VAN PANCHAYATS IN THREE VILLAGES: DEPENDENCY AND ACCESS

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Report by: Chandana Anusha, Tanya Matthan and Devika Narayan

INTRODUCTION

As we race through stages of high technological advancement it becomes easier to forget that our societies continue to be profoundly dependent on natural systems and resources. The tight embrace of societies with the natural world continues to be just as vital even as the systems of dependence rapidly become astonishingly complex. What form does this dependence on natural resources take? How do societies organise and distribute resources? These are questions which economists and sociologists have pondered over for a long time. The study of resource utilisation and how it shapes social relationships is a central concern for social scientists. One can begin with making a crude distinction between systems of appropriation, management and usage which are based on the idea of private property and those that are not.

N.S. Jodha (1986) defines common property resources (CPRs) as the "community's natural resources where every member has access and usage facility with specified obligations, without anybody having exclusive property rights over them."[1] What this essentially means is that property is communally owned and the notion of private ownership is absent. The community shares resources which are not seen as 'belonging' to any specific entity or body. This is not to suggest that only two dichotomous (public and private) systems exist but that social groups have defined their relationship with the natural word in numerous ways, many of which do not rest on the notion of private property. The following extract from *This Fissured Land* illustrates with examples a wide array of systems which formulate resource use in specific ways, "there are sacred ponds which are not fished at all, and beach seiners recognise customary territorial rights of different fishing villages – even though none of this has any formal legal status. Many tribes in north-eastern India own land communally and put it to shifting cultivation, an ownership pattern recognised by law. Village common lands, used as grazing grounds, and wood-lots were once controlled by village communities; they are now government land under the control of revenue or

[1] N.S. Jodha, 1986

forest departments. There are tenants who cultivate lands that belong to absentee landowners, though much of the land under cultivation is now owned by the tiller. A good bit of the land cultivated by *adivasis* is, however, legally state owned; this is part of a vast government estate which covers over a quarter of the country's land surface, mostly designated 'Reserved Forest'. Business corporations control large tracts of land, as tea or rubber, and there are moves to permit even larger holdings for forest-based industries"[2]

In India, common property resources gained legitimacy as an object of study in the 1980s and a vast body of research was produced. Several studies attempted to quantitatively measure the degree of dependence on common resources and gauge regional differences. There was a growing demand that the state must recognise the significance of the commons to the contribution to the rural economy and orient policy to enhancing CPRs. Research also emphatically demonstrated that disadvantaged groups are disproportionately dependent on common resources. That is to say that the marginalised groups are significantly more dependent on the commons to sustain themselves as they do not posses property of their own. Another important facet of this research has been the alarming rate at which the commons have been declining over the years which has to do with both environmental damage and private accumulation of resources. This implies that the rural disadvantaged get further marginalised due to their great reliance of the commons.

This particular field study is concerned with Van Panchayats, which can be seen as a variant of Common Property Resources. Here, we compare the efficacy of this specific CPR across three villages in Uttarakhand, as we chart out the differences in use and management that can exist even within the same agro-climatic zone. We continue investigate the questions raised by Jodha which include differential dependence on CPRs and legal access to CPRs, *de jure* and *de facto*.[3]

BACKGROUND

[2] Guha &Gadgil, 1992: 2.
[3] Menon A. and Vadivelu A. G, 2006.

This study was conducted for a period of three weeks in the month of June in three villages, in Bageshwar district of the Kumaon region in Uttarakhand. All three villages, Agar, Bhorgaon and Bajja-Nadila, had Van Panchayats (forest councils), although peoples' participation in, and thereby, the effectiveness of, these institutions varied considerably. The villages were located within a similar agro-climatic zone, largely covered by dry temperate forests, marked by the predominance of Chir (*Pinus roxburghii*), followed by the banj oak (*Quercus leucotrichophora*). Researchers have noted that pine tends to be found on lower elevations but the British policy of converting oak forests to pine for commercial use has led most reserve forests to be covered with pine trees, which are prone to catching fire. Forest fires are very common in the region, particularly in the dry summer months. The construction of roads in the area has increased the mobility of people in the region as well the possibility of fires (caused by lit beedis) and stealing of forest produce (greater access to forests).

