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Circular Concerning Joint Forest Management, 1990

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The Circular Concerning Joint Forest Management

No. 6-21/89-P.P

Government of India

Ministry of Environment and Forests
Department of Environment, Forests and Wildlife
Paryavaran Bhavan, C.G.O. Complex, B-Block
Lodi Road, New Delhi

Dated: 1st June, 1990

The Forest Secretaries

(All States/UTs)

Subject: Involving of village communities and voluntary agencies for regeneration of degraded forest lands.

Sir,

The National Forest Policy, 1988 envisages people's involvement in the development and protection of forests. The requirements of fuel-wood, fodder and small timber such as house building material, of the tribals and other villager living in and near the forests, are to be treated as first charge on forest produce. The policy document envisages it as one of the essentials of forest management that the forest communities should be motivated to identify themselves with the development and protection of forests from which they derive benefits.

2. In a D.O. letter No. 1/188-TMA dated 13th January, 1989 to the Chief Secretary of your State, the need for working out the modalities for giving to the village communities, living close to the forest land, usufructory benefits to ensure their participation in the afforestation programme, was emphasized by Shri. K.P. Geethakrishnan, the then Secretary Environment and Forests).

3. Committed Voluntary Agencies/NGOs, with proven track record, may prove particularly well suited for motivating and organizing village communities for protection, afforestation, and development of degraded forest land, especially in the vicinity of habitations. The State Forest Department's Social Forestry Organization ought to take full advantage of their expertise and experience in this respect for building up meaningful people's participation in protection and development of degraded forest lands. The Voluntary Agencies/NGOs may be associated as interface between State Forest Departments and the local village communities for revival, restoration and development of degraded forests in the manner suggested below:

- The programme should be implemented under an arrangement between the Voluntary Agency/ NGO, the village community (beneficiaries) and the State Forest Department.
- No ownership or lease right over the forest land should be given to the beneficiaries or to the Voluntary Agency/NGO. Nor should the forest land be assigned in contravention of the provisions contained in the Forest (Conservation) Act, 1980.

iii) The beneficiaries should be entitled to a share in usufructs to the extent and subject to the conditions prescribed by the State Government in this behalf. The Voluntary Agency/NGO should not be entitled to usufructory benefits.

iv) Access to forest land and usufructory benefits should be only to the beneficiaries who get organized into a village institution, specifically for forest regeneration and protection. This could be the panchayat or the Co-operative of the village, with no restriction on membership. It could be a Village Forest Committee. In no case should any access or tree pattas be given to individuals.

v) The beneficiaries should be given usufructs like grasses, lops and tops of branches, and minor forest produce. If they successfully protect the forests, they may be given a portion of the proceeds from the sale of trees when they mature. The Government of West Bengal has issued orders to give 25% of the sale proceeds to the Village Forest Protection Committees. Similar norms may be adopted by other States.

vi) Areas to be selected for the programme should be free from the claims (including existing rights, privileges, concessions) of any person who is not a beneficiary under the scheme. Alternatively, for a given site the selection of beneficiaries should be done in such a way that any one who has a claim to any forest produce from the selected site is not left out without being given full opportunity of joining.

vii) The selected site should be worked in accordance with a Working Scheme, duly approved by the State Government. Such scheme may remain in operation for a period of 10 years and revised/renewed after that. The Working Scheme should be prepared in consultation with the beneficiaries. Apart from protection of the site, the said Scheme may prescribe requisite operations, eg. inducement to natural regeneration of existing root stock, seeding gap filling, and wherever necessary, intensive planting, soil-moisture conservation measures etc. The Working Scheme should also prescribe other operations eg. fire-protection, maintenance of boundaries, weeding, tending, cleaning, thinning etc.

viii) For raising nurseries, preparing land for planting and protecting the trees after planting, the beneficiaries should be paid by the Forest Department from the funds under the Social Forestry Programme. However, the village community may obtain funds from other Government agencies and sources for undertaking these activities.

ix) It should be ensured that there is no grazing at all in the forest land protected by the village community. Permission to cut and carry grass free of cost should be given so that stall feeding is promoted.

x) No agriculture should be permitted on the forest land.

xi) Along with trees for fuel, fodder and timber, the village community may be permitted to plant such fruit trees as would fit in with the overall scheme of afforestation, such as aonla, Imli, mango, mahua, etc. as well as shrubs, legumes and grasses which would meet local needs, help soil and water conservation, and enrich the degraded soils/land. Even indigenous medicinal plants may be grown according to the requirements and preferences of beneficiaries.

xii) Cutting of trees should not be permitted before they are ripe for harvesting. The Forest Dept. also should not cut the trees on the forest land being protected by the village communities except in the manner prescribed in the Working Scheme. In case of emergency needs, the village communities should be taken into confidence.

xiii) The benefit of people's participation should go to the village communities and not to commercial or other interests which may try to derive benefit in their names. The selection of beneficiaries should, therefore, be done from only those families which are willing to participate through their personal efforts.

xiv) The Forest Department should closely supervise the works. If the beneficiaries and/or the Voluntary Agency/NGO fail or neglect to protect the area from grazing, encroachment or do not perform the operations prescribed in the Working Scheme in a satisfactory manner, the usufructory benefits should be withdrawn without paying compensation to anyone for any work that might have been done prior to it. Suitable provisions in the Memorandum of Understanding (MOU) of this purpose should be incorporated.

Yours faithfully.

Sd/-

(Mahesh Prasad)

Secretary to Government of India.

Copy for information and necessary action to :-

1. Principal Chief Conservator of Forests/Chief Conservator of Forests All States/ UTs)
2. Additional Secretary, National Wasteland Development Board, Ministry of Environment and Forests, New Delhi.
3. Chief Conservator of Forests (Central) of all Regional Offices located at: Bhubaneswar, Bangalore, Bhopal, Shillong, Lucknow, Chandigarh.
4. All DIGFs including N.W.D.B., New Delhi.
5. All Officers of the Ministry of Environment and Forests.

Sd/-

(K.M. Chadha)

Joint Secretary to Govt. of India.

Copy for information to the:-

1. Secretary (Co-ordination), Cabinet Secretariat, Rashtrapati Bhavan, New Delhi.
2. Secretary, Department of Rural Development, New Delhi.

Sd/-

(K.M. Chadha)

Joint Secretary to Government of India.