

**Sociology and Resource Management**  
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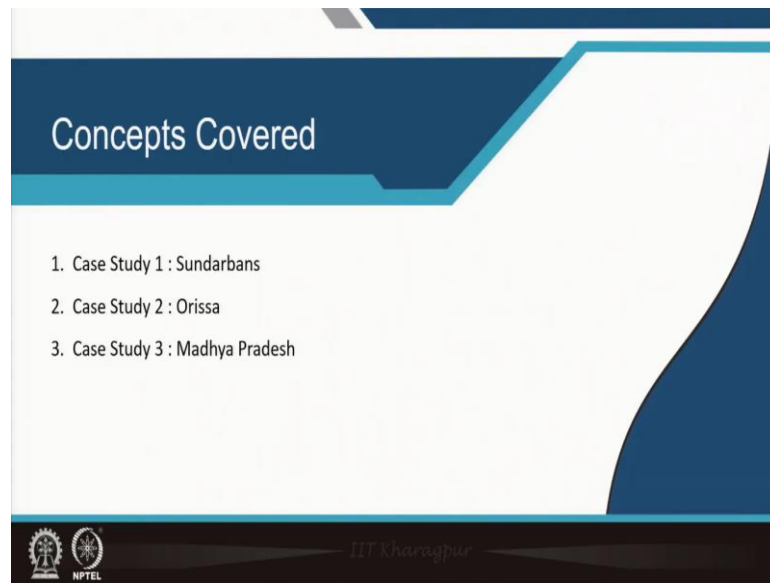
**Module - 04**  
**Participatory Approaches to Resource Management in India**  
**Lecture - 18**  
**Case studies from specific rights-based resource management policies**

Hello everyone. I welcome you back to Sociology of Resource Management. And we will continue with module 4. And if you remember, in the last lecture that we were talking about reformistic legislations, and I had specifically discussed in detail about two legislations that is the Joint Forest Management and the Forest Rights Act to, I would say, a very emancipatory and rights-based legislations that had been implemented all across our country.

So, in today's lecture I would be discussing about some particular case studies which will specifically show you the implementation process, how these two regulations have got implemented in some of the states. And within these case studies I would be showing you two particular case studies on Joint Forest Management and the Forest Rights Act from my own field that is the Indian Sundarbans where I had worked for my PhD and I am still working.

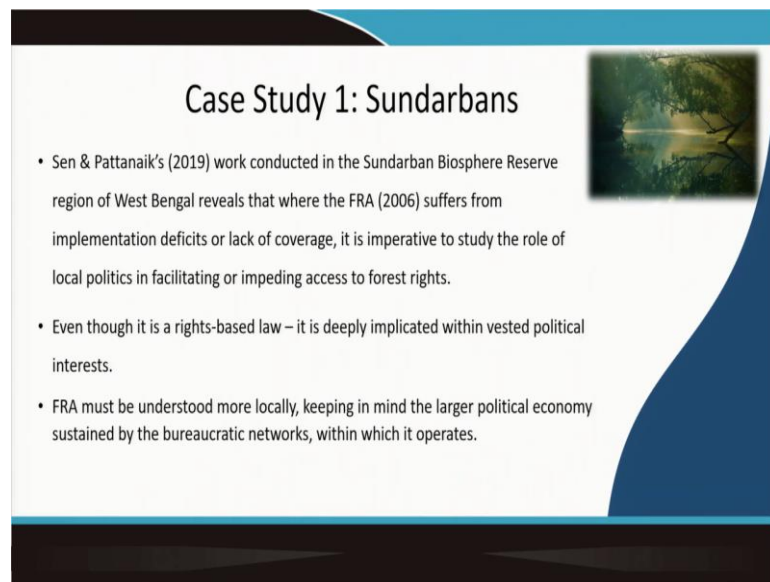
So, our lecture today would be then on the Case Studies from Specific Rights-Based Resource Management Policies. So, let us begin.

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So, as I was telling you that I would be talking about three cases. The first case will be from Sundarbans, the second case will be from Orissa, and the third case will be from Madhya Pradesh.

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So, the first case study as I was telling you that I will be telling about my own field experiences from the Sundarbans and the implementation or rather we can say the non-implementation of Forest Rights Act, 2006, in the particular region.