The Van Panchayats (VPs) in each of the villages have been/continue to be associated with an NGO, Chirag, working in many parts of Uttarakhand, which has provided funds and support for the construction of boundary walls and contour terraces in and around the VP, the planting of trees and so on. Apart from this, the NGO has also built latrines and started a women's self-help group in the village of Bhorgaon. Our entry into each of the villages was facilitated by community workers from the NGO, since the institution was fairly well-known in the area and had established contact with most households.

Agar

The village of Agar was fairly small, comprising 22 households, all belonging to the Scheduled Caste category. Importantly, the village is divided into lower and upper Agar, by the main road that runs through the village. Lower Agar is much larger, and the members of all households there are descendants of a common ancestor, making all residents kin (either *biradri* or *rishtedaar*). Upper Agar comprises five households, and each of the residents also belongs to a single family. The Van Panchayat land covers an area of about 41 hectares, and this land is divided among families into private enclosures. The NGO had been involved with VP activities in 2004 for a period of three years, following which their work in the village was discontinued due to the lack of

funds. Presently, the VP has only a nominal existence in the village, with the residents placing all responsibility on the Sarpanch. There is no chowkidar to guard the VP forests. Being located between several villages, Agar faces considerable stealing of grass by its neighbours. Even without an appointed guard, some '*dekh-rekh'* is done by individual families who watch over their plots as well as those of their near kin.

Interestingly, upper Agar shares a boundary with Dewaldhar estate, a large area owned by the former Rani of Jamnagar after it was gifted to her by the father prior to Independence. The land is now overseen by a caretaker appointed by the Rani several years ago. The residents of upper Agar often cut grass from within the estate by paying some amount to the caretaker during the monsoon months.

Bhorgaon

The village has 48 households, comprising Brahmins, Thakurs and Tamtas (11 SC households). The VP land is 44 hectares and is run by an active Van Panchayat, with 7 women members. Many of these women are also members of the women's collective started by the NGO about seven years ago. The women's self-help group informally runs the VP, although the SP is a retired army man. The NGO was also responsible for reviving the defunct VP, which had been initially established in the 1980s. The VP has a woman chowkidar who shared the work with her husband.

Bajja-Nadila

The village of Bajja-Nadila has 53 households, of which 33 belong to the Tamta community (in Nadila) and 23 are Brahmins (in Bajja). Significantly, the villages of Bajja and Nadila are separated by a road and more importantly, by caste, and the residents of each rarely interact. However, the villages were joined as a single revenue village, Bajja, for administrative convenience. The size of the VP land is 47.5 hectares, and the village has a functioning VP with 2 women members and an enthusiastic Sarpanch. The NGO was responsible for starting the VP six years ago along with the residents. The Sarpanch is also the chowkidar but shares the work with his brother and makes frequent trips to the forest. Bajja is located at a greater distance from

spring, and here, water is a bigger problem than grass. In Nadila, water is not a major concern although some families are closer to the spring while others have to travel further. The Bajja members do not use Nadila's spring.

VILLAGE PROFILES

	Bhorgaon	**Agar**	**Bajja-Nadila**
Population	48 families (11 SC)	22 families (all SC)	53 families (33 SC)
VP Land	44 hectares; greater community ownership	41 hectares; Individual mangas within VP land	47.5 hectares; Individual mangas, grazing pastures and common lands
Degree of NGO intervention	High (revived the non-functioning VP)	Earlier (for 3 years); discontinued	High (involved in starting the VP)
VP composition and functioning	7 women members; strong SHG involvement	Nominal existence; awareness only of Sarpanch	Involved members; 2 women (from Bajja); active Sarpanch
Chowkidar	Woman chowkidar (shares work with husband)	No chowkidar; dekh-rekh done by individual families in private mangas; may guard brothers' lands also	Sarpanch also Chowkidar; shares work with brother; makes frequent visits to the VP plot

Village composition	Thakurs (Latwal, Bhakhuni); SC (Tamta); Brahmins (Kandpal, Dangval, Pande, Lohini, Bhatt)	SC families: Lower Agar (single ancestral family); Upper Agar (separate single ancestral family)	Bajja: all Brahmins (Upadhyay; single family); Nadila: all SC families/ Tamtas (common ancestor)
Water availability	Multiple tanks	-	Bajja: greater distance from spring, water a bigger problem than grass; Nadila: some families closer to spring while others have to travel further; Bajja members do not use Nadila's spring.

