

Research Paper

VAN (FOREST) PANCHAYATS IN UTTAR PRADESH HILLS :
A CRITICAL ANALYSIS

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Abbreviations

UP	-	Uttar Pradesh
FD	-	Forest Department
SDM	-	Sub-Divisional Magistrate
DM	-	District Magistrate
FPI	-	Forest Panchayat Inspector
DFO	-	Divisional Forest Officer
VPC	-	Village Panchayat Committee
FPO	-	Forest Panchayat Officer

VAN (FOREST) PANCHAYATS IN UTTAR PRADESH HILLS: A CRITICAL ANALYSIS

Abstract

This paper is based on in-depth case studies of four Van Panchayats in Uttar Pradesh (UP) hills. Van Panchayats in UP hills were born out of the conflicts and compromises that followed the settlements and reservations of forests in the hills by the turn of the last century. The Van Panchayat Rules were enacted in 1931 and subsequently revised in 1972 and 1976. According to the rules, one-third of all inhabitants of a village can resolve to form a Van Panchayat. Till the end of 1985, a total of 4058 Van Panchayats had been formed occupying approximately 15 per cent of the total forest land in the hills. The Panchayat is responsible for internal management and grazing, collection of fuelwood, fodder, timber and protection. Van Panchayat Committees are authorized to levy fine in case of misuse of forest resources and collect fees from users of forest resources. Most Van Panchayats hire watchmen and pay them either in kind or cash. This simple structure at the village level is subject to the administrative and technical control of the Revenue and Forest Departments which take only peripheral interest in Van Panchayats and do not coordinate their activities. Van Panchayats also do not have autonomy in utilisation of surplus revenue generated by them. Gradually, Van Panchayats are also losing, due to changes in rules, their ability to impose and collect fine. The new rules stipulate that a Panchayat can compound an offence only with the agreement of the offender. In spite of these problems, most Van Panchayats could protect their forests. The key elements that have helped people's participation in group action and communal management of forests include strong need for forest-based resources, relatively small and homogeneous groups, presence of Van Panchayat Committee as an arbitrator and provision in the Van Panchayat rules and regulations for penal action against those who violate the rules.

Van Panchayats could be used to rehabilitate degraded forests, both civil and reserved, in the hill areas of Uttar Pradesh provided a pragmatic approach is adopted and the Van Panchayats are encouraged to participate in every stage of Planning and execution. However, it is hard to gauge as to what extent this model can be applied in the plains of the country particularly in social forestry programme. The heterogeneity of the caste system and wide variations in social and economic power structure within a village in the plains may require some modifications in the model to make it effective.

Introduction

In India, at present two diagonally opposite views about the role of people and their institutions in the management of forests prevail. One view holds that people have been provided unduly large concessions and rights in the forests which has led to depletion of the forests (Government of India, 1976). The other view holds that India's forest policy has alienated people from forests with which they have lived symbiotically through the ages and this has caused deterioration of the forest resources (Guha, 1983). In this paper we examine the role of people's institutions in managing forests drawing upon the experiences of Van Panchayats in Uttar Pradesh (UP) hills. The article has a two-fold objective-- (i) it attempts to analyse the existing organisation structure, operation, management, and problems faced by the Van Panchayats in UP hills, and, (ii) it seeks to isolate the factors and situations that led to collective action in the management of forests.

The methodology adopted for the study include a sample survey of 58 households in four selected villages of Kumaon and Garhwal regions of UP hills. We also interviewed the Van Panchayat Presidents, Panchayat Committee members either individually or in groups, Forest Panchayat Officers, Forest Van Panchayat Inspectors and the Forest Department (FD) officials concerned and had informal talks with few old natives of the villages. Although we conducted a detailed study of only four Van Panchayats, we visited several other Panchayats and discussed about the management and problems faced by them and validated the information and impressions gathered from four selected Van Panchayats.

Historical Perspective

The history of the Van Panchayats in UP hills [1] elaborates the land and forest settlements, their reservations, and the various social and political movements that followed these settlements. Prior to the British occupation and even in the early period of their occupation till 1865, people enjoyed unlimited and unrestricted rights in the use of forest resources. The waste and forest lands did not attract the attention of pre-British rulers; the native governments did, however, subject the produce of the forests to small cess as and when they were exported but the forest products consumed by the people were not taken into account (Atkinson, 1884).

The first land settlement was carried by Mr. Traill in 1823. The boundaries of the villages were demarcated and they were free to exercise their rights of grazing, cutting timber and collecting fire wood (Rawat, 1985). This settlement is known as Sal Assi settlement since Vikram Samvat, 1880 coincided with it. Since the British occupation of Kumaon from 1816 to 1865, practically no system of conservancy was introduced; in fact, till 1858, forest contractors freely exploited forests as they wished on petty, small payment (Pant, 1922). This was further accentuated by the attitudes prevalent among the administrators that the forests represented an obstruction to the prosperity of the country, as their removal would add to the class of land paying revenue (Guha, 1983). In 1865, for the first time, Government tried to restrict the utilisation of forest resources. Due to increase in both human and live-stock population over time the demand for resources increased, hence, formal institutional control over forests became necessary. Further, to ensure that national interest is not sacrificed for the local needs the Indian Forest Act, 1865 was effected. A more comprehensive and modified version of the act was framed and enacted in 1878. This act empowered the Government to demarcate the valuable tracts of forests and restrict their utilisation. During the course of debate on the bill, however, it was admitted that people were entitled to enjoy, under very formal and clear arrangements or guarantees, rights of very extensive character (Pant, 1922). Consequently, cattle were allowed to graze freely, and people were allowed to remove forest products for fuel, fodder, timber and for making mats, baskets etc. to generate income. In the intervening period of these two forest acts, in 1872, another land settlement was done, in which only private, cultivated lands were measured. These lands were termed as nap land and rest as benap land.

The forest settlement has been done twice since the enactment of the Indian Forest Act, 1878; initially some 280 square miles of forest was declared as reserved forest in 1879. This did not affect people very significantly because the forests reserved during this period were away from the habitation. However, through a series of legislation and government orders all benap land were declared as protected forest by the year 1897 [2]. This made life very hard for the people and several social movements were launched in the region. While people were still unaccustomed to the newly imposed rules and regulations and were struggling to get back their curtailed rights, the government reserved these protected forest in the second settlement between 1911-1917. One of the forest Settlement Officers, Mr. Nelson,

had commented while forming reserved forests his best efforts could not convince that the forests do not belong to them (villagers) and they did not believe in the historical fact of government ownership of forests (Nelson, 1916).

