made on diverse dates will be a lengthy and cumbersome exercise bringing in its wake some arbitrary considerations and giving rise to controversies and disputes.

(b) On careful consideration of different aspects, it is directed hereby that notwithstanding anything contained in section 46 of the Act, Gram Panchayat, for the purpose of assessment of annual tax on land and buildings within the area of a tea garden, shall tax annual value of the entire property at the uniform rate of Rs.1,500/- (Rupees one thousand and five hundred only) per acre ignoring the valuation of buildings and other installations, if any. On the basis of the annual value of the entire property thus arrived at, annual tax shall be assessed. The point is further clarified in the illustrative examples at annexure- I. It is further provided that the total amount assessed on tax on land and buildings shall in no case exceed Rs.20,000/- (Rupees twenty thousand only) per annum until further order in this respect. It is also provided that the Gram Panchayat shall not assess or impose any tax upon any employee of the tea garden or any other inhabitant residing within the area of the tea garden.

(b) In the forest village, the Gram Panchayat concerned shall not assess or impose any tax on any land and on any buildings or on any person residing within that area.

(d) In case of any dispute over the quantum of tax assessed, either the Gram Panchayat or the Management may refer the matter to the District Magistrate who shall on giving an opportunity of hearing to the Gram Panchayat and also to the concerned management and on perusal of records produced by either party and on causing such enquiry as he may deem necessary, shall take a decision and intimate all concerned.

(ii) It is further provided that an appeal preferred by any aggrieved party, shall lie with the Commissioner of the Division who may, after giving notice of the appeal to the District Magistrate and giving the appellant as also the other party an opportunity of being heard, modify or confirm the decision of the District Magistrate. The decision of the Commissioner shall be final and binding on either parties.

6. A newly constituted Gram Panchayat shall endeavour to construct Gram Panchayat Office of its own outside the area of a tea garden or a forest village.

comprises area of one or more tea gardens and/or forest village along with other areas. For this purpose, resumed land of a tea garden may also be utilised. In case a Gram Panchayat comprises only the area of one or more tea garden or forest village, the Gram Panchayat may request Management of the Department to allow them to have a suitable office accommodation either free or on a monthly rental basis as a temporary arrangement. Attempt shall be made by the District administration to reconstitute such Gram Panchayats by including certain other areas outside the tea garden or forest so that the office of the Gram Panchayat may be constructed there in future.

By order of the Governor,

Sd/- S. N. GHOSH

Principal Secy. to the Govt. of West Bengal

No. 207 (133)/S.N.G./IA-1/97 Dated: 21.11.1999

Copy forwarded for information and necessary action

to:

1. Land & Land Reforms Department of this Government.
2. Forest Department of this Government.
3. Consultative Committee of Plantation Associations, Royal Exchange, 6, Netaji Subhas Road, Calcutta-700001.
4. Commissioner, Jalpaiguri Division.
5. Sabhapati, Cooch Behar/Jalpaiguri/Uttar Dinajpur/Zilla Parishad.
6. Executive Officer, Cooch Behar/Jalpaiguri/Uttar Dinajpur Zilla Parishad.
7. District Land and Land Reforms Officer, Cooch Behar/Jalpaiguri/Uttar Dinajpur District.
8. District Panchayat & Rural Development Officer, Cooch Behar/Jalpaiguri/Uttar Dinajpur District.
9. Sub-Divisional Officer, Sub-Divn.
(all of 3 districts)
10. Sabhapati, Panchayat Samiti
(all of 3 districts)
11. Block Development Officer & Executive Officer, Block
(all of 3 districts)

-7-

12. Director of Panchayats & Rural Development, West Bengal.

13. Director, S.I.D. & R.D., Kalyani, Nadia.

W. A. (199)
Secretary to the
Govt. of West Bengal.

Appendix - II

GOVERNMENT OF WEST BENGAL FOREST DEPARTMENT FOREST BRANCH

No. 5969-For

Dated 3.10.2008

RESOLUTION

Whereas the National Forest Policy, 1988 envisages it as one of the essentials of forest management that the forest communities should be motivated to identify themselves with the development and protection of forests from which they derive benefits. National Forest Policy 1988 also recognises the symbiotic relationship between the tribal people and forests, and implores to associate the tribal people closely in the protection, regeneration and development of forests.

Whereas the National Forest Policy, 1988 envisages people's involvement in the development and protection of forests and whereas the requirements of fuelwood, fodder and small timber such as house-building material, of the tribals and other villagers living in and near the forests, are to be treated as first charge on forest produce.

And whereas "The Scheduled Tribes And Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006" also recognises the responsibility and authority of tribals in conservation of biodiversity and maintenance of ecological balance and thereby strengthening the conservation regime of forests.

And whereas State of West Bengal has been the pioneer in development of Joint Forest management which has now been acknowledged as tool for management of forest resources universally and implemented successfully in the different states of the country.

And whereas, the Forest Department has taken up a massive programme for resuscitation of the degraded forests of the State as a whole for converting the areas into productive forests.

And whereas, active participation and involvement of local people are vital for generation, maintenance and protection of aforesaid forests/ plantations and successful implementation of the program.

In supersession of this department's resolution No.2340-For dated 14th July 2004, 2731-For dated 16th August 2004 and 2756-For Dated 17th August 2004, the Governor has been pleased to decide that Joint Forest Management Committees shall be constituted for the purpose of development of degraded forests and forests prone to forces of degradation in the districts of Jalpaiguri, Coochbehar, Darjeeling (excluding areas under Darjeeling Gorkha Hill Council), Malda, Murshidabad, Nadia, Uttar Dinajpur, Dakhin Dinajpur, Hooghly and direct that the composition, duties and functions, the usufructuary benefits and restrictive measure pertaining to such Joint Forest Management Committees shall be as following.

1. COMPOSITION

- i. The Divisional Forest Officer in consultation with "Bon-Bhumi Sanskar Sthayee Samiti" of concerned Panchayat Samiti shall select beneficiaries for constitution of the Joint Forest Management Committees(s), within their jurisdiction and within the frameworks of this resolution.
- ii. The beneficiaries ordinarily shall be economically backward people living in the vicinity of the forest concerned. Every family living in the vicinity of the forests shall, however, have the option of becoming a member of the Joint Forest Management Committee, if such family including the female members is interested in the work of protection.
- iii. There shall be normally a joint membership for each household (i.e. if husband is a member, wife automatically becomes a member and vice versa). Either of the two can exercise rights to represent household at any point.
- iii. Constitution of the Joint Forest Management Committee including the Executive Committee will be approved by the Divisional Forest Officer concerned on recommendation of the "Bon-O-Bhumi Sanskar Sthayee Samiti" of the concerned Panchayat Samiti.
- iv. The concerned Gram Panchayat(s) shall extend necessary support and help to such committees (s) to ensure their smooth and proper functioning.

2. EXECUTIVE COMMITTEE

- i. Each Joint Forest Management Committees shall have an Executive Committees to carry out the various activities assigned to the Committee.
- ii. The composition of the Executive Committee shall be as follows:
 - a. Sabhapati or any member of the "Bon-O-Bhumi Sanskar Sthayee Samiti" of the Local Panchayat Samiti as may be nominated by the SabhapatiMember.
 - b. Gram Pradhan or any member of local Gram Panchayat(s) as may be nominated by the Pradhan/Chairman of the Municipality or any councillor of the Local Municipality as nominated by the Chairman of the said Municipality.....Member
 - c. Elected representative of the beneficiaries Member (Three number of members of the FPC subject to the condition that at least one member will be women and tribal)
 - d. Concerned Beat Officer or his nominee in the rank of Head Forest Guard/Forest Guard/Ban Majdur/Ban ShramikMember Secretary
 - e. One Head Forest Guard/Forest Guard/ Ban Majdur/ Ban Shramik to be nominated by concerned Range Officer.....Member

The members of the Executive Committee shall elect the President in each meeting.

iii. The "Bon-O-Bhumi Sanskar Sthayee Samiti" of the respective Zilla Parishad will monitor, supervise and review functions of the Joint Forest Management Committees.

iv. The Member Secretary shall convene the meetings of the Executive Committee as well as Joint Forest Management Committee, as per agreed procedure.

v. The representatives of the beneficiaries to the Executive Committee shall be elected in each year in Annual General Meeting of the Committee, where the concerned Range Officer will be the observer.

vi. No member of the Executive Committee shall be elected or nominated for more than three years in succession.

vii. In order to ensure better coordination among the JFMCs and further consolidation of JFM practices, Coordination Committees of the JFMCs shall be constituted both at Beat & Range level. The composition and function of such coordination committees shall follow guideline to be prescribed by Principal Chief Conservator of Forests.

3. DUTIES OF EXECUTIVE COMMITTEE

i. The Executive committee of Joint Forest Management Committee shall maintain a register showing the necessary particulars of beneficiaries who are members of the committee, i.e. name, father's name, address, age, number of family members, name of nominee, etc nomination forms duly filled in and approved by the Executive committee should be pasted in the Register. Such Register is also to be maintained in the concerned Range Office of the Forest Department for permanent record.

ii. The Executive committee of Joint Forest Management Committee shall maintain a "Minute Book" wherein proceedings of the meeting of the Executive Committee held from time to time as well as the proceedings of the Annual General Meeting of the Joint Forest Management Committee will be recorded under the signature of the President of the Committee and such Minute duly attested by the member secretary shall be sent to concerned Range Officer for record.

iii. The Executive committee of Joint Forest Management Committee shall hold an Annual General Meeting once in very year where activities of Committee as well as details of distribution of usufructuary benefits are to be discussed, besides electing representatives of the beneficiaries to the Executive Committee.

vi. The Executive committee shall meet at least once every two months and discuss issues related to ongoing forestry works, preparation and implementation of microplan and other emergent works etc.