BLURRED BOUNDARIES BETWEEN PANCHAYAT FORESTS, CIVIL LAND & RESERVE FORESTS

The period of British rule in India saw a number of interventions by the colonial administration in existing systems of land and natural resource management, resulting in the creation of new property regimes, geographical boundaries and administrative categories. According to Sarin, in the first land revenue settlement in the nineteenth century, customary village boundaries were recorded (known as the eighty-year boundaries), and land was categorized as cultivated *naap*

(measured) and uncultivated *benaap* (unmeasured) lands – groupings that continue to be the basis of present-day village boundaries[4].

Soon after, the colonial government notified a substantial proportion of the commons as Reserve Forests, thus curbing peoples' customary rights to the Central Himalayan forests. However, the region was the site of numerous rebellions, protesting state control over forests, including "planned incendiarism", which led to the establishment of the Kumaon Forest Grievances Committee in 1921, on whose recommendations the government ordered the transference of 4,460 sq. km. of commercially less valuable forests back to the civil administration. The Committee, a concrete result of the local resistances against state power, planned to permit "the lopping of oak and kokat trees, except from the regeneration area in reserve forests. Similarly, it proposed to remove restriction on grazing animals including goats from the same areas. The committee recommended the formation of village forest committees or Van Panchayats. However, the actual formation of these Van Panchayats took another 10 years,[5]"

Further, the Van Panchayat Niyamvali (Forest Council Rules) was passed in 1931, following which community forests were formed from Revenue Dept. Class I and Civil Forests. Therefore, at the time before Independence, the uncultivated commons were legally classified into three categories: commercially valuable class II reserves under the Forest Department; and commercially less valuable class I reserves, and civil forests.[6] The Forest Department exclusively controls class II reserve forests while civil-soyam forests fall are sanctioned under the revenue department[7].

According to the Forest Department statistics of 2001, more than 60 percent of land in the state of Uttarakhand, formed from the hilly areas of Uttar Pradesh in the year 2000, is covered by various types of forests. However, these forests are not uniformly managed and controlled, but are subject to differing legal and institutional structures. A major portion of the land, about 70%, is administered by the State Forest Department, while about 15% is classified as community forests

[4] Sarin, M., 2001
[5] Agarwal R., 1999
[6] Ibid.
[7] Agarwal R., 1999

run by the Van Panchayat and another 15% as Civil and Soyam Forests under the Revenue Department. Van Panchayats are created, on civil-soyam forests lands, and is completely divorced from the reserve forest, which is under the Forest Department. The civil-soyam forest, which is under the jurisdiction of the revenue department, is consequently converted into the Van Panchayat.[8]

Apart from state categories, there also exists what is locally known as the '*manga* system', a term that refers to the familial ownership of grass plots. As stated previously, these plots exist both on village civil land as well as within the supposedly 'common property' of the VP. It is not a singular, coherent, formalized 'system' but rather has multiple meanings and forms even within a single village. While 'manga' literally means a plot of grass, it takes on multiple avatars as evidenced through the variety of perspectives held by villagers on what a 'manga' is and where in the village it is located. In some accounts, a 'manga' is the site of intermeshing between *naap* and *benaap zameen.* Here, mangas are seen as extensions of individual, private agricultural lands, passed down through generations.

Alongside, there could be '*vyaktigat*' mangas at a fixed location *within* the officially demarcated VP, as seen in Agar and in Nadila. Conversely, the mangas could constitute plots within the VP but allotted to every family in the village annually. Thus, a family does not own a permanent plot but is given a different plot (from which to cut grass) every year by the Sarpanch, either arbitrarily as was the system in Bhorgaon or through a '*parchi*' (lottery) system in other villages. Finally, mangas can also be plots, categorized as naap zameen, which can be bought during the grass-cutting months at a certain rate from a private owner/caretaker, as practiced by the residents of (upper) Agar.