In the 1916, Kumaon Association consisting of elite Indian group was formed to deal with the forest problems of Kumaon (Rawat, 1985). This group organised people in UP hills and took up the demand of inhabitants regarding their rights and concessions. These demands were earlier reflected in the occasional outburst on forest officials and forest burning in protest of the severe and stringent rules and regulations regarding the use of forest resources. In response to these agitations and protests, a committee called the Forest Grievances Committee for Kumaon under the chairmanship of Mr P. Wyndham, the then Commissioner, Kumaon division, was set up in 1921 to look into the people's grievances. The Committee interviewed 5040 people from Nainital, Almora and British Garhwal districts and got an inkling that the hill men were impatient and any attempt to strictly enforce these (forest regulations) would lead to riots and bloodshed (Forest Grievance Committee for Kumaon, 1921, p.2). The committee identified the following main grievances (p.3): (i) Demarcation, i.e., forest boundary pillars often come too close to cultivation or buildings, (ii) Lopping and grazing restrictions, (iii) Employment of forest guards to enforce numerous rules and regulations and their constant interference with women and children, who under the customs in vogue in Kumaon, are the chief people to exercise on behalf of the village such rights as lopping, collection of minor produce, grazing etc., (iv) Rules regarding fire protection, (v) Strict restriction on the exercise of minor rights to those which are formally recorded in the rights list and (vi) Measured land was taken up within the reserves and in some cases either inadequate or no compensation was given.

The Committee recommended reclassification of the forests. In areas where local demand was heavy, it was recommended that Van Panchayats be formed to manage the forests [3]. Accepting these recommendations, the Government reclassified forests as class I and II. Class I forests have little commercial value but they are important for water retention and supply of fuel and fodder to local people. Class II forests have comparatively more valuable tree species. On the recommendations of the Forest Grievances Committee for Kumaon, class I forests were handed over to the Revenue Department (Diwadi, 1978). Simultaneously, Forest Panchayat Rules were enacted for these regions in 1931. The

rules have been augmented and modified from time to time; the latest modified rules pertain to 1976 [4]. Regarding the formation of Van Panchayats what we heard from Gulab Singh of the village Parwara in Nainital district, in our previous survey, was quite revealing (Ballabh and Singh, 1987). He narrated that when the second forest settlement was done and the forest around the village was reserved, large scale illicit felling was done in the forest. Some prominent people of the village were summoned to Haldwani by the district administration and were questioned about it. According to him, the villagers blamed the thieves and nomads for felling and thus escaped from the punishments and penalties. This state of affairs, he told, was more or less repetitive. In fact, the present Sarpanch of Pauri Van Panchayat, who is also quite aged narrated the same story but with a difference that heavy penalties and punishments were imposed on villagers. When the villagers were approached to form a village Van Panchayats they readily accepted it. Government had already made the plans for establishing the Van Panchayats and class I forests were dereserved. Thus the Van Panchayats were formed on class I dereserved forests, and civil forest areas.

These accounts are, by no means, an indepth analysis of the process of evolution of Van Panchayats. But this short analysis amply demonstrates people's interest and their dependence on forest resources. In retrospect, if we evaluate the British forest policy in India particularly in the UP hills; it does not seem to us that their sole motive was to conserve the forest in the larger interest of the country as advocated by Rawat (1982, 1985). Majumdar Bist (1988) and Guha (1983) have convincingly argued that the industrialisation in England, beginning of railways, and setting up of industries based on forest raw materials enlarged the demand and enhanced the value of forest products. The Kumaon region of Uttar Pradesh, rich in forest, was one of the major suppliers of this new commercial demand. However, even if we assume that the policy was, in fact, meant for conserving the forests, it fell short of any provision for alternative resources and production processes in lieu of these forest resources on which people were so much dependent for their livelihood. It appears to us that the state tried to impose its monopoly over forest resources and people resisted it. The concept of Van Panchayat was born and accepted as a result of these conflicts and compromises.

Forest, People, and Government in UP Hills

The hill region of UP has a total geographical area of about 51,435 sq.km and a total population of 4.787 million (1981 census) and 3.40 million cattle units. A typical feature of land use pattern in the region is preponderance of forests; some 65 per cent of total geographical area is under forests. Classification of the forests in the region by ownership is given in Table 1. It is evident from the table that practically all of the forest area is owned either by the state government through its Forest and Revenue Departments or by the

Table 1: Classification of forests in UP Hills by ownership

Ownership	Area in hectares	Percentage of total forest area
1. Reserved forest under control of the Forest Department	23,75,517	68.92
2. Civil Forests*	4,25,100	12.33
3. Soyam Forests*	1,53,450	4.45
4. Panchayat Forest	4,69,326	13.63
5. Private Cantonment and municipal forests	23,262	0.67
Total	34,46,655	100.00

Source : Forest Department, Government of Uttar Pradesh Van Panchayat Afforestation Project (draft), p.3.

* Civil and soyam forests are under the direct control of Revenue Department. Usually people have unlimited rights and concessions in civil and soyam forests.

Panchayats. The major portion of civil and soyam forest is under the control of the Revenue Department and a part of it is controlled by the civil and soyam sections of the Forest Department. This has been effected through Government orders

where under civil and soyam forest lands, were transferred to the FD for afforestation purposes. It is estimated that some 15 percent of the civil and soyam forests is under the control of the FD. The rights and obligations of people and government in various categories of forest land vary considerably. The FD has full control on the reserved forest area and the powers are derived from the Indian Forest Act. People are free to graze their animals collect fallen wood except from the areas closed for regeneration and rights for timber etc are also provided which are executed by the Forest Department on receipt of applications from the village pradhan.

The civil forest is under the direct control of the District Magistrate who regulates it through the Patwari and the village pradhan. In practice, however, the regulation in civil and soyam forests is almost nil. Extensive encroachment by both officials and villagers on these forest lands has been reported (Saxena, 1987). Where the degraded civil and soyam forest land has been transferred to the Forest Department, reforestation has already been done or is in operation. The Forest Department officials, however, reported that they have little regulatory power in these areas and tremendous difficulties are faced in protecting these newly planted areas because people are used to freely exploit these lands and maintenance is very poor.

The Van Panchayat forest lands form approximately 15 percent of the total forest land in the hills of UP. The management of these forests is done by the people under the regulatory control of District Magistrate. Till the end of 1985, a total of 4058 Van Panchayats had been formed and recognised; their districtwise distribution is given in Table 2.

The table reveals marked inter-district variations in the number of Van Panchayats and their area. These differences can hardly be explained in terms of geographical area, number of villages and population of the districts. These factors have, undoubtedly, contributed but to a lesser extent to inter-district variations. The land revenue arrangements and administration were also similar and all the five districts were under the Ryotwari system. The following three factors seem to be plausible explanations for the variations -(i) preponderance of civil or class I type of forests in the district at the time of second settlement, (ii) time of reservation and settlement, and (iii) local leadership and literacy rate: Imperial Gazetteer of India (1908) records that Almora indicates a high literacy rate and this explains its relatively higher proportion of forests

under Van Panchayats. Almora was also known for its honest and committed leaders; Kumaon Association formed in 1916, was led by Pandit Gobind Ballabh Pant who hailed from Almora district.