**4. FUNCTIONS OF JOINT FOREST MANAGEMENT COMMITTEE/
EXECUTIVE COMMITTEE**

A

- i. To ensure protection of forest (s)/ plantation(s)/wildlife through members of the committee.
- ii. To protect the said forest(s)/plantation(s) with the member of the Committee.
- iii. To inform forest personnel or any person or persons attempting trespass and willfully or maliciously, damaging the said forest(s) / plantation(s)/Wildlife or committing theft thereon.
- iv. To prevent such trespass, encroachment, grazing, fire, poaching, theft or damage.
- v. To apprehend or assist the forest personnel in apprehension of such person or persons committing any of the offence mentioned above.

B

- i. To ensure smooth and timely execution of all forestry and fringe area development works taken up in the area by extending necessary help to the officials of Forest Department.
- ii. To involve every member of the Committee in the matter of protection of forests(s)/plantations(s)/wildlife as well as other duties assigned to the Committee.
- iii. To assist the concerned Forest Officials in the mater of selection/engaging of labourers required for forestry worked.

C

- i. To ensure smooth harvesting of the forest produce by the Forest Department.
- ii. To assist the concerned Forest Official in proper distribution of the earmarked portion of the net sale proceeds among the members of the Committee (as per list maintained by Sthayee Samiti).
- iii. To ensure that usufructuary rights allowed by the Govt, is not in any way misused by any of the members and forest/plantation sites are kept free from only encroachment whatsoever.

D

- i. To prevent any activities in contravention of the provisions of Indian Forest Act, of 1927 and any Acts and Rules made there under and the Wildlife (Protection) Act, 1972 as amended from time to time.

ii. To report about activities of particular member which are found prejudicial and detrimental to the interest of a particular plantation and or/forest wildlife to the concerned Beat Officer/Range Officer which may result in cancellation of membership of the erring member.

iii. To assist the Forest Officials to take action or proceed under Indian Forest Act 1972 and the Wildlife (Protection) Act 1972 and any Acts and Rules made there under, against the offenders, including may erring members of the Committee found to be violating the Act or damaging the forest/plantation/wildlife.

5. USUFRUCTUARY BENEFITS

i. The members will have to protect the forest and wildlife for at least 5 years to be eligible for sharing of usufructs under this programme.

ii. The members shall be entitled to collect following items free of royalty without causing any damage to forest.

a) Fallen twigs, grass, fruits (excluding cashew), flowers, mushroom, seeds, leaves and intercrops raised by JFMCs subject to any restriction imposed from time to time, Provided however such collection will be not allowed in Protected Areas

b) Medicinal plants will be permitted to be collected by the JFMC members free strictly on the basis of approved micro-plans, except in Protected Areas

c) Members of the JFMC will receive 25% of net sale proceeds of firewood and poles, which are harvested during thinning and cultural operations. The poles for the purpose of this order will be under 90 cm, gbh. For all species except Teak. For Teak upper limited of gbh is 60 cm.

d) Members of the JFMC will receive 15% of net sale proceeds of timber, which are harvested at the time of final felling. Share of JFMCs would be equally allocated to all the JFMCs in Forest Division proportionate to the strength of their members.

iii. Entire Sal seeds as collected shall have to be deposited with the West Bengal Tribal Development Cooperative Corporation Ltd., through the local LAMPS (where LAMPS are functioning) and LAMPS will pay the members, in approved tariff, against their individual collection.

iv. The concerned forest official will distribute to the eligible members their proportionate share of the usufructs from the harvesting after satisfactory performance of functions detailed herein before.

v. The usufruct sharing will be subject to restrictions imposed from time to time on account of Silvicultural and Management requirements and from preservation of wildlife point of view.

6. TERMINATION OF MEMBERSHIP DISSOLUTION OF COMMITTEE APPEALS ETC

i. Failure to comply with any of the conditions laid down hereinbefore as well as contravention of provisions of the Indian Forest Act of 1972 Wildlife (Protection) Act or Acts and / or Rules made there under, may entail cancellation of individual membership and or/dissolution of the Executive/Joint Forest Management Committee, as the case may be by the Officers of the Forest Department as state below in (ii) and (iii) below.

ii. The concerned Divisional Forest Officer shall be entitled to take appropriate action even dissolution of any Executive/Joint Forest Management Committee on the grounds stated above, on the recommendation of the Bon-O-Bhumi Sanskar Sthayee Samiti, Panchayat Samiti.

iii. The concerned Range Officer may be authorized by the Divisional Forest Officer to take proper action, even termination of an individual membership, on the above mentioned grounds, on the recommendation of the Executive Committee of Joint Forest management Committee.

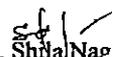
iv. Appeal against any such penal action by the Range Officer may be preferred to the concerned Divisional forest Officer through local Panchayat Samiti.

v. Appeal, against any such penal action by the Division Forest Officer may be preferred to the concerned Circle Conservator of Forests through the concerned Panchayat Samiti and the Zilla Parishad, whose decision shall be final.

ORDER

Ordered that the Resolution be published in the Calcutta Gazette and copy sent to all concerned.

By order of the Governor


(Smt. Shrida Nag, IAS)
Joint Secretary to the
Government of West Bengal

- . 6 . -

No. 5969/1-For.

Date:03.10.2008

Copy forwarded to the Managing Director, Basumati Corporation Ltd., 166, B.B. Ganguli Street, Kolkata- 12.

He is requested to publish it in the Kolkata Gazette for greater interest. 25 copies of the Gazette Notification may kindly be sent to this Department

Joint Secretary to the Government of West Bengal

No. 5969/2(6)-For. Dt. 03.10.2008

Copy forwarded for information to the :

7. P.C.C.F, (WL), West Bengal & C.W.L.W.
- ✓ 8. P.C.C.F., West Bengal.
- All concerned may be informed accordingly.
9. Accountant General (A&E), West Bengal.
10. Finance Department of this Government.
11. Sabhadhipati
12. P.S. to M.I.C., Forests Department.

Joint Secretary to the Government of West Bengal

No. 5969/3-For. Date 03.10.2008.

Copy forwarded for information to the Secretary to the Govt. of India, Ministry of Environment & Forests , National Wasteland Development Board, C.G.O. Complex, Lodhi Road, New Delhi: 110 003.

Joint Secretary to the Government of West Bengal

Appendix - III

रजिस्ट्री सं. डी. एल.—(एन)04/0007/2006—08

REGISTERED NO. DL—(N)04/0007/2006—08


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड I

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2]

नई दिल्ली, मंगलवार, जनवरी 2, 2007 / पौष 12, 1928

No. 2]

NEW DELHI, TUESDAY, JANUARY 2, 2007 / PAUSA 12, 1928

इस भाग में पिन पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 2nd January, 2007/Pausa 12, 1928 (Saka)

The following Act of Parliament received the assent of the President on the 29th December, 2006, and is hereby published for general information:—

THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006

No. 2 of 2007

[29th December, 2006]

An Act to recognise and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded; to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.

WHEREAS the recognised rights of the forest dwelling Scheduled Tribes and other traditional forest dwellers include the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwelling Scheduled Tribes and other traditional forest dwellers;

AND WHEREAS the forest rights on ancestral lands and their habitat were not adequately recognised in the consolidation of State forests during the colonial period as well as in independent India resulting in historical injustice to the forest dwelling Scheduled Tribes and other traditional forest dwellers who are integral to the very survival and sustainability of the forest ecosystem;

AND WHEREAS it has become necessary to address the long standing insecurity of tenurial and access rights of forest dwelling Scheduled Tribes and other traditional forest dwellers including those who were forced to relocate their dwelling due to State development interventions.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "community forest resource" means customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access;

(b) "critical wildlife habitat" means such areas of National Parks and Sanctuaries where it has been specifically and clearly established, case by case, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of wildlife conservation as may be determined and notified by the Central Government in the Ministry of Environment and Forests after open process of consultation by an Expert Committee, which includes experts from the locality appointed by that Government wherein a representative of the Ministry of Tribal Affairs shall also be included, in determining such areas according to the procedural requirements arising from sub-sections (1) and (2) of section 4;

(c) "forest dwelling Scheduled Tribes" means the members or community of the Scheduled Tribes who primarily reside in and who depend on the forests or forest lands for *bona fide* livelihood needs and includes the Scheduled Tribe pastoralist communities;

(d) "forest land" means land of any description falling within any forest area and includes unclassified forests, undemarcated forests, existing or deemed forests, protected forests, reserved forests, Sanctuaries and National Parks;

(e) "forest rights" means the forest rights referred to in section 3;

(f) "forest villages" means the settlements which have been established inside the forests by the forest department of any State Government for forestry operations or which were converted into forest villages through the forest reservation process and includes forest settlement villages, fixed demand holdings, all types of *taungya* settlements, by whatever name called, for such villages and includes lands for cultivation and other uses permitted by the Government;

(g) "Gram Sabha" means a village assembly which shall consist of all adult members of a village and in case of States having no Panchayats, Padas, Tolas and other traditional village institutions and elected village committees, with full and unrestricted participation of women;

(h) "habitat" includes the area comprising the customary habitat and such other habitats in reserved forests and protected forests of primitive tribal groups and pre-agricultural communities and other forest dwelling Scheduled Tribes;

(i) "minor forest produce" includes all non-timber forest produce of plant origin including bamboo, brush wood, stumps, cane, tussar, cocoons, honey, wax, lac, tendu or kendu leaves, medicinal plants and herbs, roots, tubers and the like;

(j) "nodal agency" means the nodal agency specified in section 11;

(k) "notification" means a notification published in the Official Gazette;

(l) "prescribed" means prescribed by rules made under this Act;

(m) "Scheduled Areas" means the Scheduled Areas referred to in clause (j) of article 244 of the Constitution;

16 of 2001. (n) "sustainable use" shall have the same meaning as assigned to it in clause (o) of section 2 of the Biological Diversity Act, 2002,

(o) "other traditional forest dweller" means any member or community who has for at least three generations prior to the 13th day of December, 2005 primarily resided in and who depend on the forest or forests land for *bona fide* livelihood needs.

Explanation.—For the purpose of this clause, "generation" means a period comprising of twenty-five years;

(p) "village" means—

40 of 1996. (i) a village referred to in clause (b) of section 4 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996; or

(ii) any area referred to as a village in any State law relating to Panchayats other than the Scheduled Areas; or

(iii) forest villages, old habitation or settlements and unsurveyed villages, whether notified as village or not; or

(iv) in the case of States where there are no Panchayats, the traditional village, by whatever name called;

53 of 1972. (q) "wild animal" means any species of animal specified in Schedules I to IV of the Wild Life (Protection) Act, 1972 and found wild in nature.

