

Ecological Regeneration and Livelihood Security through Forest Rights: Nayakheda, Maharashtra



Shrenik Mutha with Neema Pathak

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Introduction

“In the winter of 1961, a Govt. official arrived in a village called Kothie and told the villagers that some of their land would be needed to construct a helipad because someone terribly important was going to come visiting. In a few days, a bulldozer arrived and flattened standing crops. The villagers were made to sign papers and paid a sum of money, which they assumed was their payment for their destroyed crops. When the helipad was ready, a helicopter landed on it, and out came Prime Minister Nehru. Most of the villagers couldn't see him because he was surrounded by policemen. Nehru made a speech. Then he pressed a button and there was an explosion on the other side of the river. After the explosion he flew away. That was the genesis of what was to become the Sardar Sarovar dam. Could Nehru have known when he pressed that button that he had unleashed an incubus?”

Arundhati Roy, *The Greater Common Good*

The excesses of modernity and all things associated with modernity have led to serious social and ecological degradation facing humans, further complicated by -a host of inequalities on basis of different social strata, violence on ecology, and top down and centralized economic, political and social ways of functioning. After the experience of such models of development, there now seems to be an emergence of alternative development models, which emphasizes on more ecological and nature-friendly, egalitarian models of living.

The following documentation of Nayakheda, a place where Community Forest Rights has been claimed under the Forest Rights Act 2006 of India, is being carried out with the objective of documenting many such small but inspiring alternatives gradually growing in number. We hope this will help build a network of such efforts with each other, share experience and to make sharing possible from such experiences towards creating a society - more socially just and ecologically sustainable.

Methodology employed

General and Focused group discussions were conducted with the villagers of Nayakheda. Information is also based on observation made during the stay in the village, conversations with the villagers, KHOJ members and others. This documentation does not include the secondary literature review, which could not be done during this time frame. The official documents and other research papers are still needed to be procured and reviewed.

Socio-economic context

Nayakheda village: Its people and their world

¹ This case study is part of the project 'Alternative Practices and Visions in India: Documentation, Networking, and Advocacy', sponsored by ActionAid. It is based on notes of Kalpavriksh members visiting Nayakheda in August 2014, interviews with members of KHOJ and government officials, and notes taken by Shrenik Mutha an intern with Kalpavriksh in November 2014. This should be considered work in progress.

Cover photograph: Youth of Nayakheda in their conserved forest (Ashish Kothari)

Melghat Tiger Reserve, in Amaravati district of Maharashtra is a hilly forested protected area in the Satpura Range of central India. Melghat TR is inhabited primarily by *Korku* tribes. Although famous for its rich biodiversity, especially the endangered Royal Bengal tiger, the picturesque region of Melghat TR has also been in the news for the deaths of hundreds of children every year due to malnutrition.

The problem of malnutrition has been attributed by some researchers and local civil society organizations as an offshoot of a systemic breakdown in the traditional patterns of livelihood. In addition, the changes in the social, legal and economic sectors have also affected the entire lifestyle of the inhabitants of the region without much effort for their inclusion in such processes. Caught in the dilemma of retaining their own cultural values and practices and participating in the mainstream development, the people of Melghat have been pushed into impoverishment.

Although Melghat was historically rich in natural resources, there has been massive environmental destruction in the last four decades. The deforestation carried out by the Forest Department in the name of forestry operations has not been accompanied by sufficient regenerative plantation. The indiscriminate, illegal felling of trees led by unscrupulous contractors (hand-in-glove with corrupt officials) has added to the blow. Though there is good rainfall in the region, water does not percolate down to recharge the existing water resources due to low depth of soil because of erosion. There is a dearth of potable water in many villages, which gives rise to the need of water tankers in summers.

Access to quality public services inside and around the TR remain a bone of contention: whether it be Public Distribution System (PDS), health or education. The tribal welfare and development schemes implemented under the Tribal Sub-plan offer only peripheral relief and do not address the root causes of poverty. For the people of this region, survival and livelihood rank on top in terms of priorities, leading to excessive migration for livelihoods for 5-6 months of the year.²

In the above mentioned context of Melghat Tiger Reserve, Nayakheda is a small village on the outskirts of the TR. The village is inhabited by three main communities- the *Gavlis*, the *Bilais* and the *Korkus*.

Till very recently, there was heavy out-migration among the youth of Nayakheda in search of employment. Men migrated to places as far away as Pune and Mumbai in the lean season of 5-6 months.

Social and political structure

Spatial organization of the village is such that houses of the *Gavli* community are at the centre of the village, *Korku* houses are located behind them in parallel lines, while the *Bilais* houses are situated to the left of the *Gavli* houses, slightly away from the village.