But before that I would just in a nutshell recall some of the provisions of the Forest Rights Act, so that you can relate to the mandates of the act and the ground realities of implementation in the Sundarbans.

So, as I have told you earlier that the Forest Rights Act is a one of its kind, it is the first landmark statutory law which aimed to grant ownership rights and different kinds of forest management powers to the marginalized forest dependent communities in India.

And while telling about this I would also like to mention here and this is very important that the Forest Rights Act does not only grant resource ownership and resource use powers to the tribal communities but also it very clearly mandates similar rights towards the other traditional forest dwellers, who are not tribals, but who have been staying in this particular area, in this particular forest area for more than 75 years.

And in this particular study, so when - as I come to the case of Sundarbans, I would particularly like to say this that the Forest Rights Act has not been implemented in the two districts of the North and the South, 24 Parganas where the Indian part of the Indian Sundarbans is actually located.

Now, there is every scope of implementation of the act, but because of several political reasons which are I would not say that it is only the top-down approach but several local level politics and different kinds of institutional politics and political drivers have actually inhibited the implementation of this act in the particular region.

And it is also an imperative to mention here that this particular study; so, my own observations on the non-implementation of the FRA in Sundarbans was published in a journal. I would be sharing that study with you.

So, this study actually complements the other available academic critiques on the Forest Rights Act, because in this particular study I observe what is called the 'politicization of the Forest Rights Act' and while I have seen that in specific cases there is a vast range of scholarship which actually indicates the fact that due to bureaucratic impediments the act fails to get implemented in the region.

In this particular study on the Sundarbans, I advance this claim that has been made by specifically bringing into the discussion the ways in which a particular rights-based law

can be very deeply implicated within vested political interests. Both at the national as well as the local and the supra local levels.

And I would like to just sort of introduce the case a bit to you. So, many of you would be knowing that Sundarbans is the largest tract of the littoral mangrove forests and it is spread over the India and the Bangladesh - majority of it is in the Bangladesh and we also have a significant part of the Sundarbans - so, it is situated at the Ganges Delta. But what a very few of us know is the fact that within the Indian Sundarbans as well as in the Bangladesh part as well, there is a significant number of people who are not only dependent on the forest, but also historically they have been inhabiting this region.

But it is very unfortunate that we only recognize the Sundarbans as a wilderness and we do not actually - we are completely oblivious of the, very very deeply rooted human history, the human ecology, the history of ecological conservation, the ways in which the people depended on the forest, the ways in which the cultural imagination of the community revolved around the forest. These are the things which are very rarely explore I would say, apart from some of the recent anthropological and sociological work.

So, I had conducted my own field work in a forest adjoining village that was known as the Emlibari, which is situated in the South 24 parganas, in the Gosaba block of the South 24 parganas, in an island called Satjelia and it is also imperative to mention here. So, sometime back I was telling you that the forest rights the Forest Rights Act does not only apply to the tribals, but also to the other communities.

So, it is very contextual to mention here that this part of the Sundarbans, the Indian Sundarbans is primarily inhabited by migrant communities. So, a chunk of the population for example, moved here after the partition in the post-independence period so, they are migrants from Bangladesh. But traditionally they are many of them have been, many of them are actually caste fishers, who have been generationally fishing in the forested creeks and rivers of the Sundarbans.

So, it is very interesting to see that we are talking about the limitations and of the fact that the Forest Rights Act is not being implemented in the region because of political drivers. But it is very important in this paper we actually found that the limitations of this

implementation along with the political economy of forest conservation also talks a great deal about the politics of the local actors.

So, the Forest Rights Act for example, as all of you know by now that it grants complete powers of resource governance, forest resource governance and use to the local unit, that is the Gram Sabha.

Now, what we observed here is that the capacity, the capacity of any institutional reform like the Forest Rights Act to reduce inequalities, to ensure a rights-based approach in many cases is also marked by the local elites who actually; this is something that Karthik and Menon talk about, who actually and these local elites try to reinforce a very veiled exercise of state power.

So, basically, they replicate the state powers. And by doing so, they chunk of this particular faction of people try to dilute the provisions of such a rights-based act in every sense of the term.