Table 2 : Distribution of Van Panchayats in different districts by number and by area

District	Number	Area in hectares	Percentage to total forest land in district
1. Nainital	198	20718	5.20
2. Almora	1719	295889	66.47
3. Pithoragarh	983	62966	19.54
4. Paurigarhwal	662	37604	8.00
5. Chamoli	496	52149	9.89

Source: Forest Department, Government of Uttar Pradesh, Van Panchayat Afforestation project (draft).

Profiles of the Selected Van Panchayats

The four Van Panchayats selected for the study were Parwara in Nainital district, Devikhal and Naikada in Ranikhet sub-division of Almora district and Jeharikhal in Lansdowne subdivision of Pauri Garhwal district. The Van Panchayats were selected purposively since they represent diverse agroclimatic regions, and are situated in the altitudes of UP hills and managed by women, specially Devikhal was selected precisely for this reason. Annexure II gives basic statistic of the selected Van Panchayats. Two points to be noted about the demographic characteristics of these villages are their small size, in terms of number of households in the village and second, dominance of single caste in each of these villages except in Naikada. Naikada was selected to represent multi-caste villages.

Homogeneity of caste within a village is not an uncommon feature in Uttar Pradesh hills (Guha, 1985).

Table 3 provides, salient features of selected Van Panchayats. As we shall see later, the availability of the forest resources and demand have important bearing on peoples' privilege, method of forest produce utilization and distribution. Parwara Van Panchayat forest is and has good vegetation, however, the maintenance of newly planted 100 ha by the Forest Department is not good. Devikhal Van Panchayat forest is another extreme, which is mostly degraded and denuded. But performance of the Devikhal and Naikada village should not be judged from their present condition. Many old villagers confirmed that at present there are more trees in the region and in their Van Panchayat forest than 80-100 years ago. Therefore, their performance should be evaluated from these perspectives.

Procedure of Organising Van Panchayat

If a village desires to form a Van Panchayat, the gaon sabha must pass a resolution with one third majority and apply to the Sub-divisional Magistrate (SDM) for registration. The SDM, on receipt of application, asks the Patwari (village revenue clerk) to conduct an inquiry and submit a report on the propriety of forming a Van Panchayat. Then, the SDM inquires from the villagers and from neighbouring villages if they have any objections. The inquiry made at this stage is meant to ensure that (i) most villagers are willing to form a Van Panchayat on their civil or class I dereserved forest; and (ii) the rights of the villagers and neighbouring villagers are recorded. After attending to the objections, if any, the SDM forwards the application with his recommendations to the District Magistrate (DM). The DM, then, directs the Forest Panchayat Inspector (FPI) through SDM, to hold an election for constituting a Van Panchayat Committee. Date, time, and place of election are notified in the village through the village pradhan (Chairman, gaon sabha) and village Patwari. Anyone, who has the right to vote, possesses sound mind, and does not hold a post of beneficiary of any Government, is eligible to become a member of Van Panchayat Committee. Once a Van Panchayat committee is formed, a surveyor (Amin) is asked to survey the area of forest Panchayat and prepare a map and a Khasra (a document showing right of possession and ownership). Simultaneously, bye-laws are framed under the direction of the FPI by the elected members of the committee. All these documents are sent to the Forest Panchayat Officer (FPO) who, after getting convinced forwards them to DM

Table 3: Salient Features of Selected Van Panchayats

Particulars	Parwara	Devikhal	Naikada	Jeharikhal
1. Year of establishment	1932	1960	1933	1957
2. VP Forest(ha)/household	2.32	1.17	0.40	0.40
3. VP Forest+Civil Forest(ha)/household	2.67	1.60	0.73	0.95
4. VP Forest(ha)/cattle unit	0.36	0.28	0.05	0.12
5. Reserved Forest in vicinity	No	No	No	Yes
6. Type of forest	Kharsu,oak, and broad leaved specieses	Pine, padam, eucalyptus etc.	Pine, acacia	Pine few oak in patches
7. Status of Forest (quality)	Good	Degraded	Fair (in patches degraded)	Good
8. Resin,Timber sales through FD	No	No	No	No
9. Main crops	Potato wheat barley etc.	Wheat barley ragi,bhatt	Wheat barley ragi,bhatt	Wheat, ragi lentil
10. Horticultural crops	Apple (commercial)	Chikoo walnut oranges (for home)	Chikoo walnut oranges (for home)	Oranges walnut etc. (for home)
11. Women's involvement in Forest Management	Nil	Yes	Nil	In previous committee.
12. Market link (km)				
(a) Paccka road	2	3.5	0.0	1
(b) Nearest town	2,6	11	11	3.5

and DM finally to the Commissioner for approval and sanction. All the expenditure on survey and preparation of map and khasra etc is borne by the villagers.

Organisational Structure

At the village level, Van Panchayat Committee headed by Sarpanch is the sole arbitrator for management of the Van Panchayat forest. The members of Van Panchayat are elected by the village people every five years. The election is mostly informal, voting is done by raising hands, not by secret ballot. It is generally ensured that all parts and all groups of the village are represented in the committee. To bring about unanimity and equal representation of each patti [5] the leader of each patti is asked to nominate his representative for the Van Panchayat Committee. Generally all these nominated members are elected. This method is generally followed in most villages. A village Van Panchayat Committee can have 5-9 members. The elected members, are called Panchas, and then elect their leader, the Sarpanch. The elections to Van Panchayat committee is conducted under the supervision of a nominated officer of District Magistrate (usually FPI or Patwari). Most often in village Van Panchayat committees each caste is represented in proportion to their household number in the village. However, Brahmins in Naikada are significantly under-represented at present. Women also participate in forest management but to a very limited extent. Two of the Panchas and the Sarpanch in Devikhal village are female members.

There are two advantages of the informal system of election. First, it encourages informal discussion and generally helps reach a consensus about good and committed candidates. Second, it avoids waste of money, time and bitterness in electioneering, which is a common feature in Village Panchayat elections. This however does not make Van Panchayats free from factionalism and groupism. A case in point is Parwara village, where two strong groups of Kshatriyas co-exist and compete for the membership of the Van Panchayat in every election. But this system provides room for participation across the groups and moderate members of the opposition group are always co-opted in the Van Panchayat Committee. Several other factors help ensure that such informal elections are not manipulated by those who are socially and economically strong. These include homogeneity in caste, and less skewed distribution of land compared to the plains. From our discussions with the villagers, we gathered that generally elections were fair and square.

The functioning of village Van Panchayats is supervised and regulated by SDM/DM and their sub-ordinates. The hierarchical arrangement for the regulatory functions of village Van Panchayats is given in Exhibit 1.