CHAPTER II

FOREST RIGHTS

3. (1) For the purposes of this Act, the following rights, which secure individual or community tenure or both, shall be the forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers on all forest lands, namely:—

Forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers.

(a) right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers;

(b) community rights such as *nistar*, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;

(c) right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries;

(d) other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;

(e) rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;

(f) rights in or over disputed lands under any nomenclature in any State where claims are disputed;

(g) rights for conversion of *Pattas* or leases or grants issued by any local authority or any State Government on forest lands to titles;

(h) rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;

(i) right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;

(j) rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribals under any traditional or customary law of the concerned tribes of any State;

(k) right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity;

(l) any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers, as the case may be, which are not mentioned in clauses (a) to (k) but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal;

(m) right to *in situ* rehabilitation including alternative land in cases where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13th day of December, 2005.

(2) Notwithstanding anything contained in the Forest (Conservation) Act, 1980, the Central Government shall provide for diversion of forest land for the following facilities managed by the Government which involve felling of trees not exceeding seventy-five trees per hectare, namely:—

69 of 1980.

- (a) schools;
- (b) dispensary or hospital;
- (c) *anganwadis*;
- (d) fair price shops;
- (e) electric and telecommunication lines;
- (f) tanks and other minor water bodies;
- (g) drinking water supply and water pipelines;
- (h) water or rain water harvesting structures;
- (i) minor irrigation canals;
- (j) non-conventional source of energy;
- (k) skill upgradation or vocational training centres;
- (l) roads; and
- (m) community centres:

Provided that such diversion of forest land shall be allowed only if,—

(i) the forest land to be diverted for the purposes mentioned in this sub-section is less than one hectare in each case; and

(ii) the clearance of such developmental projects shall be subject to the condition that the same is recommended by the Gram Sabha.

CHAPTER III

RECOGNITION, RESTORATION AND VESTING OF FOREST RIGHTS AND RELATED MATTERS

4. (1) Notwithstanding anything contained in any other law for the time being in force, and subject to the provisions of this Act, the Central Government hereby recognises and vests forest rights in—

Recognition of and vesting of forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers.

(a) the forest dwelling Scheduled Tribes in States or areas in States where they are declared as Scheduled Tribes in respect of all forest rights mentioned in section 3;

(b) the other traditional forest dwellers in respect of all forest rights mentioned in section 3.

(2) The forest rights recognised under this Act in critical wildlife habitats of National Parks and Sanctuaries may subsequently be modified or resettled, provided that no forest rights holders shall be resettled or have their rights in any manner affected for the purposes of creating inviolate areas for wildlife conservation except in case all the following conditions are satisfied, namely:—

(a) the process of recognition and vesting of rights as specified in section 6 is complete in all the areas under consideration;

53 of 1972.

(b) it has been established by the concerned agencies of the State Government, in exercise of their powers under the Wild Life (Protection) Act, 1972 that the activities or impact of the presence of holders of rights upon wild animals is sufficient to cause irreversible damage and threaten the existence of said species and their habitat;

(c) the State Government has concluded that other reasonable options, such as, co-existence are not available;

(d) a resettlement or alternatives package has been prepared and communicated that provides a secure livelihood for the affected individuals and communities and fulfils the requirements of such affected individuals and communities given in the relevant laws and the policy of the Central Government;

(e) the free informed consent of the Gram Sabhas in the areas concerned to the proposed resettlement and to the package has been obtained in writing;

(f) no resettlement shall take place until facilities and land allocation at the resettlement location are complete as per the promised package:

Provided that the critical wildlife habitats from which rights holders are thus relocated for purposes of wildlife conservation shall not be subsequently diverted by the State Government or the Central Government or any other entity for other uses.

(3) The recognition and vesting of forest rights under this Act to the forest dwelling Scheduled Tribes and to other traditional forest dwellers in relation to any State or Union territory in respect of forest land and their habitat shall be subject to the condition that such Scheduled Tribes or tribal communities or other traditional forest dwellers had occupied forest land before the 13th day of December, 2005.

(4) A right conferred by sub-section (1) shall be heritable but not alienable or transferable and shall be registered jointly in the name of both the spouses in case of married persons and in the name of the single head in the case of a household headed by a single person and in the absence of a direct heir, the heritable right shall pass on to the next-of-kin.

(5) Save as otherwise provided, no member of a forest dwelling Scheduled Tribe or other traditional forest dweller shall be evicted or removed from forest land under his occupation till the recognition and verification procedure is complete.

(6) Where the forest rights recognised and vested by sub-section (1) are in respect of land mentioned in clause (a) of sub-section (1) of section 3 such land shall be under the occupation of an individual or family or community on the date of commencement of this Act and shall be restricted to the area under actual occupation and shall in no case exceed an area of four hectares.

(7) The forest rights shall be conferred free of all encumbrances and procedural requirements, including clearance under the Forest (Conservation) Act, 1980, requirement of paying the 'net present value' and 'compensatory afforestation' for diversion of forest land, except those specified in this Act.

69 of 1980.

(8) The forest rights recognised and vested under this Act shall include the right of land to forest dwelling Scheduled Tribes and other traditional forest dwellers who can establish that they were displaced from their dwelling and cultivation without land compensation due to State development interventions, and where the land has not been used for the purpose for which it was acquired within five years of the said acquisition.

Duties of holders of forest rights.

5. The holders of any forest right, Gram Sabha and village level institutions in areas where there are holders of any forest right under this Act are empowered to—

(a) protect the wild life, forest and biodiversity;

(b) ensure that adjoining catchments area, water sources and other ecological sensitive areas are adequately protected;

(c) ensure that the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers is preserved from any form of destructive practices affecting their cultural and natural heritage;

(d) ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.

CHAPTER IV

AUTHORITIES AND PROCEDURE FOR VESTING OF FOREST RIGHTS

Authorities to vest forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers and procedure thereof.

6. (1) The Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.

(2) Any person aggrieved by the resolution of the Gram Sabha may prefer a petition to the Sub-Divisional Level Committee constituted under sub-section (3) and the Sub-Divisional Level Committee shall consider and dispose of such petition:

Provided that every such petition shall be preferred within sixty days from the date of passing of the resolution by the Gram Sabha:

Provided further that no such petition shall be disposed of against the aggrieved person, unless he has been given a reasonable opportunity to present his case.

(3) The State Government shall constitute a Sub-Divisional Level Committee to examine the resolution passed by the Gram Sabha and prepare the record of forest rights and forward it through the Sub-Divisional Officer to the District Level Committee for a final decision.

(4) Any person aggrieved by the decision of the Sub-Divisional Level Committee may prefer a petition to the District Level Committee within sixty days from the date of decision of the Sub-Divisional Level Committee and the District Level Committee shall consider and dispose of such petition:

Provided that no petition shall be preferred directly before the District Level Committee against the resolution of the Gram Sabha unless the same has been preferred before and considered by the Sub-Divisional Level Committee:

Provided further that no such petition shall be disposed of against the aggrieved person, unless he has been given a reasonable opportunity to present his case.

(5) The State Government shall constitute a District Level Committee to consider and finally approve the record of forest rights prepared by the Sub-Divisional Level Committee.

(6) The decision of the District Level Committee on the record of forest rights shall be final and binding.

(7) The State Government shall constitute a State Level Monitoring Committee to monitor the process of recognition and vesting of forest rights and to submit to the nodal agency such returns and reports as may be called for by that agency.

(8) The Sub-Divisional Level Committee, the District Level Committee and the State Level Monitoring Committee shall consist of officers of the departments of Revenue, Forest and Tribal Affairs of the State Government and three members of the Panchayati Raj Institutions at the appropriate level, appointed by the respective Panchayati Raj Institutions, of whom two shall be the Scheduled Tribe members and at least one shall be a woman, as may be prescribed.

(9) The composition and functions of the Sub-Divisional Level Committee, the District Level Committee and the State Level Monitoring Committee and the procedure to be followed by them in the discharge of their functions shall be such as may be prescribed.

CHAPTER V

OFFENCES AND PENALTIES

7. Where any authority or Committee or officer or member of such authority or Committee contravenes any provision of this Act or any rule made thereunder concerning recognition of forest rights, it, or they, shall be deemed to be guilty of an offence under this Act and shall be liable to be proceeded against and punished with fine which may extend to one thousand rupees:

Offences by members or officers of authorities and Committees under this Act.

Provided that nothing contained in this sub-section shall render any member of the authority or Committee or head of the department or any person referred to in this section liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

8. No court shall take cognizance of any offence under section 7 unless any forest dwelling Scheduled Tribe in case of a dispute relating to a resolution of a Gram Sabha or the Gram Sabha through a resolution against any higher authority gives a notice of not less than sixty days to the State Level Monitoring Committee and the State Level Monitoring Committee has not proceeded against such authority.

Cognizance of offences.

CHAPTER VI

MISCELLANEOUS

9. Every member of the authorities referred to in Chapter IV and every other officer exercising any of the powers conferred by or under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Members of authorities, etc., to be public servants.

Protection of action taken in good faith.

10. (1) No suit, prosecution or other legal proceeding shall lie against any officer or other employee of the Central Government or the State Government for anything which is in good faith done or intended to be done by or under this Act.

(2) No suit or other legal proceeding shall lie against the Central Government or the State Government or any of its officers or other employees for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

(3) No suit or other legal proceeding shall lie against any authority as referred to in Chapter IV including its Chairperson, members, member-secretary, officers and other employees for anything which is in good faith done or intended to be done under this Act.

Nodal agency.

11. The Ministry of the Central Government dealing with Tribal Affairs or any officer or authority authorised by the Central Government in this behalf shall be the nodal agency for the implementation of the provisions of this Act.

Power of Central Government to issue directions.

12. In the performance of its duties and exercise of its powers by or under this Act, every authority referred to in Chapter IV shall be subject to such general or special directions, as the Central Government may, from time to time, give in writing.

