

The Decision of the Department of Forests and Its Impact

1. The final decision regarding this dispute over trees felled in January 1992 was only made on April 31st, 1994. Due to the delay, approximately 25 per cent of the timber decayed and the women's group suffered a significant loss of income, which is also a loss to the national economy.
2. The delayed decision and accompanying uncertainty hampered the JWCFG's ability to care for the forest properly and also affected its morale and interest, threatening the existence of the group.
3. The OP is only valid for five years and the decision restricts felling of trees throughout the plan period. The women feel that no concrete benefits will accrue to them in the future.
4. The decision states that all income generated from the sale of the disputed timber and fuelwood should be used to conserve and preserve the forest. This is a disincentive. The forest area is very small (only 3.93ha), and the entire income from it cannot possibly be used in that way exclusively. But the group is not allowed to use this income for social development work.
5. The DOF's decision has affected only the women's group. No visible action was taken against the concerned DOF officials who knew about the felling operation.
6. Due to the DOF's decision, which was made without any established Forest Act, bye-laws, rules and regulations, other user groups in Gorkha District are asking about felling trees despite what is stated in the Operational Plan. If allowed, this will clearly violate community forestry programme policy and endanger the success of the community forestry programme.

7. Clause 20 of the Operational Plan of 1991 stated that the JWCFG account had to be operated by opening a bank account and that a minimum of 25 per cent of the income had to be used to protect and develop the forest. The group was given the authority to decide how to spend the rest.

Clause 22 of the revised Operational Plan of 1994 stated that a minimum of 75 per cent of the income should be used for forest development work. Apart from this, all income generated from the auction of timber and fuelwood extracted in 1992 and 1993 was to be used solely for conserving and preserving the forest. This demoralised JWCFG members. Other groups are also losing interest in community forestry because of this Clause.

8. The Operational Plan of 1991 gave JWCFG authority to revise the plan. This provision was not included in the revised plan. It follows that, although the forest has been handed over to the group, it remains in the possession of the DOF, and the group cannot revise the OP as it wishes.
9. The Operational Plan of 1991 allowed the users' committee to spend up to Rs 200 on its own. Amounts exceeding this required the consent of the group. This provision is also missing from the revised plan.
10. The revised OP is valid for five years and, unlike the earlier plan, has no provision for renewal. Consequently, the group feels insecure, as the forest might be taken back at the end of five years.

In view of all the actors in the conflict, the impact of the conflict and the decision made by the DOF have to be assessed at different levels.