So, I was talking about Emlibari, the particular village where I conducted my fieldwork in the Gosaba Block. So, Joint Forest Management is extremely active in most of the islands that I visited including the Satjelia Island, where Emlibari village is located. And I will come to the case of Joint Forest Management, but most of the functionaries of the Joint Forest Management committee themselves strongly detest against the implementation of the Forest Rights Act for vested reasons and one very important reason why they detest and why they do not want the FRA to be implemented in the Sundarbans is the fact that they enjoy unilateral powers because of their association with the forest department. And so, for instance while they talk about the conservation of the forest, while they are extremely concerned about the conservation of the forest, much of it is actually aligned with the regulatory role of the forest bureaucracy.

While we spoke to different functionaries of the Joint Forest Management committee, they talked about different kinds of monitoring practices and ways in which they try to replicate the political economy of conservation and they are extremely against the implementation or against the fact that there should be any kind of, any more kind of rights-based approach because they try to say that this would be very detrimental for forest conservation. But this is actually not the fact. The fact is that many of these functionaries of the Joint Forest Management committee are the local elites and they

have vested political interests, they have very strong political powers, they align with the dominant political parties and they are also their own positions are largely sustained by greasing the palms of the bureaucratic networks within which it operates.

So, granting complete unilateral powers to the Gram Sabha to the local people would mean that these functionaries of the Joint Forest Management Committee would be completely dislodged of their existing powers and this is one of the main reasons why they would not want an act like the Forest Rights Act to be implemented in the region or they would not want anyone from their village to mobilize or to participate in any kind of awareness generation program that can sort of make the implementation of the Forest Rights Act easier in the region.

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The slide is titled "Joint Forest Management: Sundarbans" and features a bulleted list of three points. In the bottom right corner, there is a small video inset showing a woman with dark hair, wearing a yellow top, speaking. The slide has a white background with blue and black decorative elements.

- In Sen's and Pattanaik's (2017) paper, we explore how traditional state laws on protected area conservation can pose a threat to the customary collective rights of local communities inhabiting these areas including livelihood vulnerabilities.
- It looks at the community based natural resource management paradigm and how the joint forest management programme has affected the customary rights of the locals communities in the Sundarban.
- What are successes and the limitations of the programme?

As I was telling you that the next case is about the idea of customary law and something the Joint Forest Management is very proactively, I would say implemented in the region and in another paper of ours that was published in 2017 in the economic and political weekly, we actually show how the traditional state laws can actually pose a very very critical threat to the customary collective rights of the local communities.

And actually, in this paper, we also look into the community based natural resource management and how the Joint Forest Management program which has now been introduced and which is running in almost every village in the Indian Sundarbans has actually affected the pre-existing customary rights of the local communities.

Now, this actually again poses a very important question for us that what are the success and what are the limitations of this particular program. So, here I would be again talking about some areas.

So, for instance, I visited and I reviewed the performance of some of the Joint Forest Management committees of the nearby villages like, I can tell you the name of Dayapur, Pakhiralay, Jamespur , Lahiripur, Chargheri, then Rajat jubilee. All these are names of Joint Forest Management committees in the block of Gosaba.

So, while I draw closely, from very closely from one or two of the Joint Forest Management committees - what I understood was the fact by talking to the forest workers in the region was the fact that through these Joint Forest Management committees, what the forest department is doing is that it is strategically trying to introduce new means of alternative livelihoods, newer income generating activities through the CAG committees, it is providing livestock to the households like roosters, ducks, goats, etcetera.

But what is happening is that these benefits are not getting distributed in a very proper manner. And in most of the cases, the forest workers are trying to respond and they are trying to argue that none of them, none of the people who are actually visiting the forests, who are actually depending on the forest for their livelihoods are actually getting any kind of user front benefits from the Joint Forest Management committees.

And let me tell you that most of these families who are actually forest dependent, they are highly impoverished, and they are also marginal. They do not have any land, they do not have any material assets, but there is a completely skewed distribution of benefits that can be very simply testified by the fact that if 100 houses are in need, it is only 2 or 3 that is getting these user front benefits. And these are also based on political preferences and political patronization.

So, it is sort of inevitable that while on the one hand we saw that in the official mandate Joint Forest Management is talking about alternative livelihoods to ensure that people do not over exploit the resources. But it is inevitable in a place like Sundarban that people to whom these benefits are not accruing have to resort to the forests compulsorily in the absence of any other viable or alternative livelihood generation options.