Act not in derogation of any other law.

13. Save as otherwise provided in this Act and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, the provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

40 of 1996.

Power to make rules.

14. (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) procedural details for implementation of the procedure specified in section 6;

(b) the procedure for receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim for exercise of forest rights under sub-section (1) of section 6 and the manner of preferring a petition to the Sub-Divisional Committee under sub-section (2) of that section;

(c) the level of officers of the departments of Revenue, Forest and Tribal Affairs of the State Government to be appointed as members of the Sub-Divisional Level Committee, the District Level Committee and the State Level Monitoring Committee under sub-section (8) of section 6;

(d) the composition and functions of the Sub-Divisional Level Committee, the District Level Committee and the State Level Monitoring Committee and the procedure to be followed by them in the discharge of their functions under sub-section (9) of section 6;

(e) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive

sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

K. N. CHATURVEDI,
Secy. to the Govt. of India.

Table-16.8

STATEMENT SHOWING THE DETAILS OF FOREST VILLAGES OF NORTH BENGAL

Sl.No.	Name of Forest village	District	Division	No. of regd. family	Total (Permanent population)	Tribal Population	Area under possession of forest villagers in ha.	Name of the G.P.
1	Sipchu	Jalpaiguri	Jalpaiguri	16	200	63	21.28 hec.	Sukāpara
2	Panjhora			43	200	72	53.28 hec.	Matell-Batabari-II
3	Khunia			43	1304	693	110.19 hec.	Matell-Batabari-I
4	North Indong			17	210	200	57.00 hec.	Matell-Batabari-I
5	Kalamati			31	320	320	78.23 hec.	Ramsai
6	Bamni			11	80	80	30.41 hec.	Kumial
7	Baradighi			34	220	220	80.99 hec.	Bidhannagar
8	Gnsathai			29	345	325	65.00 hec.	Jhar-Altagram-II
9	Sonakhali			20	121	121	23.80 hec.	Sakoajhora
10	Khoidong			22	310	310	48.00 hec.	Jhar-Altagram-II
11	Mela			12	158	158	26.94 hec.	Salbari-I
12	Khutimari			10	115	115	47.75 hec.	Salbari-I
13	Totapara			15	130	65	27.20 hec.	Salbari-I
14	Mugalkata			18	407	285	52.00 hec.	Salbari-I
15	Dalgona			20	258	258	53.00 hec.	Jateswar
16	Reri			20	410	205	25.70 hec.	Birpara-I
17	Kalapani			10	105	53	5.50 hec.	Birpara-I
18	Budhiram			17	105	105	42.43 hec.	Ramsai
19	Sursuti			13	85	85	38.59 hec.	Lataguri
20	Bichhabhanga			20	150	30	27.28 hec.	Lataguri
21	South Indong			12	125	125	20.03 hec.	Matell-Batabari-II
		TOTAL :	21	433	5158	3888	934.60 hec.	
22	Dhupjhora	Jalpaiguri	Wildlife-II	18	185	185	68.83 hec.	Matell-Batabari-II
23	Kalipara			14	170	170	31.22 hec.	Ramsai
		TOTAL :	2	32	355	355	100.05 hec.	

Contd.

Contd.....table-16.8

Sl.No.	Name of Forest village	District	Division	No.of regl. family	Total (Permanent population)	Tribal Population	Area under possession of forest villagers in ha.	Name of the G.P.
24	Magurmari	Jalpaiguri	BKPUR	22	110	110	17.50 hec.	Rajadanga
25	Salogharia			67	700	700	52.80 hec.	Rajadanga
26	Mechibusty			53	1164	718	42.40 hec.	Rajadanga
27	Gajaldaha			8	87	87	12.84 hec.	Odiabari
	TOTAL :		4	150	2061	1615	125.54 hec.	
28	Dumchi	Jalpaiguri	COB	16	255	255	49.00 hec.	
29	North Khairbari			30	385	287	38.00 hec.	
30	South Khairbari			19	191	58	34.00 hec.	
31	Ballaguri			30	310	109	24.00 hec.	
32	Kudalbusty			53	1056	381	200.00 hec.	
33	North Mendabari			38	1150	1150	74.00 hec.	
34	South Mendabari			10	427	427	24.00 hec.	
35	Montharam			14	200	72	70.00 hec.	
36	Salkumar			18	335	335	35.00 hec.	
37	Andn busty			20	338	336	48.00 hec.	
38	Kurmial			18	169	169	34.00 hec.	
39	Bania			24	282	282	55.00 hec.	
	TOTAL :		12	290	5098	3861	685.00	
40	Bhuthri	Jalpaiguri	BTR(W)	23	240	120	30.00 hec.	
41	Dal Badal			90	200	82	20.00 hec.	
42	Godamdabri			71	1046	758	103.00 hec.	
43	Barni			6	51	51	6.00 hec.	
44	Pampn			14	194	194	15.00 hec.	
45	20 th mile			11	148	146	52.00 hec.	
46	21 st mile			9	119	119	14.00 hec.	
47	Kaikui			40	539	539	92.00 hec.	
48	Panjihora			20	202	202	35.00 hec.	

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Contd...table-16.8

Sl.No.	Name of Forest village	District	Division	No. of regd. family	Total (Permanent population)	Tribal Population	Area under possession of forest villagers in ha.	Name of the G.P.
49	Godhadhar	Jalpaiguri	BTR(W)	71	538	538	215.00 hec.	
50	Garam			50	564	564	109.00 hec.	
51	Pana			38	542	242	46.00 hec.	
52	Raj Matang			38	610	809	17.81 hec.	
53	Nlomat			34	600	600	76.00 hec.	
54	Poro South			28	598	595	87.04 hec.	
55	Ganguhia			22	516	223	11.34 hec.	
56	Gao Basti			71	1043	1043	80.00 hec.	
57	Ahmat Basti			25	520	73	20.00 hec.	
58	Bhuta Basti			20	300	170	35.00 hec.	
59	Poro North			54	660	680	14.57 hec.	
	BTR (West)	TOTAL:	21	735	9230	7248	1078.76 hec.	
60	Bengdova	Jalpaiguri	BTR(E)	25	259	259	25.00 hec.	
61	Sankoshi			44	300	260	106.50 hec.	
62	Kumar Gram			27	418	130	75.30 hec.	
63	New lands			12	162	62	24.29 hec.	
64	Sitlong			26	308	306	80.97 hec.	
65	Tiamari			12	159	49	14.00 hec.	
66	Chipra			14	198	196	32.39 hec.	
67	Lepraguri			11	210	210	45.75 hec.	
68	Indabusti			10	155	155	30.75 hec.	
69	Khundimari			25	223	223	65.00 hec.	
70	Balapara			17	198	166	38.46 hec.	
71	Santalabari			40	660	280	10.00 hec.	
72	Chunabari			18	480	280	25.00 hec.	
73	Tasiv Gaon			50	972	772	50.00 hec.	
74	Buxa Road			12	500	398	0.00 hec.	
75	Bhutia basti			11	180	136	UNDER SHIFTING	
	BTR (East)	TOTAL:	16	354	5582	3882	623.41 hec.	

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Appendix - V

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	Cooperatio n	Resistance	Cooperatio n' Deviation	Code_Coop eration	Cooperatio n Level	Resistance Deviation	Code_Resi stance
1	24.00	20.00	3.43	1.00	High_Coop	3.89	1.00
2	16.00	23.00	-4.57	2.00	Low_Coop	6.89	1.00
3	20.00	20.00	-.57	2.00	Low_Coop	3.89	1.00
4	17.00	15.66	-3.57	2.00	Low_Coop	-.45	2.00
5	17.00	22.00	-3.57	2.00	Low_Coop	5.89	1.00
6	13.00	24.00	-7.57	2.00	Low_Coop	7.89	1.00
7	18.00	25.00	-2.57	2.00	Low_Coop	8.89	1.00
8	22.00	1.00	1.43	1.00	High_Coop	-15.11	2.00
9	18.00	22.00	-2.57	2.00	Low_Coop	5.89	1.00
10	27.00	20.00	6.43	1.00	High_Coop	3.89	1.00
11	20.00	6.50	-.57	2.00	Low_Coop	-9.61	2.00
12	13.00	22.50	-7.57	2.00	Low_Coop	6.39	1.00
13	13.00	13.50	-7.57	2.00	Low_Coop	-2.51	2.00
14	8.00	18.50	-12.57	2.00	Low_Coop	2.39	1.00
15	11.00	6.25	-9.57	2.00	Low_Coop	-9.86	2.00
16	11.00	12.25	-9.57	2.00	Low_Coop	-3.86	2.00
17	9.00	14.50	-11.57	2.00	Low_Coop	-1.61	2.00
18	11.00	5.25	-9.57	2.00	Low_Coop	-10.86	2.00
19	12.00	9.25	-8.57	2.00	Low_Coop	-6.86	2.00
20	10.00	11.25	-10.57	2.00	Low_Coop	-4.86	2.00
21	18.00	20.00	-2.57	2.00	Low_Coop	3.89	1.00
22	26.00	20.00	5.43	1.00	High_Coop	3.89	1.00
23	15.00	24.00	-5.57	2.00	Low_Coop	7.89	1.00
24	31.00	23.80	10.43	1.00	High_Coop	7.69	1.00
25	14.00	23.80	-6.57	2.00	Low_Coop	7.69	1.00
26	30.00	20.80	9.43	1.00	High_Coop	4.69	1.00
27	19.00	22.80	-1.57	2.00	Low_Coop	6.89	1.00
28	18.00	24.00	-2.57	2.00	Low_Coop	7.89	1.00
29	21.00	19.80	.43	1.00	High_Coop	3.69	1.00
30	23.00	24.00	2.43	1.00	High_Coop	7.89	1.00
31	29.00	16.60	8.43	1.00	High_Coop	.49	1.00
32	24.00	6.20	3.43	1.00	High_Coop	-9.91	2.00
33	20.00	.40	-.57	2.00	Low_Coop	-15.71	2.00
34	19.00	19.60	-1.57	2.00	Low_Coop	3.49	1.00
35	17.00	13.40	-3.57	2.00	Low_Coop	-2.71	2.00
36	25.00	13.40	4.43	1.00	High_Coop	-2.71	2.00
37	29.00	15.60	8.43	1.00	High_Coop	-.51	2.00
38	22.00	11.66	1.43	1.00	High_Coop	-4.45	2.00
39	20.00	6.20	-.57	2.00	Low_Coop	-9.91	2.00