Exhibit 1 : Organisational Structure of Van Panchayat Forest Management

A. At District Level

District Magistrate
(DM)

B. At Sub-division and
Tehsil Levels

Sub-divisional Magistrate
Ex-officio

Forest Panchayat Officer
(FPO)

Forest Panchayat Inspector
(FPI)

C. At Village level

Patwari

Sarpanch Van Panchayat
&
Van Panchayat Committee

At the district level, the DM is overall in-charge of all Van Panchayats for the regulatory purposes in the district. He is assisted by the FPO, and the SDM at sub-division level. Under FPO, in each tehsil, there is one or more than one FPI. On an average for every 450 Van Panchayats there is one FPI and one subordinate staff. However, each FPI does not have equal number of Van Panchayats to supervise. FPI is responsible for conducting elections, monitoring the work of village Van Panchayats, and reporting on the functioning of village Van Panchayats to the FPO and DM. Besides, he is a link man between Revenue Department and Forest Department. In spite of the formulation of the Van Panchayat Rules, as early as 1931, the FPI and his staff still work under an ad hoc arrangement. The resources provided to the FPI are too meagre vis-a-vis his responsibilities. Each FPI is entitled to draw a maximum of only Rs.5 per month for stationery items and Rs.80 per month as travelling allowances (this includes both travel expenses and other cash allowances). In practice, what happens is that the FPI is paid actual travelling allowance minus Rs.80 from administrative funds or otherwise. We cannot

expect intensive supervisory and regulatory work with these limited resources. Added to it, this is one form of institutionalising corruption, because one cannot expect an officer to spend his money for official work. At the same time, there is no need to pay Rs. 80 every month when the FPI has not travelled. According to villagers, unlike early days of formation of Van Panchayats when even the Commissioner and the District Magistrate used to visit the Van Panchayats; the FPI visit less frequently these days.

There are two important roles that the FPI should perform. First, they should create and strengthen Van Panchayats as an institution building task and second, they should provide technical know how to the Van Panchayats. The FPIs have little technical knowledge about forestry, hence, they have to depend on the FD who should prepare a development plan. The FPIs perform their task of the institution building well as it is evident from the fact that there are 4058 in the UP hills. The FPIs should be motivated to do a better job of institution building. All administrative control is vested in the District Magistrate and Commissioner who operates through FPO and FPI. The Van Panchayat Committee has to take permission from the commissioner to make changes in the bye-laws, and appoint a watchman to guard the forest. Besides, DM/SDM can dissolve the Van Panchayat Committee if they think the committee is not properly functioning.

Linkages with the Forest Department

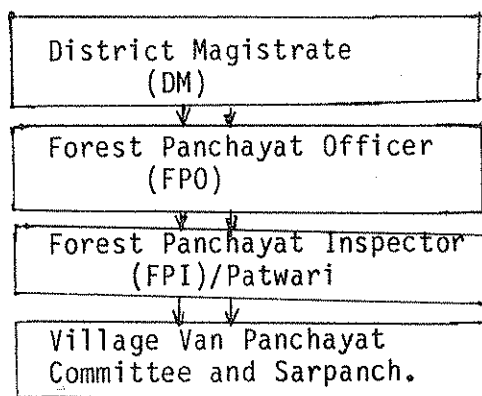
The FD assists the forest panchayats in two ways: i) provides technical help regarding marking and auctioning of trees, tapping of resin etc. and ii) prepares developmental plans for the forests under Van Panchayats and executes them in initial years. For these services, the FD would receive a portion of the sale proceeds of Van Panchayat forests. In practice, however, the FD has never prepared any comprehensive working plans for the Van Panchayats as it does for the reserved forests. Lately, of course, the soil conservation section of FD is preparing reforestation projects for the degraded/denuded Van Panchayat forests under the World Bank project.

The Van Panchayat can sell only fallen and dead trees without prior permission of FD to right holders. Even the fuel wood needed to meet contingency demands for purposes like marriage, death and birth ceremonies etc., cannot be provided by the Van Panchayat Committee without prior approval of the FD. The procedure is quite lengthy and time consuming (Exhibit 2).

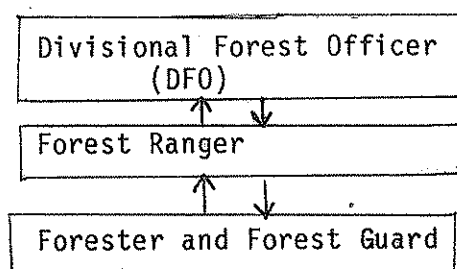
Typically, the Sarpanch of Van Panchayat collects the indents from the needy village households, consolidates them and sends the consolidated indent to FPI along with a resolution of the Panchayat Committee to this effect. The FPI, in turn, forwards it to FPO/DM, who refers the matter to the DFO to identify and mark the trees. The paper goes through the same channel to the Sarpanch. In practice, what happens is that the Sarpanch permits felling of trees before the permission is received.

Exhibit 2: Flow diagram of a typical procedure used to obtain permission for utilising forest products and technical guidance from the Forest Department.

A. District Administration



B. Forest Department



Management of Van Panchayat Forests

The day to day affairs and up-keep of village panchayat forest are looked after by the elected Van Panchayat Committee and its president (Sarpanch). The implicit objective of forest management by the Van Panchayats is, to maintain and conserve and possibly improve the productivity of forest and use it (both forest produce and cash proceeds) for the benefit of the local people. Given these objectives, the Van Panchayats are required to develop instrumentality: (i) to exclude people who do not have any right in the forest; (ii) to prevent encroachment; and (iii) to devise rules and regulations for the use of forest resources by the right holders, who have proprietary right and which is not determined at the time of formation of Van Panchayats. Hence, outsiders are easily detectable. Any addition to the number of proprietary right holders, say by immigration to the village, could be done under certain stipulated conditions. These are (i) 10 years of stay in village and (ii) agreement to

share the cost of forest protection and pine formation. But in most Van Panchayats in practice, an immigrant is allowed to enjoy the benefits with nominal payments.

Encroachment in Van Panchayat forest land is reported to be negligible at the aggregate level. Of the four selected villages, only in Parwara and Naikada, some villagers reported encroachment to a very limited extent. Isolated cases of heavy encroachment were also reported during our visits. In Dhancholi, a village near Parwara, a very good forest under the Van Panchayat was destroyed by the people of the same village and was brought under cultivation. In another village, Satbunga, extensive encroachment was reported by the villagers. In yet another village, Lingwanda which is situated very close to Jeharikhal near Lansdowne, encroachment by affluent class was reported. In Nainital tehsil [8], existing records show that there were 39 cases of encroachment involving approximately 15 hectares of Van Panchayat lands. The extent of area encroached as per records in Nainital tehsil, however, was negligible. But our casual observations also confirmed that the number of Van Panchayats, where extensive encroachment had occurred, were very few. Other studies also report that there has been little encroachment of the Van Panchayat forest land in the region. The State Planning Department studied eleven Van Panchayats established between 1932 and 1964. Eight out of the eleven Van Panchayats had effectively prevented the encroachment of their land (Saxena, 1987). The Van Panchayat committee adopts various precautionary measures, mostly informal, to prevent encroachment, but once encroachment has been done, it could be evicted only through legal measures.