And in many of these committees, as I was telling you, the fact that there had been several customary rights before the advent of the Joint Forest Management committees. So, many of these JFMCs are actually denying the rights which might have existed earlier.

So, for instance, I can give you an example of small fuel wood collection from the riverside areas which was earlier or right a customary right of the communities. But with the advent of the Joint Forest Management committees, no one from the village is actually allowed to extract this dry fuel wood from the riverside part of the village because they are always under the strict surveillance of the committee members - of the joint forest management committee members.

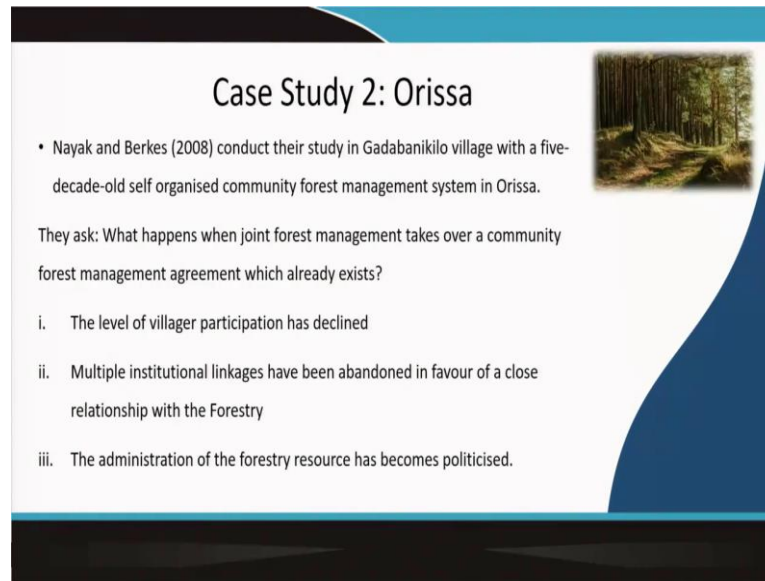
So, many of the people actually from the villages they actually try to argue, that in the name of creating a joint mechanism of forest management what the forest department is trying to do is that it is trying to create representatives, official bureaucratic representatives in the local villages who can spy, who can put the fisher people under surveillance in their occupation and can report to the authorities to punish the offenders and these members of the committees are actually the real beneficiaries of what is known as the user front benefits that are mandated under the Joint Forest Management.

So, if you remember in the last class, I was talking about the Arabari experiment where Ajit Banerjee, Dr Ajit Banerjee had first introduced that 25 percent of the revenue should accrue to the villagers. So, that they have a steady, at least a steady, some steady source of livelihood. So, that they do not always have to over exhaust the resources.

And also, another problem is that the Sundarban forests as you all know that they are inhabited by the tigers and it is extremely risky for the villagers to enter these forests, forest areas to fish. But on the other hand, they do not have any options because they do not get any kind of user front benefits from the Joint Forest Management committees.



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The slide features a title 'Case Study 2: Orissa' at the top center. To the right of the title is a small photograph of a forest path. Below the title, there is a bullet point: '• Nayak and Berkes (2008) conduct their study in Gadabanikilo village with a five-decade-old self organised community forest management system in Orissa.' This is followed by a question: 'They ask: What happens when joint forest management takes over a community forest management agreement which already exists?'. Below this, there are three numbered points: 'i. The level of villager participation has declined', 'ii. Multiple institutional linkages have been abandoned in favour of a close relationship with the Forestry', and 'iii. The administration of the forestry resource has becomes politicised.' The slide has a blue and black decorative border.

So, I will now come to the next case study and the very briefly I will tell you about that. It is the case study of Orissa. So, this is again, here we find the impact of adapting a government-based co-management policy in the form of Joint Forest Management in an area where there is a five-decade old, self-organized community, forest management system.

So, this is basically a paper by Nayak and Berkes where they actually pose a question that does not appear to have addressed before. So, this question is very important that, what happens when Joint Forest Management actually takes over or co-opts an already existing system of community-based forest management?

So, what are the differences between the Joint Forest Management, the recent Joint Forest Management system and the already existing community-based forest management that had been there for several generations? So, what are the limitations and what are the advantages?