Appendices

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	Resistance Level	Code_Coop Resist	Empowerment
1	High_Res	1.00	HC_HR
2	High_Res	2.00	LC_HR
3	High_Res	2.00	LC_HR
4	Low_Res	3.00	LC_LR
5	High_Res	2.00	LC_HR
6	High_Res	2.00	LC_HR
7	High_Res	2.00	LC_LR
8	Low_Res	4.00	HC_LR
9	High_Res	2.00	LC_HR
10	High_Res	1.00	HC_HR
11	Low_Res	3.00	LC_LR
12	High_Res	2.00	LC_HR
13	Low_Res	3.00	LC_LR
14	High_Res	2.00	LC_HR
15	Low_Res	3.00	LC_LR
16	Low_Res	3.00	LC_LR
17	Low_Res	3.00	LC_LR
18	Low_Res	3.00	LC_LR
19	Low_Res	3.00	LC_LR
20	Low_Res	3.00	LC_LR
21	High_Res	2.00	LC_HR
22	High_Res	1.00	HC_HR
23	High_Res	2.00	LC_HR
24	High_Res	1.00	HC_HR
25	High_Res	2.00	LC_HR
26	High_Res	1.00	HC_HR
27	High_Res	2.00	LC_HR
28	High_Res	2.00	LC_HR
29	High_Res	1.00	HC_HR
30	High_Res	1.00	HC_HR
31	High_Res	1.00	HC_HR
32	Low_Res	4.00	HC_LR
33	Low_Res	3.00	LC_LR
34	High_Res	2.00	LC_HR
35	Low_Res	3.00	LC_LR
36	Low_Res	4.00	HC_LR
37	Low_Res	4.00	HC_LR
38	Low_Res	4.00	HC_LR
39	Low_Res	3.00	LC_LR

Appendices

Empwerment Sheel.sav

	Cooperatio n	Resistance	Cooperatio n Deviation	Code_Coop eration	Cooperatio n Level	Resistance Deviation	Code_Resi stance
40	13.00	6.33	-7.57	2.00	Low_Coop	-9.78	2.00
41	29.00	19.80	8.43	1.00	High_Coop	3.69	1.00
42	21.00	9.40	.43	1.00	High_Coop	-6.71	2.00
43	24.00	8.20	3.43	1.00	High_Coop	-7.91	2.00
44	32.00	19.80	11.43	1.00	High_Coop	3.69	1.00
45	27.00	11.40	6.43	1.00	High_Coop	-4.71	2.00
46	29.00	20.60	8.43	1.00	High_Coop	4.49	1.00
47	25.00	18.60	4.43	1.00	High_Coop	2.49	1.00
48	6.00	20.40	-14.57	2.00	Low_Coop	4.29	1.00
49	28.00	18.40	7.43	1.00	High_Coop	2.29	1.00
50	28.00	15.60	7.43	1.00	High_Coop	-.51	2.00
51	18.00	18.80	-2.57	2.00	Low_Coop	2.69	1.00
52	20.00	18.80	-.57	2.00	Low_Coop	2.69	1.00
53	33.00	17.80	12.43	1.00	High_Coop	1.69	1.00
54	25.00	16.80	4.43	1.00	High_Coop	.69	1.00
55	21.00	17.80	.43	1.00	High_Coop	1.69	1.00
56	22.00	13.60	1.43	1.00	High_Coop	-2.51	2.00
57	16.00	18.80	-4.57	2.00	Low_Coop	.69	1.00
58	25.00	19.60	4.43	1.00	High_Coop	3.49	1.00
59	20.00	13.60	-.57	2.00	Low_Coop	-2.51	2.00
60	28.00	18.80	7.43	1.00	High_Coop	.69	1.00
61	24.00	18.60	3.43	1.00	High_Coop	2.49	1.00
62	25.00	17.60	4.43	1.00	High_Coop	1.49	1.00
63	23.00	.60	2.43	1.00	High_Coop	-15.51	2.00
64	21.00	18.60	.43	1.00	High_Coop	2.49	1.00
65	17.00	80	-3.57	2.00	Low_Coop	-15.51	2.00
66	21.00	17.60	.43	1.00	High_Coop	1.49	1.00
67	32.00	20.60	11.43	1.00	High_Coop	4.49	1.00
68	24.00	18.60	3.43	1.00	High_Coop	2.49	1.00
69	20.00	20.60	-.57	2.00	Low_Coop	4.49	1.00
70	13.00	16.60	-7.57	2.00	Low_Coop	.49	1.00
71							

Appendices

Empowerment Sheet.sav

	Resistance Level	Code_Coop Resist	Empowerment
40	Low_Res	3.00	LC_LR
41	High_Res	1.00	HC_HR
42	Low_Res	4.00	HC_LR
43	Low_Res	4.00	HC_LR
44	High_Res	1.00	HC_HR
45	Low_Res	4.00	HC_LR
46	High_Res	1.00	HC_HR
47	High_Res	1.00	HC_HR
48	High_Res	2.00	LC_HR
49	High_Res	1.00	HC_HR
50	Low_Res	4.00	HC_LR
51	High_Res	2.00	LC_HR
52	High_Res	2.00	LC_HR
53	High_Res	1.00	HC_HR
54	High_Res	1.00	HC_HR
55	High_Res	1.00	HC_HR
56	Low_Res	4.00	HC_LR
57	High_Res	2.00	LC_HR
58	High_Res	1.00	HC_HR
59	Low_Res	3.00	LC_LR
60	High_Res	1.00	HC_HR
61	High_Res	1.00	HC_HR
62	High_Res	1.00	HC_HR
63	Low_Res	4.00	HC_LR
64	High_Res	1.00	HC_HR
65	Low_Res	3.00	LC_LR
66	High_Res	1.00	HC_HR
67	High_Res	1.00	HC_HR
68	High_Res	1.00	HC_HR
69	High_Res	2.00	LC_HR
70	High_Res	2.00	LC_HR
71			

Appendix - VI

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FORESTRY FOR LOCAL COMMUNITY DEVELOPMENT PROGRAMME

GCP/INT/347/SWE

India and Sri Lanka

Agroforestry



FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

THE TAUNGYA SYSTEM

General

In many parts of the country, particularly in the hilly areas, the primitive agricultural practice of jhum is still followed wherever it is permitted. From the purely forestry point of view, it is one of its most striking successes that this destructive practice has been successfully turned into a method of regeneration so cheap and successful that it has latterly been intentionally introduced into areas where it had died out or been put down at an earlier stage.

The first organized attempts at taungya in India began in the last century soon after its first introduction by Brandis in Burma in 1856. The first taungya plantations were raised in 1863 in North Bengal followed by further attempts in 1886 at Sylhat in Assam and in 1890 in Coorg. However, regular taungya cultivation was not taken up until 1911 when it was used for raising Shorea robusta (sal) plantations in North Bengal where it was soon extended to Tectona grandis (teak) in 1912. It took a number of years to penetrate further and it was not until 1923 that it was adopted to regenerate failed sal coppice coupes in Gorakhpur Division in Uttar Pradesh (U.P.). The success was so remarkable that it soon became the standard method of regenerating sal in the lower alluvium forests and reliance on coppice regeneration was given up. In Madhya Pradesh and Maharashtra it was used extensively in the Berar region for raising babul. By 1931-32 it had been applied to regenerating forests in dry areas in Saharanpur (now Siwalik) Division in U.P. and in 1935 to the dry fuel forests of the then Madras Presidency. In the hills, taungya with deodar has been tried without great success in the Western Himalayas but has done well in Darjeeling hills with a variety of species including Cryptomeria, Quercus spp. (oaks), Michelia doltsopa, and several deciduous species. In addition to growing trees for timber and fuelwood, valuable cash crops or fruit trees like Anacardium occidentale (cashew) are also grown. Teak and sal are, however, by far the commonest species grown in India in taungya plantations.

Taungya plantations are now the standard practice in certain States for regenerating forests and species groups. It is a popular, extensively used technique in West Bengal, U.P. and Kerala. To a lesser extent taungya plantations are also taken up in Maharashtra, Andhra Pradesh, Orissa, Karnataka and Tamil Nadu. It has been tried and is practised on a smaller scale in most of the States. Areas are seldom reported separately from artificial regeneration as a whole, as village taungya may occasionally have to be converted into a departmental one or the area may be leased out to a neighbouring owner of an agricultural farm where operations may be largely mechanised. However, in densely populated areas like eastern U.P. and Kerala, taungya is the principal source of livelihood for a considerable number of poor people.

Brandis had originated the system by making the shifting cultivators plant up their jhum areas with teak before they vacated it, thus taking these areas out of the jhum cycle. This original pattern of taungya was followed in Assam from 1934 onwards when certain tribes practising jhum were put on raising taungya in sal forests where regeneration was difficult to achieve, resulting in substantial reductions in the area under the undesirable practice of jhum.

Wherever the basic conditions for its successful introduction - land hunger and unemployment in communities with a low standard of living were present - it spread, with multiple variations, all over the developing countries. The system was found to be very suitable for forest communities with a tradition of jhum. In some cases the right for taungya cultivation is even taken on lease by well-to-do agriculturists/co-operatives at a competitive price.

The taungya system may be defined as a method of establishing forest crops in temporary combination with agricultural crops. Agricultural cropping is confined to the period which ends with the casting of dense lateral shade or closing of the canopy of the forest crop. The farmers tend the forest crop and may also be required to plant it although this is often done departmentally. They usually receive use of the land in return for this labour. Lease rents may or may not have to be paid and there may or may not be a permanent plot for settled cultivation in addition.