As the Sarpanch of Bhorgaon explained, "the VP system is better for the environment. With the manga system, the land had become private property. In the earlier system, everyone wanted the best land for themselves. Now it is combined property which can be seen as government property, of which we are the representatives."

[8] Agarwal R., 1999

In the last decade, the Uttarakhand government has been following a policy that has pushed for the conversion of civil forests into village forests to be managed by the state-constituted forest councils, leading to the mushrooming of the latter institutions. While the formation of new forest panchayats has been touted as an example of the strengthening of participatory governance, critics have pointed out that their establishment has been a top-down and supply driven process, one that has been fuelled not by community needs but by funding pressures. Moreover, these state-driven developments have tended to marginalize other traditional community management arrangements while granting greater authority to the forest bureaucracy. Government policy also recommends the creation of separate Van Panchayats for each revenue village, thus destroying existing systems of inter-village cooperation in terms of natural resource sharing. Further, this particular requirement has resulted in the unequal distribution of forest area among villages, leading to huge resource disparities among the rural population and thereby, greater inter-village conflicts.

In many cases, there has been arbitrary allocation of the VP area of one village to another along with frequent redrawing of village and Gram Panchayat boundaries. For instance, there existed 13 villages within the Gram Sabha of which Agar was a part. About ten years ago, a new Gram Panchayat was formed with fewer villages. According to a former Sarpanch, this was primarily to exclude other villages from accessing the forests within the Agar boundary. Previously, these 13 villages, being part of the same administrative unit, claimed to have rights over civil forests around Agar. With the new Gram Panchayat, the people of Agar decided to form their own Van Panchayat, leaving no civil land outside its purview.

Presently, there exist three different property regimes in Uttarakhand, with varying systems of ownership, rules of usage and state intervention. On paper, land is neatly divided into state, common and private forests, although in everyday practice, these categories are revealed to be deeply ambiguous, overlapping and intersecting in several ways[9]. In our study, the boundaries between these were blurred and indistinct, with villagers often using categories interchangeably.

[9] Mukherjee, P, 2004:161-71

Significantly, unlike other areas wherein it has been shown that there is strong enforcement of boundary rules by representatives of the Forest Department, residents of the three villages in this study did not speak of any such imposition of borders. Indeed, very few spoke of the implementation of forest regulations by the government-appointed forest guard.

It must be mentioned that much of the confusion regarding the distinction between the civil forest and the panchayat forest is due to the very recent conversion of civil lands (usually under the Gram Panchayat) into village forests under the jurisdiction of the Forest Panchayat. Thus, according to the head of the Bhorgaon Van Panchayat, "Civil land is that which belongs to the Van Panchayat. Forest Land on the other hand, is zone where foresters, forest guards and government servants exercise their power."

A similar perception is shared by Pushpa and Sushila Pandey, mother and daughter-in-law, and members of the women's self-help group (SHG) in Bhorgaon. When asked about civil land in the village, they replied, "We don't know what exactly 'civil land' is. We think it is our land, as opposed to the Reserve Forest which is government land. We can't cut anything in the RF; we need to ask for government permission to do anything. But the VP land is village land. We have to take the permission of the entire village to cut a tree." Others were clearer about this transference of authority, saying, "All the civil land has become VP land. *Doosra sab Van Vibhag ka hua*".

At the same time, members of these hill villages expressed differing and often self-contradictory opinions about the status of the Van Panchayat lands in relation to the state. The statements of Girish Chand Kandpal, former teacher and one of the founders of the Bhorgaon VP, demonstrate this ambiguity, "The VP is a semi-government *sanstha. Sarkari bhoomi kehthe hain. Benaap zameen ko civil land bolthe hain.* The *benaap zameen* has been made into VP land. There are different types of land: *naap, benaap and sarkari*. There is also *usar bhoomi* which is wasteland. VP land is both *benaap* and *sarkari.* It is *benaap* because *'kisi ke kabze mein nahi hain'.* With *benaap zameen*, the government can take it over anytime." According to him, the Reserve Forest is different from the sarkari forest.