And this particular comparison in answering this question of the Joint Forest Management arrangement with the self-organized community forest management regime provides three very critical conclusions according to the author that is, the level of villager participation in forest management has declined along with the erosion of the bundle of common rights held by them.

Secondly, multiple institutional linkages between the village and the outside agencies and reciprocal relations with neighboring villages have been abandoned in favor of a close relationship with the forest department and the administration of forestry resources have actually become politicized.

So, basically the observations from Orissa reveal to them that this one size fits all approach of the Joint Forest Management with its pre-packaged objectives and its very narrow scope of forest management is likely to limit the benefits or the advantages, the scope for learning, the institutions innovations, that used to characterize the erstwhile community management.

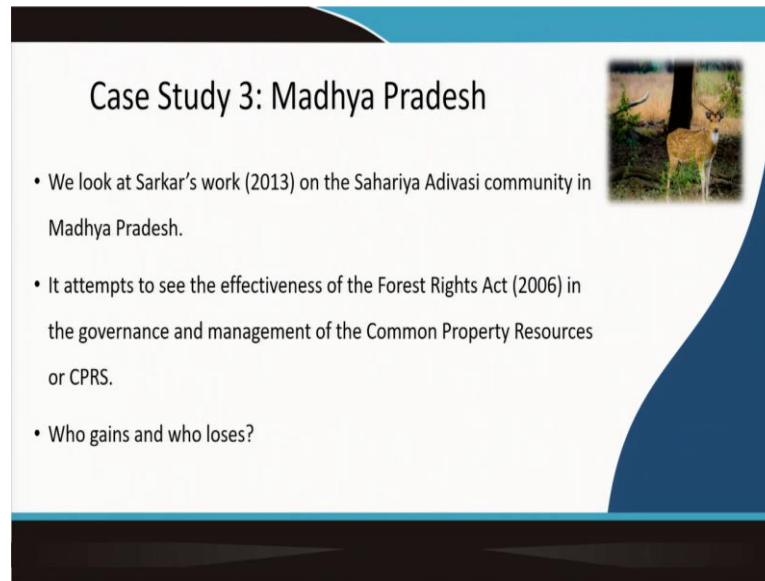
The findings of their research in a particular part of Orissa actually shed light on what happens when India's Joint Forest Management replaces an established community forest management organization. And furthermore, the findings show very low involvement, not only in comparison to an ideal JFM, but also in comparison to the particular arrangement that was supplanted or co-opted by the Joint Forest Management in 2002.

And to put this particular situation in context, they also make a distinction between the forest in need of rehabilitation and the forest that have already been restored or are in sustainable use as a result of the existing local arrangements.

And their findings also show a loss of reciprocal relationships with the neighboring villages which is again extremely damaging due to the growing power equations and the hierarchies. And this leads to increased incidences of poaching, regional strife. And the community's ability to address its own problem, they say that in the future, may be hampered by diminishing the role of the general village assembly which was earlier very important in terms of community management of the forests.

And with this privatization bias monetary emphasis commercial species fix, fixation, Joint Forest Managements one size fits all prescriptions are actually a very very blunt weapon according to the authors in this particular paper.

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The slide features a white background with a blue and black decorative border. The title 'Case Study 3: Madhya Pradesh' is centered at the top. To the right of the title is a small square image of a deer in a natural setting. Below the title, there are three bullet points. The slide is framed by a blue and black border.

### Case Study 3: Madhya Pradesh

- We look at Sarkar's work (2013) on the Sahariya Adivasi community in Madhya Pradesh.
- It attempts to see the effectiveness of the Forest Rights Act (2006) in the governance and management of the Common Property Resources or CPRS.
- Who gains and who loses?

So, I will be discussing another case from the Madhya Pradesh. This is done by Sarkar. I would be sharing the paper with you.

So, they study the Sahariya Adivasi Community in the Madhya Pradesh which is often - the region is often referred to be India's upland forested remote and tribal region and it is home to at least 46 scheduled tribes who according to the various studies are India's considered to be India's poorest of the poor.

And the Sahariya Adivasi Community is one of the many ethnic groups that contribute to the entire population. They have, for decades they have struggled to stay afloat even after India acquired independence, and due to discrimination, they have suffered for a very long period of time.