Where free to do as he pleases, the taungya cultivator clearfells a patch of forest, perhaps leaving a few big tall trees or only girdling them and as soon as the felled material has dried out enough to burn, he fires it; he then broadcasts or dibbles in his field crop after as much soil working as may be necessary. His crops tend to be good as they are being raised on virgin or at least long-fallowed soil with the additional advantages resulting from the burn.

Thus the system begins with the clear-felling and burning of either the remains of a recently exploited forest or of the secondary growth. Some tree species may be marked for retention for their value or for shade. In most cases the first agricultural crops are planted one or sometimes two years before the tree crop, in other cases they are planted with or after the tree crop. The actual time of the year for planting both types of crops is regulated by the rainfall regime of the area concerned. Where agricultural planting precedes forest planting the objectives are to provide an incentive to the farmer to clear the land, to allow him to cultivate the area at its highest level of fertility, during a period when he is not burdened by the necessity of caring for the forest crop, and to ensure that the land is properly cleared before the forest crop is introduced. When the two crops are planted simultaneously the trees will receive an initial boost in growth from the burnt vegetable matter and the farmer will give more attention to weeding and tending of the trees at the same time as his own crops. When his field crops start giving returns, the tree crop also benefits from the intensive cultural practices that he adopts for his agricultural crops.

One or two year's cultivation without any forest crop is often permitted in any new area in which the method is being introduced, or in which a good deal of work is found necessary in getting the area ready for tree planting. This is often done in the drier areas in order to get the soil in good condition as there is little or no burn, and in these circumstances it is only after the first two or three years that the best crops are obtained. Seen from the purely forestry angle, delay is obviously to be avoided as the tree crop loses the great benefit of the favourable soil and growth conditions of the first season after clearing and burning, and the weeds get a start; it also lengthens the period of exposure of the soil, which is often harmful especially in dry areas. In the Khasi hills, cropping is continued for two years before the introduction of the tree crop (pine), which only takes place when the area is abandoned by the cultivators. The sowing is often done departmentally so that the cultivators actually only do the clearing and soil preparation.

Where there is ample forest, primitive peoples tend to take the one crop only before moving on to a new site. Elsewhere there is a tendency to demand a greater return from the labour involved in clearing a taungya and to continue to cultivate for two or even several years till the labour of weeding and reduced returns outweighs the other considerations. Thus in the Garo hills, 2 year's cultivation is usual, while in Gorakhpur it is continued for 4 years and in Saharanpur (U.P.), even 7 or 8 years. Agricultural cropping, especially if it is prolonged, may be harmful to the tree crop, although in general the soil working and other cultural practices are beneficial. In southern India for example, a definite loss of teak growth has been demonstrated for each successive agricultural crop, even the first. A second year's cultivation is liable to increase grass at the expense of woody regrowth which checks the growth of the teak. However, as the tree crop almost everywhere needs intensive weeding in its second year of growth, and as the deterioration consequent on a second year's cropping (when the trees are raised in the first year itself) is not great, except perhaps on steep slopes or with heavy rainfall, two years' cultivation is permitted in general. A longer period than 2 years must ordinarily be viewed as undesirable except perhaps in dry areas and other special circumstances.

Usually under current practice, the main goal is to establish a tree crop as soon as possible, but sometimes taungyas are raised at a wide spacing for production of leaf fodder and grass or fodder legumes. Because of socio-economic reasons, sometimes, although not as frequently as desirable, the farmer is assisted by making a compromise between the agricultural and the forestry objectives, and allowed to cultivate the land as long as possible. The trees chosen may be such as make it feasible to cultivate the area during the whole rotation, as in the case of hybrid poplars or cottonwood.

The area of taungya plantation which can be effectively dealt with by one family varies with locality, but usually ranges from one to four acres.

Some classes of taungya cultivator are not accustomed to live entirely on the dry crops they can raise in the forest taungyas and expect to supplement these with rice etc., raised with wet cultivation. In some areas where the water table is high, temporary unlined wells are dug for irrigation (Gorakhpur) and even a patch of paddy may be grown. Elsewhere, as is very generally the case in Bengal and Assam, the practice exists of allotting each family an area of wet cultivation as well as the forest taungya. The area of wet cultivation allotted is usually kept to the minimum for real requirements, otherwise there is resultant neglect of the taungya. One acre of wet cultivation per household is generally enough, and even this is given only where local custom already demands it. Occasionally land for dry cultivation without a forest crop is similarly given (west U.P.). Where cultivation continues for two or more years, it is sometimes customary for each cultivator to be allotted an additional new area every year, and sometimes only on vacating his original area after two or more years.

The taungya plantation procedure varies with the part of the country, the type of cultivator and the length of time the work has been going on. Generally, terms of cultivation are kept lenient at the beginning and are only gradually tightened up to what is necessary for good results. In the Darjeeling hills, the labour employed in the winter on timber and fuel extraction undertakes taungya work during the summer.

In most centres, the crops raised are fixed by local custom, particularly among the self-supporting tribes; this is commonly a mixture of hill rice, maize and cotton, with some tobacco and vegetables near the houses. In the more developed areas, the cultivators tend to combine meeting their own food and clothing requirements with raising other crops for which a profitable market exists - it may be cotton, or vegetables - and it is possible to regulate to some extent what is grown. This is particularly the case where the method has only recently been introduced, and it is both possible and expedient to disallow the raising of crops which will unduly shade the seedlings (e.g. maize or sugarcane), will climb over and smother them (some kinds of legumes), or will encourage vermin (sugarcane and Cajanus (arhar)). The season at which the different crops shade the seedlings and the ground requires consideration for each set of conditions as any crop may be harmful in one locality but good for another, sugarcane and arhar providing examples of this. Generally, the second year's crop is different from the first, thus potatoes may be followed by paddy or maize (Khasi hills). An agreement is usually drawn up excluding such crops as are considered harmful, though little information is available on the influence of different crops on the trees. Tapioca is generally recognized as a soil exhausting crop. The range of crops raised in taungyas is very wide and includes maize and grain crops, root crops (tapioca, potatoes), a big range of pulses, cotton, oil seeds (sesamum, castor oil etc.), all kinds of vegetables, sugarcane, bananas, and papayas. Generally the less tall and dense crops, and those which are thoroughly weeded, are preferable, cotton being one of the best.

Apart from the extent of land given out, the possible inclusion of wet cultivation, the period of cultivation and the crops permitted, taungya agreements vary considerably in the nature of the work required to be done on the forest crop, and in the question of payments if any. In South Bengal the practice still continues of making a cash payment at the end of a specified period (1 or 2 years) regulated on the number of plants or the proportion of the area considered adequately stocked; this payment has usually been about Rs.1 per 100 plants, or Rs.25 to 30 per hectare, with a sliding scale penalizing poor work. The cultivators have to leave the lines clean weeded, and there may be an additional clause calling for free

weeding in the following year and even later - or such further weeding may be contracted for at specified rates. In any case, it is usually important to make some definite arrangement for any further cleaning the plantations may need, as other labour may be difficult or impossible to procure. At the opposite extreme, where there is a keen demand for land, the cultivators will readily pay for the privilege of using the land, and a rent of Rs.2 $\frac{1}{2}$ or so per hectare is paid in some localities, Rs.5 in Gorakhpur.

Seed collection may be made the responsibility of the cultivator unless it has to be brought in from a distance and sowing may also be done by him. Staking out the area is done by a forest subordinate with or without the help of the cultivator. Nursery work is nearly always done departmentally except for the small nurseries often maintained by each cultivator near his house for prompt replacement of failures. Planting work which requires skill and care is usually done by the cultivator under supervision but is sometimes done departmentally as a separate operation. Special attention has to be given to seeing that the sowing or planting is done promptly at the right time, as the cultivator naturally will attend to his own crop first if both need work at the same time; it is accordingly necessary to organize the work and adopt methods which as far as possible do not coincide with the field crops in respect of the season when they make demands on the labour; an example of this is provided by the different methods of raising teak, sowing or stump planting - which can be done in April or May in some areas - being preferable to entire planting which must be done in June or July, just when the cultivator is busy with his own field crop and cleaning in the older plantations is also needed.

A good organization calls for an approximately equal new area to be taken up each year, a suitably sited, well constructed and sanitary village with good water supply (the site may have to be shifted every few years with the progress of the work, and some tribes prefer to move annually), and a forest staff sympathetic to and trusted by the cultivators. A vacillating policy and frequent changes of staff and methods spell failure, though it is possible to make steady and even fairly rapid improvements in methods if they are introduced gradually and tactfully.

Social aspects

In the taungyas, the emphasis has always been placed on the success of the forest planting, more particularly on establishing a forest crop at the least possible cost. All operations are primarily in the interest of the forest species. Scant attention has been paid to the seasonal crops grown by the agriculturists, or to their possible benefits to or interference with the forest crop but without much supporting evidence, many of the most paying crops have been prohibited in different localities on the grounds that they interfere with the growth of tree seedlings.

This is in spite of the fact that the very existence of artificial crops of many forest species or on many refractory sites has been possible only as a result of the adoption of the taungya technique, quite irrespective of the fact that the plantations are usually raised without any, or only at a nominal cost to the department. In fact, where there is pronounced land-hunger, the Forest Department sells taungya leases at high prices and thus not only establishes plantations at no expense but makes money in addition. Sometimes the cash revenue is extremely high (Kerala) and over and above the benefit of free establishment of forest crops.

As against these benefits what does the cultivator get, apart from his crop? He gets very little. The usual inducements that are offered (and by no means at all centres) consist of land for erecting temporary hutments, some inferior timber and thatching material, a hand pump for potable water, sometimes the right to manufacture charcoal from stumps which are too big to be removed otherwise and have to be dug out by the cultivator at the expense of considerable labour, elementary education for his children, and nominal medical facilities. Fencing is also sometimes erected around the taungya and/or ditches are dug to keep out wild animals, to protect the tree seedlings as much as the agricultural crops. There may or may not be an elementary community organization or panchayat and small credit facilities.