On the other hand, in the village of Agar, the former Sarpanch is categorical in his declaration that all civil land in the village has been re-classified as Van Panchayat land. As mentioned earlier, this transference was propelled by the villagers' desire to keep "outsiders" away from their forests. But this change is also seen as an assertion of the peoples' rights over village commons. One Agar resident stated, "The state government can do what it wants with its own land but cannot touch the VP land. There is no civil land left in the village."

However, within the Van Panchayat land itself, there exist parallel systems of management. In Agar, for instance, the Van Panchayat forests do not operate as common lands in practice. In reality, the VP lands are divided among the households in the village into family-owned '*mangas*' (grass plots), effectually transforming it into quasi-private property. In the village of Bajja-Nadila, a more complex organizational arrangement is in place. Of the 47.5 hectares of land comprising the Van Panchayat, the NGO Chirag intervenes in only 15 hectares (9 hectares Chara Vikaas and 6 hectares of Forestry programme). The remaining land, although officially under the VP consists of individual mangas and open grazing lands, and is not under the supervision of the Sarpanch.

In Bhorgaon, the NGO works in half of the 44 hectares under the VP. The rest of the land is open for grazing, while still within the purview of the forest council. However, some residents believed that this latter land was categorized as civil forest, since it was largely open access. The Sarpanch explained, however, that "the Van Panchayat land is divided into two equal halves, where only one is enclosed for tree-growing and protection, the other is left for open access grazing." He added, "I had to fight a long battle for this division, if the entire land was fenced for tree protection, where would my animals go?" drawing attention to the clash between environmentalist logics and livelihood necessities, a point that shall be explored later.

LEGAL FRAMEWORKS

The history of forest policies in India, demonstrates that the colonial legacy of forest protection, control and management extended into post Independence India where the inclusion of princely

states into the fledgling nation enabled a greater territorial dominance for the government.[10] Commercial orientation towards forests continued into postcolonial India.

However, an examination of the history of Van Panchayats in Uttarakhand points to the tradition of resistance in the region whereby the *pahadi* people were successful in fighting British exploitation of their forests (particularly for wood to build the Indian railway network) and ensuring their control over a portion of Revenue Forests. The first Van Panchayats were formed in 1931 under the Scheduled District Act of 1874, marking the beginning of a novel institution for decentralized management of common property resources in India. Later, in 1976, the VP Rules were brought within the Indian Forest Act, 1927. This law was responsible for the designation of forests into reserve, civil, panchayat and private. These rules were modified with the Uttaranchal Panchayati Forest Rules in 2001 and again in 2005, after the formation of the new state.

While the VPs today are governed primarily according to the rules devised in 2005, there are a multitude of laws that dictate forest resource use and the rights of rural stakeholders. For instance, it was only with the National Forest Policy of 1988 that the government cited the creation of a peoples' movement for the regeneration of forests as a central objective, giving an impetus to community management. Unfortunately, it has been pointed out that most laws regarding the use of forests have been insensitive to peoples' subsistence needs and traditional claims to the forest. In addition, newer rules and regulations, such as the revised 1976 Act and those in force since 2001, have only bestowed the Forest Department with greater control over the management process.

Further, the administration of forests in Kumaon is an interesting example of legal pluralism given the coexistence of numerous other laws governing the use and sale of forest produce[11]. Again, these multiple legal codes tend to intensify state control over forest lands while shrinking villagers' entitlements, displaying a complete lack of faith in established practices of resource use and regeneration. The Rural Tree Protection Act of 1976 places several restrictions on residents from

[10] Guha and Gadgil. 1992: 185.
[11] Mukherjee P., 2004: 161-71.

felling trees, even within their private lands. The Uttar Pradesh Resin and Other Forest Products (Regulation of Trade) Act, 1976, made the extraction and sale of resin a state monopoly. The Transit Rules of 1978 forbids the transportation of timber and other forest produce within a long range of prior permits. A fifteen-year ban on the cutting of green timber at high altitudes was imposed, (ironically) in response to the Chipko movement, through the Indian Forest Conservation Act. Sometimes, people may be unaware of these multiple rules or may have knowledge of them but choose to circumvent laws whenever they directly contradict established practice.