Politically speaking Nayakheda is a part of a *gat gram panchayat* or a collective panchayat of a few villages. In the past people rarely participated in the compulsory 8 gram sabhas officially organized at the level of the cluster. This also resulted in their concerns not being heard and financial allocations not being made towards their village development. Health, education and public distribution system were almost non-existent in the village, with teachers and health officials rarely visiting the village.

² Source: <http://www.oxfamindia.org/where-we-work/mumbai/Khoj>

KHOJ: A facilitating civil society group

Located in the Achalpur block of Amravati, the KHOJ office is a simple place, where villagers and activists hailing from middle-class backgrounds work together. They have been working on the issue of malnutrition since 1995 in Melghat area. Since the enactment of the Forest Rights Act in 2006, they have also started facilitating its implementation in and around Melghat with the objective of ensuring greater participation in conservation and hence livelihood and health for people.

This documentation tries to put into words and pictures the efforts, problems and achievements that surfaced during the last eight years of implementation of the Forest Rights Act (FRA) in Nayakheda village. Nayakheda is part of a cluster of five villages where the implementation of FRA was facilitated by KHOJ. Among these four the process has moved ahead in Payvihiir and Nayakheda while Upatkheda, Khatijapur are also slowly catching up with various processes.

Historical perspective

Looking at the past: A historic perspective

Nayakheda village, like other forest areas in Melghat, buffer and outside the buffer were well forested till a few decades ago, as told by the elderly people in the village. Legally, these forests were under the jurisdiction of the forest department and were governed and managed completely by the department. These forests were regularly felled for timber by the Forest Department and by the local people for fuelwood.. In the words of the local people, ‘the forest had gone bald’. This according to the villagers was a grave situation.

For the people also, the forest held utilitarian value but more for the forest produce such as firewood, grass, medicines, etc. The gawli community (majority) are traditional cattle herders and trade in milk and milk products. They are particularly dependent of the wood and grass in these forests. Large quantities of wood at the rate of 25 kg per week (per family) are required to condense milk into “khoya”. Extraction of wood in this large quantity also had a serious impact on the quality of forests.

Major non timber forest produce such as *tendu patta* (*Diospyros melanxylon*), leaves used for making local cigarettes called *bidi*) of significant commercial value were extracted and sold by the forest department. The revenue from these sources both timber and non timber forest produce went to the state through the department and local people only earned some daily wage by participating in extraction. According to the Department conservation activities were carried out in these forests, people however claim that there ‘was no space for people’s participation, nor was there any transparency in financial matters’.

In 1999, Joint Forest Management Scheme (JFM) was launched in Nayakheda village by the forest department with the objective of regenerating degrading forests with the participation of the local forests. As per the state government resolution, 30% benefits from any harvest from the forests were to be shared with the JFM committees. Like in many other villages in the past, the implementation of JFM in the village seems to have been wrought with corruption and power play, such that local people claim that they did not know who were the committee members? How much money came in? And what activities were carried out?

The story starts to change

Filing claims under FRA

In 2008, when the implementation of the Forest Rights Act 2006 began, KHOJ decided to facilitate filing of Community Forest Resource Right (CFR) under FRA in Melghat region.

As part of that process in 2010, with the help of activists from KHOJ, who were also residents of the village the information about FRA was shared in the village *gramsabha*. This created a momentum in the village, with youth discussing the matter with elders in their village. An important role in this was played by a local youth Shivram, who is also a village activist with Khoj. Villagers acquainted themselves with the FRA, and this led to active inputs from them about the various possibilities that the act had opened up. *Panchayats* of four of the neighbouring villages came together and acknowledged the fact that claims on the community resources by any one village would lead to conflicts and problems in other villages, since people did not strictly follow any boundaries for resource extraction. Each village however, did have their own traditional boundary which was not recorded in any government records but was passed orally from one generation to the other. KHOJ facilitated demarcation of such traditional boundaries between the 4 villages which were filing the CFR claims for conservation and management of forests. Elders from each of the villages helped in understanding the boundaries. The voices of women, who have traditionally interacted with forests, could not be taken into consideration in the mapping exercise because of their social status and not being able to accompany the team marking the boundary.

In the next meeting a Forest Rights Committee (FRC) was constituted in all 5 villages including Nayakheda, to facilitate the process of filing claims, as required under the Act. KHOJ, through Shivram played an important role in facilitating this process in this village and dealing with any hurdles that came along.

