

Four analysis of the societies

Policy and Objectives

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

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

Institutional Analysis

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

Choice of the institutional form

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



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

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

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

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

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

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

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

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

Criteria for membership

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

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

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

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

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

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

Rights

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

Criteria for selection of areas

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

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

Methodology of extending the scheme

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

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

People's participation

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

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

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

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

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

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

Financial Systems

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

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

The sources of income for the KFCS were as follows.

Grant-in-aid

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

Table 3: Grants-in-aid received by KFCS Tripal 1947 to 1969	
Date	Amount (Rs)
21.7.46	50.00
19.7.48	96.00
14.1.49	120.00
31.3.49	96.00
15.12.49	216.00
30.6.50	25.00
10.2.51	290.00
30.12.52	59.80
28.9.53	1,342.10
3.2.56	335.60
14.8.56	50.00
10.6.57	170.60
14.6.58	367.00
26.5.59	388.00

Source: Financial records of KFCS, Tripal



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

Sale of timber

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

Sale of resin

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

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

Source: Rawal 1968

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





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

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

Income from khair

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

Miscellaneous

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

Overall management

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

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

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



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

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

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

Forest Management Systems

Types of lands under the KFCS

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

Table 5: Forest classes managed by the KFCS			
Reserved forest	(RF)	3%	636 ha
Demarcated protected forest	(DPF)	30%	6,984 ha
Undemarcated protected forest	(UPF)	49%	11,480 ha
	(UF)	14%	3,282 ha
Unclassed forest	(BM)	0.3%	71 ha
Ban maufi forest		0.4%	94 ha
Shamlat land	(PW)	1%	392 ha
Private wasteland*	(MS)	2%	424 ha
Malkiat shamlat			
Total			23,363 ha

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

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

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

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

Systems of forest management

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

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



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

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

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

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

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

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

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

Quality of the KFCS forests

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

Table 6: Average growing stock in forests in Kangra Forest Circle		
Felling series	Average growing stock m ³ /ha	
	Dharamsala FD	Dehra FD
FD managed forests, series I	132	113
FD managed forests, series II	104	77
Under KFCS management, series III	171	93

Source: W.P for Kangra Forest Circle for 1981/82 to 1995/96

Table 7: Estimate of capital value of KFCS forests in 1967*				
Asset		Area (ha)	Rate Rs/ha	Value (Rs)
Land		23,560	1,000	23,560,000
Growing Stock	Chil	2,060	7,000	14,420,000
	Oak	250	3,000	750,000
	Fuel & others	5,970	400	2,388,000
	Coppices	2,160	1,000	2,160,000
	Bamboo	21	1,500	31,500
	Plantations	3,400	300	1,020,000
	Protection	9,700	1,000	9,700,000
	Wildlife & NTFPs			200,000
	Total			54,229,500

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

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

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

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

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

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

Forest offences

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

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

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

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

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

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



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



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

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

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

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

Timber distribution

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

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

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

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

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

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

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



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