It will be seen that these facilities are designed primarily to keep the labour force of the taungya cultivators tied to their plots and in tolerable shape to enable them to look after the plantations because if they have no place to live if they fall ill, frequently the plantation will suffer. These incentives are, therefore, primarily linked with benefits to the forest crop rather than with the welfare of the taungya cultivators and are given to them at the minimum possible scale. The system is frankly exploitive in concept and operation and cashes upon the needs of the landless and poor people to serve its own ends. The much vaunted incentives are only a cloak for uninhibited exploitation, as the savings effected by the Forest Department are many times more than the expenditure incurred on elementary conveniences provided to the working force.

In some states such as West Bengal permanent forest villages have been established where reasonably comfortable houses have been constructed. The people settled in these villages normally constitute the forest work force but some of them also do taungya cultivation. The adoption of the taungya system may sometimes benefit an impoverished and rather isolated community and may make a positive contribution towards community development as demonstrated by the Bhinga case study.^{1/} But these are exceptions and one or two small exceptions, however significant in their local impact, do not alter the basic fact that the taungya system as practiced in India is purely forest-oriented and exploitive in character. The elements of community development are rudimentary and the contribution of this technique to the enhancement of the living standards and quality of life of the rural poor is minimal.

In the socio-economic conditions prevailing during foreign domination in the 1920's and 1930's when the taungya system was first introduced on a large-scale in most parts of India, such discrimination and exploitation of a hapless segment of the population might have appeared normal and had to be tolerated in any case; but now, by no stretch of imagination could these nominal concessions be described as benefits or real incentives in a welfare state whose citizens have every right to expect and demand equity and economic justice. It might be expected that in return for all that the taungya cultivators do, and all the money that the Forest Departments save in plantation operations, at least 50 percent of the normal departmental plantation cost might be spent towards their welfare. In cases where nothing but a taungya plantation is a practical proposition and no alternative technique of artificial regeneration has been evolved it would be quite in order to spend much more to provide comfortable living conditions to the usually destitute taungya cultivators.

The taungya system in India has been adopted by the Forest Department for regenerating areas mainly within the reserved forests, especially those where other systems of management had failed. Environmental protection or local community use can hardly be expected to have any relevance in such a situation. However, the raising of good forests in depleted areas and planting trees which may be in demand locally do fulfil both environmental and local community needs, almost inspite of the Forest Department.

In the case of resident cultivators the whole family resides in the taungya village which is usually situated in the current or one or two year old taungya areas. The whole family of 5 or 6 individuals, especially the adult men and women and older children are engaged in all operations connected with raising the field crops and looking after the forest plants. In cases of non-resident cultivators the able-bodied members of the family take charge of the taungya cultivation, the rest concentrating on their village holdings. The non-residents normally come for work as and when needed and may spend several nights in temporary hutments at taungya centres at the time of sowing, reaping and other operations which require intensive labour. Sometimes when damage from wild animals is excessive inspite of a fence or ditch, the cultivators also spend the night on temporary covered platforms inside their fields.

^{1/} See page 104 of this document in Appendix 3.

Appendix - VII

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
The 29th November, 1979 :

Present :

The Hon'ble Chittatosh Mookherjee,

One of the Judges of this Court.
Civil Rule No.5165 (W) of 1976, C.R.8893
(W) of 1976 and C.R.800 (W) of 1976 issued
by this Court.

In No.C.R.8902(W) of 1976.

In the matter of :-

An application Under Article 226 of the
Constitution of India ;

-And-

In the matter of :-

Issuance of a writ, direction and/or direction
or writ in the nature of Mandamus and/or in the
nature of Certiorari and/or in the nature of
Prohibition and/or any other appropriate writ,
Order, direction under article 226 of the
Constitution of India ;

-And-

In the matter of :-

1. North Bengal Jagir Cultivators Union
Registered.No.9977 represented through
Durggch Chandra Neogi, working president,
(a) Budu Rana ;
2. Bags Rana ;
3. Epu Rana ;
4. Punu Rana ;
5. Mahanar Rana, all are Forest Villagers of
Khukhum Forest,Village,
6. Jogin Rana ;
7. Rajen Rana ;
8. Niren Rana ;

contd...P/2.

3.

of West Bengal, Writers' Buildings,
Calcutta-1.

2. Deputy Commissioner, P.O. and
District-Jalpaiguri.

3. The Divisional Forest Officer,
Jalpaiguri, Forest, District ~~Jalpaiguri~~ ^{Cooch Behar}.

4. Sub-Divisional Officer, Alipurdwar,
District : Jalpaiguri.

5. Sub-Divisional Officer, Sadar Jalpaiguri,
P.O. and District-Jalpaiguri.

6. Conservator of Forest, Northern
Circle, West Bengal.

.... Respondents.

6
17/11/09

- 2 :-

9. Unar Rana, - All are forest Villagers of
Mella Forest Village ;

10. Pan Rana ;

11. Chandra Rana ;

12. Pulsi Rana ;

13. Sain Rana ;

14. Bhujel Rana ;

15. Dhiru Rana ;

16. Somra Munda ;

17. Dera Munda ;

18. Suna Oraon ;

19. Habil Christian ;

20. Charwa Oraon ;

21. Ratia Oxan ;

22. Mose Munda, - All are forest Villagers of
Gosaihat, Forest Villagers ;

23. Srimanta Rana ;

24. Akul Rana ;

25. Teng Rana ;

26. Suni Rana ;

27. Fulsingh Rana ;

28. Indu Rana ;

29. Chuang Rana ;

30. Badu Oraon ;

31. Somrah Oraon- All are forest Villagers of
Mogalkata Forest Village,

32. Maila Ghosing, ;

33. Pode Tamang ;

34. Ganesh Bhadur Tamang ;

35. Kancha Magor,

36. Dong Maila Tamang ;

37. Jheta Gising, -All are forest Villagers at
Rati Forest Village.

.... Petitioners

-Versus-

1. State of West Bengal, represented through
the Secretary, Department of Forest, Government

contd...P/3.

Appendix - VIII

১৬-১৭ই জানুয়ারী ১৯৯৯

দশমাইল বনবস্তিতে উত্তরবঙ্গ বনাঞ্চল (তরাই ক্ষেত্র) থেকে আগত গ্রামসমষ্টির প্রতিনিধি সভার কার্যবিবরণী ও সভায় গৃহীত প্রস্তাবাবলী

জানুয়ারী ১৬/১৭-১৯৯৯-এ মহানন্দা বনাঞ্চল সংরক্ষণ ক্ষেত্রের অন্তর্গত দশ মাইল বনবস্তিতে উত্তরবঙ্গ বনাঞ্চল (তরাই ক্ষেত্র) থেকে আসা বিভিন্ন এফ. সি. সি./ই. ডি. সি. প্রতিনিধিদের এবং গ্রাম প্রতিনিধিদের এক সভা অনুষ্ঠিত হয়।

নেস পন এবং দশমাইল ই. ডি. সির পক্ষ থেকে যুক্তভাবে ডাকা এই সভাটি ছিলো উত্তরবঙ্গে এ দ্বিতীয় প্রথম উদ্যোগ।

এই সভায় উত্তরবঙ্গ বনাঞ্চলকে নিশ্চিত ধরনের হাত থেকে বাঁচাতে ক্ষমত ও কার্যকরী কর্মসূচী গ্রহণের প্রয়োজনীয়তা নিয়ে বিশদ আলোচনা হয়। প্রতিনিধিরা সবাই এই মত ব্যক্ত করেন যে একটি বিকল্প বননীতি এবং বিকেন্দ্রিত সংরক্ষণ কর্মসূচী ছাড়া স্থায়ীভাবে কিছু করা এ অবস্থায় সম্ভব নয়। গ্রামের মানুষকে তৃণমূলস্বরে পরিকল্পনা গ্রহণের ক্ষমতা দেওয়া, স্থানীয়ভাবে সংরক্ষণ প্রকল্প গড়ে তোলার প্রয়োজন এবং সামগ্রিকভাবে এক গণমুখী সংরক্ষণ নীতির প্রয়োজন ইত্যাদি নিয়েও সভায় আলোচনা হয়। প্রতিনিধিরা পর্বসম্মতভাবে সিদ্ধান্ত নেন যে সাধারণ মানুষের জন্য এবং সাধারণ মানুষ পরিচালিত এক বন-সংরক্ষণ আন্দোলন গড়ে তোলা এ মুহুর্তে আন্তঃপ্রয়োজন। প্রতিনিধিরা এ বিষয়েও একমত হন যে বনদপ্তরের বর্তমান কাজকর্মের পদ্ধতি এবং বর্তমান বননীতি বন-পরিচালন ব্যবস্থায় সাধারণ মানুষের সক্রিয় অংশগ্রহণের পথে বড় অন্তরায়।

এই সভা থেকে নিম্নলিখিত সিদ্ধান্ত গ্রহণ করা হয় :

"উত্তরবঙ্গ বনবাসী সমিতি (তরাই ক্ষেত্র)" নামে এক নতুন সংগঠন গঠন করা হবে। এই সমিতিতে বৈকুণ্ঠপুর বনাঞ্চল (অংশ) কাশিয়ান বনাঞ্চল (অংশ), এবং মহানন্দা বনাঞ্চল সংরক্ষণ ক্ষেত্রের বিভিন্ন বেঙ্গ থেকে প্রতিনিধিরা নির্বাচিত হবেন। এই সমিতি নিম্নলিখিত মূল লক্ষ্যে কাজ করবে :

- উত্তরবঙ্গে এক গন বন-সংরক্ষণ আন্দোলন গড়ে তোলা।
- এই অঞ্চলের যাবতীয় বনবস্তি এবং বনসংলগ্ন গ্রামের অধিবাসীদের স্বার্থে এবং তাঁদের অধিকারের জন্য লড়াই করা।
- "সামুদায়িক বন-পরিচালন ব্যবস্থা" (গ্রামের মানুষদের হাতে বন-পরিচালনার সম্পূর্ণ দায়িত্ব তুলে দেওয়া)।

(২)