The next step: Sub Divisional Level Committee's (SDLC) approval

With a very initial understanding of the Act, the SDLC initially rejected the claims filed by these villages. The Gram Sabha clarified the issues raised by the SDLC and resubmitted the claims. SDLC meetings were held again and members of the village as well as of KHOJ were invited to these meetings in which the nature of rights was discussed, the claims were finally recommended to District Level Committee (DLC) for final recognition. Participating in the SDLC discussions was a great opportunity for the villagers as it gave the people and KHOJ space to clarify nature of rights, geographical boundaries and arrive at a common understanding with the concerned officials without any conflicts.

After receiving the title over their CFR

CFR and forest conservation

The village received CFR title in 2012, through voluntary labour contribution they started management and conservation of forest as soon as they had filed their claims. They organized many gram sabhas to discuss the management of the forest and formulated a set of rules and regulations. These rules and regulations as well as voluntary activities were implemented over 200ha of forests. They realized that the as per the forest department's documents the area under their village was 631.24ha. While their title listed all compartments as mentioned in the forest departments documents, the total area under CFR was mentioned to be 201ha. An appeal for correction was filed with the District Level Committee to redress this.

Certain area in the forest was set aside for, soil and water conservation as well as wildlife protection. Provisions have also been made towards protection of forests from fire as well as unregulated and/or illegal use. Funds for forest patrolling are received through NREGA for their regular plantation, which was used for patrolling the entire forest area. The village has formulated a set of rules and regulations for conservation of forest, some of these include:

- The core of the forest is not accessible for grazing. Villagers are encouraged to stall feed rather than open grazing, although grazing is allowed in parts of the forest.
- Cutting of trees for firewood is banned only dry wood can be collected.
- Any commercial activity by an individual which involves cutting trees of the forest is banned.
- Hunting animals in the forest will be severely punished.
- Penalties for various violations were decided upon, eg for grazing Rs. 100/cow, Rs. 200/buffalo, Rs. 300/goat).

CFR and village development

A negotiation process initiated by KHOJ with the state Government led to a Government Resolution dated 20th December 2012 on Convergence making such villages a priority for implementation of all government schemes and programmes. As a result, implementation of all the programmes especially NREGA has led to substantial reduction in migration and more livelihoods opportunities to the people in Nayakheda and neighboring villages.

Box 1: Community Bio Gas Programme at Payvahir and Nayakheda block of Achalpur, Amravati district, Maharashtra

The Villages of Payvahir and Nayakheda have been working towards regeneration and conservation of their forest for the last 3 years. While trying to address their issues of forest conservation, the issue of fuel wood for kitchen became an emergency to be addressed.

The people identified community bio gas as the best alternative source suited for their needs and based on their resources. They had also visited a model of community bio gas at Bhintbudruk in Surat district of Gujarat, bordering Nandurbar.

Taking their interests further, a Community Bio Gas feasibility study was conducted by MEDA and UP State Bio Energy Mission. The Experts from both organizations had discussion with the communities and based on the field study, they have submitted feasibility reports. Since the cost of the UP Bio Gas Mission programme was less and the model had lesser post-operative technicalities and could be dealt with by the village Committee, the Village Gram Sabha of Payvahir and Nayakheda (Jambhala) consented for the UP Bio Gas Mission Model. As cow dung and bio mass is available in ample quantity, this model can become self-sufficient.

A proposal to the same effect was forwarded through the Forest Department and ZP, Amravati to the Governor's Office for support under the Tribal Cell. The proposal was sanctioned in the month of May 2013. However final orders have been issued recently and now the funds are available for the construction. The total cost of the 2 bio gas plants is estimated to be 75lakhs.

The programme is to be implemented by the communities through the Joint Forest Management Committee of the village and will be technically assessed at each level by

Decision making process now

Along with filing for CFRs, KHOJ also helped in revitalizing the existing JFM committee in the village. This was supported by the Forest Secretary, who facilitated revision of JFM resolution of the state government in December 2012. After some discussions people in the village decided that rather than having two different committees for JFM and CFR it would be easier to have a common committee whose function would be to implement activities as decided by the gram sabha. The gram sabha will be the primary decision making body.

The reason for having a single committee to managing the affairs of forest wildlife biodiversity management was to avoid conflict and give a common direction to the process. Forest rights were ensured through section 3 of FRA and management rights were ensured through a committee constituted under Section 4(1)e of FRA. The JFM Committee served as a source of Resource Provisions bringing in all the funds available with the forest department through convergence of resources under various departments towards forest management and livelihoods development . These resources helped implement the activities that the Gram Sabha had planned for village development as well as forest conservation and management. The decisions about the activities to be undertaken and selection of beneficiaries for government programmes was carried out in the Gram Sabha. The committees merely carried on the responsibilities as assigned to them in the Gram Sabha. Hence, there was no conflict in their work.