Primarily, however, the functioning of the VP is determined by the rules of 2005, which clearly postulate the powers and duties of the panchayat and its members. The present rules draw considerably from rules framed in 1931 which provide from the election of council members (panchas) and the head (sarpanch) under the panchayat inspectors (patwaris). The Rules further provide that a village can apply to form a VP with the agreement of one-fifth of its adult members residing in the village for a period of at least 10 years, and not if one-third of the residents raise objections to its creation. However, very often, the establishment of the institution is state-imposed with little consent from villagers. The rules state that the VP shall comprise nine managing members, of which 4 seats shall be for women (including one SC/ST woman) and 1 seat for an SC/ST man. The Sarpanch, or the head of the VP, is elected from among the members. The elections are informal, where every household in the village is a member of the VP. The managing body is legally expected to meet once in three months (in Agar, this rule was nugatory). The Sub Divisional Magistrate is the de jure VP officer, but from what we saw, he came to the villages only when the elections were held or the maps were being configured[12].

The responsibilities of the Sarpanch range from convening meetings and maintaining accounts and files to launching prosecutions on behalf of the VP. These revised rules have been critiqued on the count that they place the burden of VP functioning solely on the shoulders of the Sarpanch, in contrast to the earlier focus on the council as a whole. This exclusive reliance on the SP to carry out all forest-related work was evidenced in the villages of Bajja and Agar, where there was

[12] Agarwal R., 1999

a marked lack of collective responsibility for the protection of the village forest. This is further exacerbated by the fact that the rules require meetings of the VP to take place only once every two months and general meetings of all village rights-holders once a year to discuss panchayat expenditures and development work. According to a report by TERI, there has been a decline in the frequency of meetings held by the VP in recent years[13]. At the same time, in Bhorgaon, where the VP is run by the women's collective but headed by a male Sarpanch, the Sarpanch complained that he was not informed of meetings and panchayat activities, saying, "The members need to follow procedures and given protocol to call a meeting; they can't just circumvent my authority".

The rules further call for the preparation of a micro-plan, a scheme for the management of a forest panchayat for a period of five years, along with an Annual Implementation Plan, thereby increasing its bureaucratic and administrative responsibilities. The major functions of the council include the prevention of felling and encroachment, the construction of boundary pillars, the equitable distribution of forest produce, as well as the implementation of directives of the Sub-Divisional Magistrate. The VP also has the power to impose fines on violators and seize intruding cattle. It is responsible for the sale of grass and fuel wood, and is allowed to auction trees up to the value of Rs. 5000 with the permission of district authorities.

When rule-violators are caught, their tools and weapons can be seized by the forest guard and a fine is levied on the individual. When fines are not paid, the VP may file a complaint with the Revenue Department but this is rarely done. Doing this would take considerable effort on the part of the Sarpanch as well as money which the council rarely has. When complaints are made, the department often takes several months or even years to take action. In practice, most guards resort to verbal warnings prior to reporting the individual's actions to the Van Panchayat in order to maintain cordial relations with neighbours and avoid legal hassles.

The VP is obligated to distribute the income from products like resin and timber to the Zilla Parishad and the Forest Department, while using a part of the revenue for forest development

[13] Behera B., 2003

work. Financially, the VP can incur expenditures of not more than Rs. 1000 from the Panchayat Forest Fund (money from the sale of forest produce and government grants) but the fund itself is under the overall control of the Panchayat Van Vikas Adhikari (PVVA), a government official. Even the use of forest products domestically and for local cottage/village industries requires the approval of the PVVA. What these rules demonstrate is the considerable government control over the VP and the cumbersome bureaucratic approvals required in its everyday functioning.

At the same time, the VP is entitled to formulate its own working rules (to a degree) depending on village conditions and needs. The Bhorgaon Sarpanch maintained that, “Each VP has its own rules. There are two portions to the VP land: covered (grass-cutting) land and uncovered land. One half is used for five years and the other half for the next five years.” In the villages of Bajja and Bhorgaon, the VPs have instituted a one-hour grass cutting rule, according to which one member of each household is allowed to cut grass from the VP forest for a period of one hour every day during the months of October and November, until all the grass is cut. The Sarpanch oversees the cutting, blowing a whistle at the beginning and end of the hour. In Bhorgaon, the system of mangas existed prior to the introduction of this new rule a few years ago when the NGO began its work in the area. The people we spoke to believed that the new system was fairer, since how much grass one can cut depends solely on one’s skill and speed.