Resource Utilisation

Forest provides grazing space, fodder, dried and fallen leaves for litter which is used in composting, grasses, fuelwood, poles and timber for house construction. The availability of these products is not uniform and depends largely on the type and size of the forest. For example, oak dominated forest provides many of these products but not the pine forests. Depending upon the demand and supply of the forest product, each Van Panchayat makes its own rules, regulations and determines methods of utilisation. The rules pertaining to selected villages are summarized in Table 4 for a comparative study. Not only the entitlement of proprietary right holders varies, methods of utilization also varies from one Van Panchayat to another Van Panchayat. Even in same Van Panchayats both entitlement and method of utilization

Table 4: Rights, Restrictions and Methods of Forest Product Utilization in Selected Van Panchayats in U.P. Hills

Particular	Parwara	Devikhal	Naikada	Jeharikhal
1. Area of Van Panchayat Forest (hectares)	248.8	20	42.5	22.6
2. No. of compartments	5	3	7	2
3. Rights to outsiders	For dry and fallen leaves to a neighbouring village	nil	nil	nil
4. Grazing	Unrestricted	Prohibited	Prohibited in 3 compartments open in 4.	Prohibited
5. Lopping for fodder	Restricted for 20-25 days in January-February in 1-2 compartments	N.A.	N.A.	Few oak trees are lopped in some years in January.
6. Years of rotation for lopping	3-4	-	-	4
7. Grass cutting	Unrestricted	1. Collective harvesting or 2. Parcelling and selling to households for 15 days in October-November	Parcelling and allotment to each household for 15-20 days in October-November	Collectively harvested and weighed or measured by ropes 15-20 days in October-November
8. Collection of dry and fallen leaves	Unrestricted	-	Unrestricted	Nobody collects but unrestricted
9. Fallen twigs	-do-	Unrestricted	Unrestricted	Unrestricted
10. Fallen branches and dried trees	Auctioned or given to needy at nominal charges	Auctioned	Auctioned	Auctioned
11. Timber	Not available	Not available	One, for house construction, if dead and dry trees are available/household/year	One, if someone constructs house household/year
12. Any other	1. 8-10 poles if someone is constructing a house/household/year 2. Wood for agricultural implements. 3. One tree, for fuelwood or house	One tree for funeral without any charges.	Branches are lopped in some parts for fuel and given equally to each member.	Every third year branches are lopped for fuelwood. Equal distribution to each household by weight.

vary across the year. Some of the important characteristics of these methods are worth mentioning. First, the method of utilization varies across the Van Panchayats and the rights of the people appear to diminish as resource availability becomes less (for example see the rights in Parwara vis-a-vis Naikada and Devikhal). Second, the Van Panchayats have adopted methods that have in-built mechanism to distribute the produce fairly and equally, as in Naikada and in Jeharikhal, weighing and measuring. Thirdly, quite strikingly, the methods adopted are also scientifically justified. For example, oak trees are to be lopped in about four years for proper regeneration (Moench & Bandyopadhyay, 1985) and this is what is practised in Parwara, and Jeharikhal.

What do these differences in rules and regulations mean? Undoubtedly, the higher the number of cases, the higher the variability in rules and regulations. For example, Kandolia Van Panchayat in Pauri Garhwal is a multi-village Van Panchayat and households from four villages, Pauri, Kandolia, Chuiencha and Kandar have proprietary rights. These Van Panchayats sell timber, fallen trees at market price as prescribed by the Forest Department.

As forest resources decline relative to human and livestock population and cultivated land, the privileges and rights of people in the Van Panchayat forest become more and more restricted (i.e. read tables 3 and 4 simultaneously). In fact, the villagers informed that depending upon resource availability, the rules keep changing. For example, in the 1930s when the population of village Parwara was much less than what it is today, the villagers informed that they were permitting quite a few households from the neighbouring village to do lopping, but now they restrict them because their own demand has increased by manifold. This shows that people could organize and manage their resources even under scarcity by curtailing their use or imposing additional costs/penalties for violation of the rules.

Enforcing Regulations

To enforce the rules and regulations, the Van Panchayats have been empowered to compound an offence upto Rs.50 (and with prior permission from Sub-divisional Magistrate upto Rs.500), forfeit the instruments or weapons used for illicit lopping, catch the stray cattle and take them to the cattle-pound. Three methods are used to detect and guard against the misappropriation and illicit use of the forests, namely, (i) keeping a paid forest guard, (ii) since every villager has a stake in the forest,

villagers report to the Van Panchayat Committee if they find some offender in the forest; and (iii) the Sarpanch and Panchas visit the forest occasionally to ensure that everything is going on smoothly. But the most important method is employment of a paid guard. Depending upon the financial position and resource mobilisation from the right holders, the forest is guarded against illicit use. The Van Panchayats which do not have enough financial resources and are unable to mobilise the required resources, guard the forest themselves by each household taking turns. This method is known as Muasawari. Table 5 provides information about the number of guards employed, their wages, and sources of fund, illicit use, fines imposed and recovered. The Forest Panchayat Rules envisage that the Van Panchayat should take prior approval from the commissioner before it appoints a forest guard. The implications of this regulation must be understood. Some time when a Van Panchayat's local resources are not enough it takes financial assistance from its contribution which is deposited at the district level after a prior approval from DM. Besides, this creates additional work to both the Van Panchayat and to the commissioner. The Sarpanchas and Committee members interviewed suggested that the forest guards should be provided by the Government or at least a part of their salary must be borne by the Government to improve the management and protection of the Van Panchayat forests.

Each Van Panchayat committee meets periodically. However, during the period of lopping and harvesting of grasses etc, they meet more frequently. The complaints received from the forest guards and villagers are discussed in these meetings and a notice is issued to the offender(s) and in the subsequent meeting(s) the offender is summoned to defend his case. Depending upon his explanation, the management committee decides how much fine should be imposed upon the offender(s). At present, the Van Panchayats, face a serious problem of recovering these fines. On refusal to pay the fines the Van Panchayat could complain to the FPI and FPO who then try to recover these dues as land revenue arrears. But if the offender still refuses to pay, the only recourse available is to file a suit in the court of law. This has, in part, been due to gradual erosion in the authority of the Van Panchayats. The rules stipulate that the Van Panchayat can impose a fine only with the agreement of the offender. Therefore, if the offender does not accept the offence committed, the fine imposed is invalid. The original rules of 1931 did not have this clause.

Table 5: Forest guards, their wages, source of payment and illicit use in selected Van Panchayat Forests 1987

Particulars	Parwara	Devikhal	Naikada	Jeharikhal
1. No.of Guards	2	1	1	1
2. Wages	Rs.200/ month	Addittional share in produce	* Grains	* Rs.150 per month +grass
3. Source	Fine fees, and royalty	Forest grass.	Members' contribu- ** tion	Rs.3/month/ household lived, fines and fees collected.
4. No.of cases of illicit use	400	50	15	8
5. By villagers	200	35	15	5
6. By Outsiders	200	15	-	3
7. Total compounded amount (Rs.)	7000	750	50	303
8. Recovered (Rs.)	2000	550	50	303

* In Devikhal, forest guard receives grass as his wages to protect the forest, but in Jeharikhal the forest guard receives grass for the additional services put in by him in fair distribution of the product and helping in weighing and measurement.