Consequently, a Forest protection Committee (FPC) of 9 men and 4 women was constituted. This committee drafts the plan of and proposes activities to the Gram Sabha. The gram sabha approves or disapproves of the activities and adopts a final plan. The Committee monitors implementation of the decided activities, including rules and regulations, imposition and collection of fines, plantation activities, among others.

Committees have also been formed for monitoring education in the village and anganwadi meals for school children. There was an attempt to form a farmers' committee also, which has not been completely successful yet. Women of the village have been organized into Self Help Groups; this has increased their visibility and also increased their participation in community activities. However, they did not want this to become a money lending group under the State government's scheme for self groups. This they felt would create rifts among the members. The women's SHG therefore, largely focuses on being a communication and interaction processes

As mentioned above, Nayakheda is part of a Group Gram Panchayat and has two of its members elected to the official Gram Panchayat as their representative. These two members are selected unanimously in the village in order to avoid political conflicts in the village community. The village has a very healthy relationship with the Gram Panchayat. However, since the Gram Sabha has become a major decision making body, the processes of Gram Panchayat and role of village representatives is seen as merely to facilitate their participation in official decision-making system.

Village funds and accounting

In order to manage its finances, the village has two accounts as per December 2012 guidelines on JFM, namely, government account and village account. All the funds received

by the village towards implementation of their programme go to the government account and are jointly managed by the Forest Guard and the JFM committee president. All the profits that the village earns or income through any other source goes to the village account which is completely managed by the Gram Sabha. The committee maintains receipts for the money which comes in as fines towards violation of rules. These funds are deposited in the village account. . The decisions about withdrawal of funds are made in Gram Sabha for both the accounts. In addition to these two bank accounts, the Gram Sabha also has another account in name of Gram Sabha Nayakheda which will managed funds received by the 4(1)e committee under FRA.

Social and Ecological Impacts

Achievements

1. The houses have also got taps. One of every 3 to 4 houses has water tap so that women do not have to go and fetch water-an activity which is quite laborious.
2. The forests have become dense and sightings of Forest quality: villagers report a marked increase in wildlife and sightings of sambhar, chinkara, python, bear, sightings of these animals was rate in the past.
3. Because of conservation works in planting, building bunds in the forests, digging holes, NREGS work has started which has helped people earn their livelihoods by staying in the village. The people spoke of this as an important reason which has enabled them to come back from urban centres to their house and thus helped reduce rural-urban migration. This appears to be an important result towards challenging all theories of mainstream capitalist development. However, seasonal outmigration, though reduced, still takes place to nearby urban centres.
4. The most important achievement of this initiative, as the people say, is that communities who lived separately have come together, built one force, work together with each other and hence have led to a political force being formed in the village where people have power in their hands for decision making.

Constraints

1. One important shortcoming of the initiative is that women's voices have not yet come up to the fore. Their experiences in interactions with the forest are yet not being brought under purview to make women-centric practices. Women of Nayakheda face problems in collecting firewood as cutting firewood is not allowed. They have to go far away to or pick up twigs which fall down as a result of thinning the trees.
2. There are occupational communities who come from other neighboring villages for activities like cattle grazing. They have not been taken into consideration while formulating the rules for the forest. They are being allowed to graze cattle but once protection activities will begin, the villagers say they may be restricted. Villagers are also finding it difficult to continue conservation activities since neighbouring villagers do not understand or even see the need to conserve forests and want the earlier systems of free use and access to continue.
3. At present the village is facing shortage of firewood and are thinking of establishing a biogas plant (in discussions during the walk, it was also mentioned that for creating the more condensed form of milk (khoya) as has been a common practice in the village, a lot of wood is required. So with the present FPC restrictions, people are moving towards direct sale of milk especially in monsoons.
4. Another question to delve on would be, 'Would this have been possible without KHOJ's involvement? Will the village sustain its activates if KHOJ moves out?There

is dependence on KHOJ as a team for decision making where leadership is taken by people who don't live in the same conditions. It is important to train people living in Nayakheda to take up roles for leadership and decision making, rather than always supporting them. That would be ensuring that these initiatives are sustainable and independent in their working. Hence, increasing the bargaining power in the hands of the villagers – especially women – would make a lot more difference.

5. Agriculture depends on pesticide and fertilizer use even today and traditional crop varieties and agricultural techniques are dying out.
6. Some people still need to migrate for 2-3 months during the year to work in bigger cities like Amravati, Akola etc.

Conclusion

According to Poornima, an activist with KHOJ, the developments in Nayakheda have been possible because of a number of reasons including, availability of legal tool in the form of Forest Rights Act, co-operation from the forest department under the leadership of the Forest Secretary Shri Praveen Singh Pardeshi, that has helped crystallize all the efforts into a collective process of action for better livelihoods and conservation.