চালু করার জন্য লড়াই করা।

- ঘ) উত্তরবঙ্গের বিভিন্ন জায়গায় এ জাতীয় সমিতি গড়ে তোলা এবং উত্তরবঙ্গ ভিত্তিক এক কেন্দ্রীয় ফোরাম গড়ে তোলা।
- ঙ) উত্তরবঙ্গ অরন্যাকালের ধ্বংস রোধে প্রয়োজনীয় পদক্ষেপ গ্রহণ।
- এই সমিতি পরিচালনার জন্য উপস্থিত প্রতিনিধিদের দ্বারা এই কার্যকরী কমিটি গঠন করা হবে। এই কার্যকরী কমিটি আপাততঃ অস্থায়ী বা অ্যাড-হক হিসাবে কাজ করবে, এবং এই কমিটিতে ১৭ জন সদস্য থাকবেন। উপস্থিত প্রতিনিধিদের মধ্যে থেকে বিভিন্ন রেঞ্জের ন'জন এবং নেসপনের দু'জন এই সমিতিতে আপাততঃ নির্বাচিত হবেন। যে সব রেঞ্জ থেকে প্রতিনিধিরা সভায় উপস্থিত নেই, সেই রেঞ্জগুলি থেকে ৬ জন প্রতিনিধি ভবিষ্যতে নির্বাচিত হবেন। দশমহিল বনবস্তির শ্রীগোবিন্দ রুককা, কালাবাড়ি বনবস্তির শ্রীরাজকুমার রিজাল এবং জলডুড়ুর বনবস্তির শ্রী নৃপেন্দ্রনাথ রায় এই কমিটির যৌথ আহ্বায়ক হিসাবে কাজ করবেন।
- এই সভা, নেসপন ও দশ মাইল ই. ডি. সির আনা ভবিষ্যৎ কর্মসূচী, উপস্থিত সংশোধনীনমূহ সহ অনুমোদন করছে। এই কর্মসূচী/দাবীপত্র উত্তরবঙ্গ বনবাসী সমিতি তাঁদের কর্মসূচীর অন্তর্ভুক্ত করবেন।

Appendix - IX

Memorandum to the Chief Minister by NFFPFW

**NATIONAL FORUM OF FOREST PEOPLE AND FOREST WORKERS
(Rastriya Bana Sramajibi Mancha)
North Bengal Regional Committee**

**Sree Buddhadeb Bhattacharyya
The Hon'ble Chief Minister
Government of West Bengal
Writers Buildings
Kolkata-700 001**

Date: 26.03.2008

Sub: Implementation of Scheduled Tribes and Other Traditional Forest Dwellers(Recognition of Forest Rights) Act,2006 in West Bengal

Re: Principal Secretary, P&RD's Order no. 1220/PN/O/I/1A-2/07, dated 17/03/2008

Sir

We take this opportunity for thanking the State Government for initiating the much-delayed and much required process of implementing the historic Forest Rights Act,2006,in the state of West Bengal.

While welcoming the move, however, we would like to convey our concerns and apprehensions about the legality and justification of the process that has apparently been initiated through the Principal Secretary, P&Rd's Order referred above, and enclosed as Annex 1.

We found the said order in most points utterly violating the provisions of the Act it tries to implement, and thus creating serious legal and administrative impediments for any future process for implementation of the Act in a proper and just manner.

The above Order thus violates the *Scheduled Tribes and Other Traditional Forest Dwellers(Recognition of Forest Rights) Act,2006*:

It says(a) "A committee named Forest Rights Committee shall be formed at the level of Gram Sansad in the Meeting to be held to before 31st March,2008..", whereas the Rules for the Act(Rule 3.1) clearly says, "*The Gram Sabha shall be convened by the Gram Panchayat and in its first meeting it shall elect from amongst its members, a committee..*". It will be prudent here to remember that the Act clearly defines what a Gram Sabha is:

Section 2(g): "Gram Sabha" means a village assembly, which shall consist of all adult members of a village and in case of States having no Panchayats, Padas, Tolas and other traditional village institutions and elected village committees, with full and unrestricted participation of women;

The Act further defines what a "Village" is:

Section 2(p): "village" means—
a village referred to in clause (b) of section 4 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 or;

any area referred to as a village in any State law relating to panchayats other than the Scheduled Areas; or

forest villages, old habitation or settlements and unsurveyed villages, whether notified as village or not; or

in the case of States where there are no Panchayats, the traditional village, by whatever name called;

Gram Sansads in West Bengal may perhaps be treated as any area referred to as a village in any State law relating to panchayats other than the Scheduled Areas, but by limiting Gram Sabhas to the Gram Sansad level, and what is more dangerous, by making Gram Sansads co-terminus to Gram Sabhas(as defined under FRA,2006),the Order entirely violates the letters and the spirit of the Act. Not only this deprives the residents of Forest Villages and other habitations, settlements and un-surveyed villages of the State from their just rights of having their own Gramsabhas, and thus conducting the rights settlement process in a way suited to the hamlet-level situation, it also makes the actual implementation of the Act almost impossible. For instance, we have come to know that 11 remote and spatially separated forest villages in the Buxa Hills of the Alipurduar Sub-Division, Jalpiguri District, now need to function and operate through a single Forest Rights Committee, which has been hastily formed in the Area on 25.03.2008. We have been also informed of similar arbitrary and impractical Forest Rights Committees being formed elsewhere in the district.

Repeated mention of Gram Unnayan Samitis in the Order baffle us. The Order(c) says, "*Since Gram Unnayan Samiti has been constituted at the level of Gram Sansad, Forest Rights Committee shall act as a functional committee under Gram Unnayan Samiti comprising 10 to 15 members of Gram Unnayan Samiti subject to the compliance of condition regarding Scheduled Tribes and Women Members..*"

We fail to understand the logic of including Gram Unnayan Samitis in the Order, where neither the Act nor the Rules mention any such body/bodies, and which are clearly external to the Act. We will very much like to know that whether the P&RD Department, and, for that matter, the West Bengal Government, has any legal jurisdiction over the FRA, and whether any authority of thus changing the Act rests with the State Government. This Order further says that(d) "The Chairperson and the Secretary of Gram Unnayan Samiti shall act as the Chairperson and the Secretary of the Forest Rights Committee," whereas the Rule 3.2 clearly says, "*The Forest Rights Committee shall decide on a chairperson and a secretary and intimate it to the Sub-Divisional Level Committee*". By illegally imposing an external and pre-existing Committee upon the FRC, the Order deprives the Gram Sabha members from the democratic option to elect their own FRCs, and attacks the democratic and participatory essence of the Act.

We are also astonished at the very inappropriate and unwarranted haste implicit in the Order. Before this Order, the Government of West Bengal has taken no steps whatsoever to ensure that the potential rightsholders are informed of the Act, and the rights enshrined in it. The FRCs can only be meaningfully formed when and after the Gram Sabhas have been democratically constituted, people are sufficiently aware of their rights, duties and obligation as Gram Sabha members, and the Gram Sabha Meeting to form FRC has been attended by two thirds of the members. These are impossible to achieve within such a time-frame, and, according to the best of our knowledge, in many villages in Jalpiguri District, where FRCs have been formed on 24th and 25th March, there was no quorum, and Attendance Registers are being circulated either the previous day, or, after the meeting.

There is also the matter of actual, physical coverage of the Act. By confining itself to the Forest Department furnished list of Forest Villages, the process ignores the residents of many unrecorded forest settlements of the State, which have so far been not shown in any Forest Department Map.

Finally, we would like to draw your attention to the fact that the Act mentions "*The Ministry of the Central Government dealing with Tribal Affairs or any officer or authority authorised by the Central Government in this behalf*" as the "*nodal agency for the implementation of the provisions of this Act*". Does the P&RD Department qualify as the nodal agency here, and, does it have any legal authority for issuing Orders for implementation of the Act?

As a People's organisation working among the forest Communities of West Bengal and the country, and also as an organisation actively involved in the entire process of formulating the Act, we request you to immediately take all necessary steps to ensure that:

1. The Illegal and arbitrary Order issued by the P&RD Department gets immediately withdrawn.
2. All Governmental Activities to form FRCs under this Order in all parts of the State are suspended immediately.

Appendix - X

Agenda for Workshop on Community Governance at Takdah

NATIONAL FORUM OF FOREST PEOPLE AND FOREST WORKERS
(Rastriya Bana Sramajibi Mancha)
North Bengal Regional Committee

**FOREST RIGHTS ACT &
WORKSHOP ON COMMUNITY FOREST GOVERNANCE**
24th-26th May,2008,Takdah,Darjeeling

23rd May-6 PM: Inaugural Session
Speaker: Sanjay Basu Mullick,Munnilal,Shibo Sunuwar

DRAFT AGENDA

Thematic Session 1:(24th May and 25th May-pre-lunch)
Defining Community Forest Governance

10-10.40 AM
Resource use/Resource Ownership rights in FRA, and rights/duties to ensure sustainability.
(Soumitra Ghosh)

11 AM-1 PM
Interaction/discussion on FRA
(Initiator: Bijoy Debnath)

1 PM-2 PM
Lunch Break

2 PM-3:45 PM
Technical and Institutional Inputs in CFG
(Dr. A.K.Bannerjee, and responses)

3:45-4 PM
Tea Break

4 PM-5:30 PM
Experiences of CFG in India/Institutions and Governance Issues like Equity and Democracy
(Sanjay Basu Mullick, Munnilal, Mamata, responses by Dr. A.K.Bannerjee)

5:30-6:00 PM

Threats to CFG in post-FRA Scenario: Dangers of Privatization
(Souparna Lahiri)

6:00-6:15 PM

Tea Break

6:15-6:35 PM

Recap of the Day, outlining Day 2
(Soumitra Ghosh)

25-05-08

9.30-11 AM

Group Work: Identifying Actions to initiate CFG

11-11.15 AM

Tea Break

11.15 AM-1:30 PM

Plenary

**(Presentation by groups followed by Discussion: Initiated by Dr.A K Bannerjee,
Sanjay Basu Mullick)**

1:30-2:30 PM

Lunch Break

Thematic Session 2: Strategy in North Bengal

2:30-5 PM

Identifying Pilot CFG Sites
Preparing Action-Plans

5:5:20 PM

Tea Break

5:20-6 PM

Conclusion

(Sanjay Basu Mullick, others)