** 20 nalis are equal to one acre. It is assumed that on an average one nali can yield 2-3 kg of grains. Each household contributes grains from 2 nali area.

*** For Naikada and Jeharikhal figures given in table are accurate. But for Parwara and Devikhal they are estimates; it is our contention that these figures are not over estimates for the year 1987.

According to some Van Panchayat Committee members, the fine imposed on right holders is still not difficult to collect. They recover by putting moral and social sanctions and curtailing their rights in the forest. The problem becomes serious if outsiders commit an offence in the forest. The issue is not one of increasing the amount of fine or compensation that Van Panchayats can impose upon the offenders as it has been done in proposed amendments of Van Panchayat rules, but to improve the authority of the Van Panchayats such that the imposed fine is recovered.

Income, Expenditure and Revenue Utilisation

There are two principal sources of income for the Van Panchayats. First, income from collection of fines, fees and royalty received by the Van Panchayat by selling dead and fallen trees, twigs etc to the proprietary right holders. An account for this income is maintained in the local post office. This income being meagre is spent for payment of wages to forest guards, purchase of receipt books and stationery etc. The second source is sale of timber and resin which is under the control of the Forest Department. Not all Van Panchayat forests have these resources. Therefore, income from resin tapping and timber sale varies considerably across Van Panchayats and its distribution is done as follows.

Out of the total receipts, 10 per cent goes to the Forest Department for their technical services like assessment of value, marking of trees for felling etc. Of the remaining 90 percent, 20 percent is allotted to the Zilla Parishad area development. Around 40 per cent amount is kept with the District Magistrate in the account of the Van Panchayat, which is utilised for community services like village roads, school etc. This money can be spent by the Van Panchayat Committee with the prior approval of the District Magistrate. The remaining 40 percent goes back to the FD for preparing and executing development programmes for the Van Panchayat forest as described earlier.

Utilisation of revenue at both the ends has been very poor. The FD has never prepared a comprehensive development programme for the Van Panchayats except very recently under their soil conservation project which is financed by the World Bank. A cursory examination of the relevant documents maintained in the Nainital and Ranikhet sub-divisional offices indicated that only a few Van Panchayats had utilised some money for community works such as building schools, purchasing utensils for community

purposes etc. On the whole, there were many Van Panchayats whose accounts were not operational. Some of the Van Panchayats had as high a balance as Rs.50,000 or more. Table 6 provides information about financial status of Van Panchayats in Nainital and Ranikhet sub-divisions. A total of about Rs.38 lakhs in Ranikhet sub-division and about Rs.9 lakh in Nainital sub-division had accumulated in the accounts of Van Panchayats kept with the District Magistrate. As regards individual Van Panchayats, the situation varies considerably.

Table 6: Financial status of Van Panchayats in Nainital and Ranikhet subdivisions.

Balance of money (Rs.)	No. of Van Panchayats	
	Nainital Sub-division	Ranikhet Sub-division
Nil	48	433
1-500	29	12
501-1000	17	7
1001-2000	23	12
2001-3000	12	5
3001-5000	18	17
5001-10000	28	52
10001-25000	18	61
25001-50000	3	27
50001-100000	2	14
Above 100000	-	4
All	198	644

Out of the total 644 Van panchayats, 433 in Ranikhet and 48 in Nainital had no balance in their accounts. Almost an equal amount must have gone to the FD. Since the FD has not prepared any developmental programmes for the Van Panchayats, that amount also remained unspent. The total amount of money available with the District Magistrate and the FD is, therefore, considerable. For example, Saxena (1987) found that in Almora alone the total accumulation in the capital account of the Van Panchayats was Rs.1.2 crores. There is urgent need to utilise these funds properly. A simpler and pragmatic approach need to be designed

to utilize these funds; perhaps these funds could be better used in conjunction with other developmental funds rather than keeping them unused and earning a meagre amount as interest. Since the accumulated capital belongs to Van Panchayats, it would be worthwhile to work out as to what degree the Van Panchayat could be provided autonomy in using these funds for local (village) development purpose. Given autonomy in using surplus resources, the Van Panchayats may also improve the productivity per unit area by taking appropriate measures required for the purpose. Some evidences are available to support this argument. For example, Jhadugaon forest was established by the people on a completely denuded land. If some Van Panchayats are, however, unable to utilise these resources still, as it has been argued in official circle, they need to be encouraged to do so.

Role of Women in Van Panchayat Forest Management

Forests and women are the backbone of the hill economy. Forests provide food, fuel, fodder, fibre and support to the agricultural production system and women bear the brunt of most of the household and agricultural operations except ploughing. Collection of fire wood, leaf fodder, grasses etc. is done by women in the hills and thus they are more intimately associated with the forests than their male counterparts. As a consequence, their drudgery is likely to increase as the forest resources become more scarce. One could, therefore, hypothesize that because of their more intimate association with forests, women would be relatively more concerned about forest protection and management. In fact, due to this reason, women are encouraged to participate in social movements like chipko.

We visited four Van Panchayats where women were participating or had participated in the past in Van Panchayat committees, and discussed the issue of women's participation in forest management with both men and women. The opinions expressed were somewhat mixed. The experiences in four Van Panchayats managed by women were also mixed and inconclusive. In Devikhal and Nawala village, women participate with their male counterparts and perhaps no problems exist in their participation and forest management. But one advantage with these two villages is their small size and therefore transaction cost involved in collective management is almost negligible. In Jeharikhal, a Van Panchayat Committee consisting exclusively of women members could not complete its tenure because members started protecting their fellow friends. However, Lingawada (very close to Jeharikhal) had a committee of women, which completed its term successfully.

Every respondent except the women respondents, however, agreed on one point that they (women) should participate in forest management. The women, however, were confident that they could protect the forest, and the general consensus was that the women should be reasonably familiar with the rules of Van Panchayats and their legal implications before they solely become responsible for the management of Van Panchayat forests. However, in the meantime, they should be encouraged to become members of Van Panchayat committees in association with male members. One immediate implication of the impression gathered by us in the course of our study is that the environmentalists and social workers should not only enlist women's participation in the forest management but also prepare ground for their larger participation through education - formal and informal. Or else, their effort in this regard would only partially succeed.

Results from Household Opinion Survey

In this section we present the results of the opinion survey that we conducted in the selected Van panchayats. Many of the opinions and views expressed by the respondents have already been reported in the paper. In addition, we present a few quantitative dimensions for illustration purposes. In all, 58 households covering each caste and all categories -- landless, small, medium and large farmers in the village were interviewed from the four village Van Panchayats.