And so, this particular paper by Sarkar shows us the effectiveness of the Forest Rights Act, in the governance and management of the common property resources. So, they ask two questions. To what extent and in what ways is this legislative reform playing out on the ground? Again, they are trying to they are trying to look into the implementation of their FRA on ground. And they also ask who gains and who loses, and why?

So, these are some of the fundamental questions which is sort of the author's give a very detailed account of the action research which tries to study the policy and practice in the Sheopur district of Madhya Pradesh and they try to say that when numerous stakeholders

have claims on the same piece of land, the claimants have used a variety of tactics to reclaim their rights. So, the tribal forest users strive to control resources and landscape through this particular act by remembering and defining the long forgotten.

And despite the Forest Rights Act promotion of complete devolution of authority to the communities in issue, they try to say that the communities on ground, they especially, with respect to the socio-economically and politically weak groups like that of the Sahariya tribes, it is actually a challenge because a very in the region a very commonly circulated phrase is that the government is donating land.

So, when they refer to the Forest Rights Act, they actually talk about this that the government is donating land in the name of the community and in order to make the FRA popular, they are using these kinds of tactics.

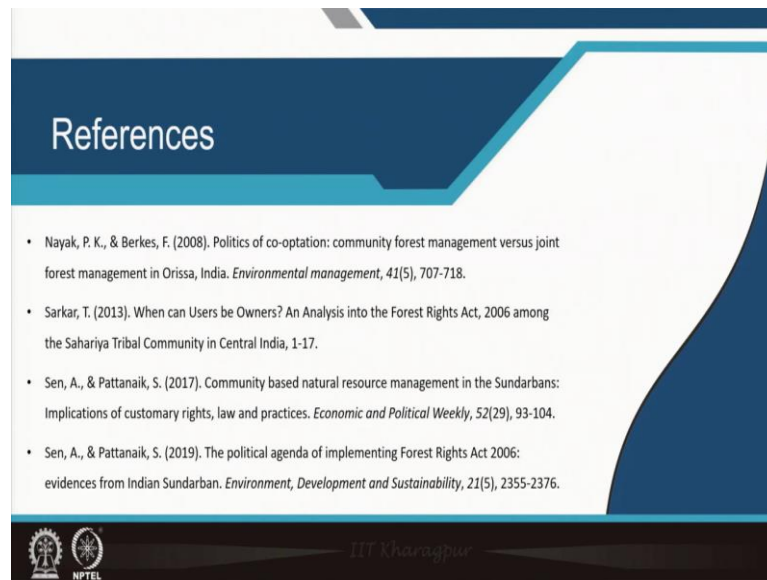
And despite the author say, that despite the fact that the Forest Rights Act has re-ignited the debate over common rights community rights, there is a very lesser chance that it would be functional towards retrieving the lost rights of the erstwhile traditional communities like that of the Sahariyas, who have been inhabiting the forests of Madhya Pradesh for generations.

And the irony, they also say that the irony in this kind of scenario is that, the adivasis who were evicted from the protected areas for biodiversity conservation will be moved from a different part of the same protected area for development sort of needs. And as required by the act, the local foresters and the bureaucrats must relinquish their ability to administer the commons, effectively.

And these kinds of rights-based acts to be effective on the ground, it is very important to look onto the nuances or the dynamics between the people and the resources.

Particularly, in the case of the traditional tribal communities, and to sort of observe and to take into account to learn lessons from what kind of resource governance or resource management practices have been existing in this region for decades and what is the scientific rationale behind these kinds of conservation norms, traditional conservation norms that have been there for generations that had been sort of the customary rights of the tribal communities like the Sahariyas.

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So, I will be concluding this lecture with these 3 case studies. And I hope that the references that have been shared here would be read by all of you in detail. So, that you can actually know what are the ground realities and what are the different drivers which are diluting the particular provisions of several of these rights based reformistic approaches on ground.

And what can be the ways ahead. So, there are also some readings which would be talking about some policy prescriptions, would be giving you very important leads to sort of consider or to sort of think about ways in which these reformistic rights based principles can act effectively on ground.

So, thank you for joining this lecture. And I hope to meet all of you again for the next lecture on Decentralization.