Several questions were asked about the importance of forest, elections and meetings, distribution of forest produce, role of FPI and Patwari, the problems faced by the Van Panchayats and their possible solutions. One point on which all the respondents were unequivocal and unanimous was that the forests are essential to support agricultural and livestock production systems in the area. They cited many examples of areas that were agriculturally good and prosperous and also had good forests. This perception indicates that an intervention would bring a desired change provided a holistic approach is adopted in the development process and people are not ignored. The time is ripe now for seeking their cooperation in the management of forests. Table 7 summarises people's opinions. It can be seen from the table that most respondents (55 out of 58 interviewed) believed that the distribution of forest product was fair and equal. In Naikada, a majority of the respondents opined that the election to the present Van Panchayat Committee was not properly conducted. However, none of them complained about the distribution of the forest product. This they attributed to the method adopted in

harvesting and distribution. The issue of distribution was discussed and debated with the villagers. It does not seem to us that there was unfairness at large scale in the distribution of forest produce to which people are entitled. But misappropriation with the connivance of Sarpanch and committee members was reported. The relevant information on such issues is difficult to collect and, therefore, it is hard to measure its extent. However, when acts of favouritism are noticed, the matter is discussed in VPC meetings and appropriate measures are taken. Elsewhere (Ballabh and Singh, 1988) we report few cases of misappropriation, dispute in VPC and consequences. Sometimes the VPC had to be dissolved and a new committee formed.

Table 7: People's opinions about their Van Panchayats
by number of respondents

Particulars	Village			
	Parwara	Devikhal	Naikada	Jeharikhal
1. Management of forest:				
(a) Good	5	6	8	11
(b) Fair	9	3	3	8
(c) Poor	2	-	3	-
2. Distribution of forest product:				
(a) Equal	13	9	14	19
(b) Unequal	2	-	-	-
(c) No response	1	-	-	-
3. Elections:				
(a) Fair	13	9	6	19
(b) Unfair	1	-	8	-
(c) No response	2	-	-	-
4. Role of FPI:				
(a) Known	7	-	10	19
(b) Unknown	7	-	4	-
(c) No response	2	-	4	-
5. Total respondent	16	9	14	19

Summary and Conclusions

Van Panchayats in UP hills were born out of the conflicts and compromises that followed the settlements and reservations of forests in the hills at the turn of the last century. Till 1865, people had unrestricted rights in the use of forest resources except as and when some forest produce was to be exported. Industrialisation in England, beginning of railways, setting up of industries based on forest raw materials enlarged the demand and enhanced the value of forest products. The Kumaon region of Uttar Pradesh, rich in forest, was one of the major suppliers of this new demand. To control the forest degradation, the Government enacted the Indian Forest Act. When the forest bill was brought, during the course of debate on the bill, it was admitted that people were entitled to enjoy, under very formal and clear arrangements, rights of very extensive character. However, gradually these promises were belied. The second forest settlement done in UP hills between 1911-17 was quite extensive and all lands except cultivated land was brought under the control of the Forest Department. A wide range of restrictions were imposed on grazing, lopping and collection of forest produce. This brought real hardship to the people and several social movements, and agitations started in the Kumaon region. In response to these agitations, Government set up Forest Grievances Committee for Kumaon, to look into the problems. The Committee recommended reclassification of forests and formation of Van Panchayats to manage the forests in areas where local demand was heavy. The brief overview of the genesis of Van Panchayat confirms that people had a high stake in the forest resources and that their cooperation and participation was essential for sound forest management.

The Van Panchayat in UP Hills have come a long way. Survival of Van Panchayats for such a long a time is a testimony to people's ability to manage their common property forests. Building of appropriate institutions is the most difficult aspect of any development programme. Participation of people in Van Panchayat forest management at the grassroot level is tremendous. The upkeep (vegetative coverage) of Van Panchayat forest is at least as good as in the reserved forests under the FD (Ballabh and Singh, 1987; Gadgil, 1982; Guha, 1983; Saxena, 1987) and distribution of the forest produce is fairly equitable. Therefore, survival of this institution in UP hill region is necessary to provide a base to start any developmental work.

Following factors could be identified for large scale peoples' participation in forest management: first people would participate in those developmental programmes including social forestry which are aimed at satisfying their basic needs. Second, homogeneity of caste; within a village and relatively egalitarian distribution of land holdings help in preventing the benefits from forests and Van Panchayat management being cornered by those who are socially and economically strong. However, the impact of these factors would not have been as impressive, had the Van Panchayats not assured a fair and equitable distribution of the forest produce to all the right holders and if the right holders had not had a high stake in the forests. The Van Panchayats have adopted methods that have in-built mechanism to distribute the produce fairly and equally. In addition to this, the violators of the rules and regulation are penalized by the Van Panchayat Committee, although their capacity to enforce the penalties has been eroded over time. To some extent, factionalism within the villages has also helped in proper forest management. This is because the group dominating the VPC wants to remain in power and, therefore, it tries to manage forest well whereas the opposing group tries to highlight every shortcoming, and deficiency and unfairness, if any, in the forest management. In much of the rural India, however, wide variations exist in caste and economic power structure. These often create conflicts among the people who tend to polarize in small caste and class groups. But open discussions of the conflicts uniformly have advantages in that the interests of various groups could be discussed and conflicts can be minimized to ensure people's participation in developmental programmes on a large scale. Such open discussion was facilitated by open and informal elections with VPCs in the hills.

The VPC at village level is subject to administrative and technical control of the Revenue and Forest Departments which take only peripheral interest in Van Panchayats and do not care to coordinate their activities. Van Panchayats also do not have autonomy in utilization of surplus revenue generated by them. The FPI who is the only additional staff employed for the Van Panchayats, lacks motivation, and does not take interest in institution building task. Gradually, Van Panchayats are also losing, due to changes in rules, their ability to impose and collect fine, the new rules stipulate that a Panchayat can compound an offence only with the agreement of the offender. These are some of the problems faced by the Van Panchayats and need to be solved. The Van Panchayats should be provided needed autonomy to use their surplus income and flexibility to change

their bye-laws. This may also improve their productivity. Several issues are, however, involved to employ forest guard by the Government to improve management and protection of Van Panchayat forest is concerned. At present a villager is chosen to guard the forest. His accountability and integrity are higher than those of a forest guard employed by the Government. Besides, he has also a stake in the forest produce, whereas a guard approved by the Government may engage in corrupt practices. Therefore, such demand should be discouraged. But the restrictions such as that Van Panchayats should take prior approval should be removed. It is our contention that overcoming these difficulties would open new vistas and Van Panchayats may become a forum for development in hills. They could be used to rehabilitate degraded civil and reserved forests in the hills of Uttar Pradesh provided a pragmatic approach is adopted and the Van Panchayats are encouraged to participate in every stage of planning and execution. However, it is hard to stipulate as to what extent this model can be applied in the plains of the country particularly in social forestry programmes. The heterogeneity of the caste and wide variations in social and economic power within a village in the plains may require some modifications in the model to make it operational.

ANNEXURE - I

COMPARATIVE STUDY OF VAN PANCHAYAT RULES PERTAINING TO 1931 AND 1976

*

PARTICULARS	1931	1976	REMARKS
1. Formation	Two or more Hissadars or Khaikars or artisans could apply for formation of a Van Panchayat.	Atleast one third of adult residents should apply for the formation of Van Panchayat and more than two-thirds should not object to the formation of Van Panchayat	
2. Management & obligations of Van Panchayat	The Van Panchayats had no rights to divide, sell or mortgage the Van Panchayat forest land, and it had obligation to protect the forest, use forest products to benefit the proprietary rights holders and prevent encroachment in van panchayat forest land, and protect the forest from fire etc.	Same as in 1931; in addition, the Van Panchayats should close atleast 20 per cent area each year for grazing and Van Panchayats forest land can be leased for commercial use like trade etc with prior approval of the Dy. Commissioner.	The imposition of this rule pre-supposes that people could not devise the rules for regeneration of the forest. However we have observed that some Van Panchayats strictly prohibited grazing, depending upon resource availability, others closed more than 20 per cent area for grazing for similar reasons. Thus, the rule is redundant.
3. Distribution & bye-laws	a) The Van Panchayats were free to make their own rules to ensure equitable distribution of product.	a) Same as in 1931, but prior approval has to be taken from the Dy. Commissioner before these rules become effective.	Van Pachayats have to frame and change the rules according to resource availability every year. It is difficult for them to approach Dy. Commissioner every time.

* Source: Compiled from (a) Govt. of Uttar Pradesh, (1931), "Kumaon ke Panchayati Jangalat ke Niyam", in Hindi. (Lucknow)
 (b) Govt. of Uttar Pradesh, (1976), "Van Panchayat Niyamawali", in Hindi. (Lucknow)

PARTICULARS	1931	1976	REMARKS
	b)They had freedom to make rules regarding grazing, grass collecting, lopping collection of twigs for fuel etc.	b)The Panchayat can sell fallen fuelwood, make rules for lopping grazing etc but if it wishes to sell more than one standing tree for the bonafide domestic use of right holders, permission of DFO is required.	As already mentioned in the paper, it is time consuming time and usually permission is not received in time.
4. Commercial sale	a)No restriction on commercial selling of timber but resin tapping was to be done by the Forest Department.	a)Van Panchayats have no power to auction forest products for commercial purposes. It has to be done by either Forest Conservator or Divisional Forest Officer depending upon the sale proceeds.	Van Panchayats should be free to conduct auction of fallen trees in the presence of villagers and all Van Panchayat Committee members.
	b)The forest Department tapped resin for the Panchayat.	Until special permission from the State Government is obtained, the Van Panchayats cannot extract resin without prior permission of Forest conservator. In Practice, the resin tapping in Van Panchayat forest is done by the Forest Department and sold on direction of Conservator.	Most Van Panchayat Committee members complained that they were getting lower price from the Forest Department for their resin than what they could get from open market sale.
5. Power to employ guard/watchman	No restriction	Not without prior approval of Dy Commissioner.	Unnecessary additional work for both Van Panchayat & Dy Commissioner. These watchmen are paid from members' contribution, royalty, etc. Occasionally they require small amount from their own fund left with the DM. Therefore, Van Panchayats should be made free to employ guard(s) as they wish.

PARTICULARS	1931	1976	REMARKS
6. Punitive powers	Panchayat had power to fine upto Rs.5.00.	The Van Panchayats can compound an offence upto Rs.50 (with prior approval from SDM upto Rs.500.00) with the agreement of offender.	Not necessarily an offender, agrees to compound the offence committed. The revised rule curtails the authority of the Van Panchayat as forest protector.
7. Recovery of dues	As arrear of land revenue and was treated like Govt. dues.	The Van Panchayats should collect their dues or it should be collected by revenue authorities and mode of collection is decided by the Dy Commissioner from time to time.	The Van Panchayat dues should be collected as arrear of land revenue. The revenue authorities should give priority to the collection of Van Panchayat dues and compounded amount.
8. Management & disposal of accumulated surplus	The entire income was at the disposal of Van Panchayats but located centrally with the DM. Panchayats were empowered to spend it-first for the improvement of the Van Panchayats forest and then in the interest and utility of community.	Only 40 per cent income is available with Van Panchayats. Of the rest, 20 per cent is to go to Zilla Parishad and 40 per cent is spent by Forest Department for maintenance and development of Panchayat forest.	In practice, even 40 per cent is not readily available to the Panchayat. Procedure to obtain permission from the Dy Commissioner often takes long time. Most sarpanchas do not know the exact amount available to their Panchayat. Needs careful study and Panchayat should be given full amount and they should be encouraged to invest it to improve the productivity of forest.

ANNEXURE - II

Basic Statistics about Selected Village Van Panchayats

Particulars	Villages			
	Parwara	Devikhal	Naikada	Jeharikhal
A. Land Statistics				
Total geographical area (ha)	504.4	66.8	368.8	170.8
Cultivated land (ha)	130.4	23.2	231.8	44.0
Van Panchayat forest(ha)	248.8	20.0	42.5	22.6
Civil Forest (ha)	37.6	7.2	34.8	30.8
B. Demographic Statistics				
Total household	107	17	105	56
Kshatriyas	100	17	56	54
Brahmin		-	34	-
Scheduled caste	7	-	15	2
Total population	650(a)	79(b)	536(a)	367(b)
C. Livestock Population (Cattle unit)(c)				
	677	70	742	176

(a) As per 1981 census

(b) Counted with the help of FPI's and village people during survey.

(c) One cow or bullock is taken as one unit, one buffalo as 1.5 units and one sheep/goat as 0.2 unit and young stock below 3 years as 0.5 unit.

Notes

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- [1] Administratively, UP hills are divided into two divisions- Kumaon and Garhwal. At present Kumaon division consists of Nainital, Almora and Pithoragarh districts and the remaining five districts, i.e., Chamoli, Pauri, Tehri, Dehradun and Uttar-Kashi are in Garhwal division. Prior to independence, Garhwal division was divided in two segments i.e., British Garhwal (erstwhile Pauri and Chamoli districts) and they formed part of the then Kumaon division and Tehri Garhwal which was governed by the Tehri princely state. The historicity presented here is about the whole British occupied region but not about the Tehri Garwal region. However, the event which occurred in the British occupied region also influenced Tehri areas.
- [2] The difference between reserved forest and protected forest is that in reserved forest everything which is not permitted is an offence but in protected forest nothing which is not prohibited is an offence.
- [3] Van Panchayats were not new at that time, many old villagers told us that the Van Panchayats were formed even before the Government accepted the recommendations of the Forest Grievances Committee. These Van Panchayats were known as Latta Van Panchayats, the literal meaning being the Van Panchayats wielding a lot of physical muscle power.

- [4] A summary of the original rules pertaining to 1931 and the rules as amended in 1976 is given in Annexure 1.
- [5] A patti consists of a few households of very close kin and kith in the village.
- [6] According to the FPIs interviewed in the Lansdowne division, no money is centrally kept and whatever amount is received from the Forest Department is credited to the Van Panchayat accounts, but they cannot spend the money without prior approval of the District Magistrate.

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