Explaining the working of the VP under the ‘manga system’, some women said, “In the earlier system, the Sarpanch would allot one plot of land to every family in the village. This has a very long history. There was no fixed plot; it would change every year. Obviously, some would get more and better land; it could never be completely equal. The friends of the Sarpanch could get good land.” Interestingly, while system of mangas exists in several villages, the division of the land takes place in different ways. While in Bhorgaon, there was arbitrary allotment of plots, a woman explained that in her parents’ village, a different procedure is followed. “There is a VP there as well. But the land is divided into different parts. They have a parchi system. All the women do not cut the grass together. The chit system prevents conflict because each household is allotted a piece of land according to the number he picks. The benefit is that system is that one

can go anytime in the day to cut. There, everyone goes individually to cut grass. Here, you have to leave your housework and go to the VP at a fixed time, which is tougher."

Further explaining the rules in Bhorgaon and Bajja, one man said, "The manga system was very uneven and unequal. Now, whoever is fast, can get more grass. Everyone has to pay some amount to cut the grass from VP land. There is no fixed price – it ranges from Rs. 25 to 50 and one year, we did not have to pay anything at all. The money goes to the joint account of the SP and government."

While administrative obstacles do impede the council's functioning, most villages seem to institute their own rules according to what is considered fair and necessary. The post of chowkidar in Bhorgaon is given to a person (preferably a woman) who needs the additional money. At the last VP elections, Shanti Devi was selected to be the guard. She goes to the forest everyday for two hours in the morning and evening. Her job is to report to the Sarpanch about people (from within and outside the village) who bring their cows to graze illegally on the VP land. She is rewarded with a cash payment and some amount of grass at the annual collection. Describing her work, she said, "If people cut grass, we first tell them nicely not to do so. If they disobey, we have a VP meeting and punish them. This has not happened yet during my tenure. People will come to steal grass only when the grass grows with the rain"

AIMS OF THE VAN PANCHAYAT

Forest conservation by and for people who depend on it immediately is seen as the larger purpose of the Van Panchayat. Traditionally, the Van Panchayat has aimed at granting people the decision-making power to use and manage forest resources. In our attempt to gauge the relevance of the Van Panchayat in the everyday lives of various residents, we recorded individual perceptions about the issue.

When asked, there were many respondents who gave us the official version, where *paryavaran* (environment) was seen as being central to the agenda behind the institution (if can even be called that). "The main aim is *paryavaran*. This will help increase rainfall and we'll have cool

winds. The soil will be conserved," says Hayat Singh, the current Sarpanch of Bhorgaon. Hemchandra Tamta, a panch, and a retired service professional in Nadila elaborates further, "The Van Panchayat began because the government understood that a lot of damage had been done to the environment. The climate change bandwagon had begun, and the Van Panchayat was instituted under the Sarpanch who was supervised by the District Magistrate. Also, we have a large forest area which is *benaap*. And to avoid any kind of arbitrary encroachment in that we needed an official body. It serves two primary objectives*: ghaas ki poorti* (supply of grass) and *jungle ko bachaye rakhna* (protecting the jungle)." Like Hemchandra Tamta, even though most of the respondents began with conservation of the forests, through a monochromatic environmentalist perspective, even without much probing, they revealed that environmentalism for environmentalism's sake was not the ultimate objective. Instead, the logic was more territorial. With the establishment of the Van Panchayat, a singular village could lay claim on a piece of land over which it had no prior monopoly. If *paryavaran* is seen as the state's reason for instituting the Van Panchayat, for the residents, *atikarman* and its prevention is the most important concern. While Agarwal lists prevention of encroachment as the fourth function of the Van Panchayat, the villagers saw it's as the key purpose.[14] No-man's-land which was previously disposed to open access grazing is consequently converted into the Van Panchayat *of* a particular village. It becomes a marked territory, under the jurisdiction or control of that village. Such an objective creates a clear demarcation between outsiders and insiders, rightful users and violators or offenders, those who 'steal' grass or wood in the depth of the night, and those who don't need to.

From conversations we gather that when any Van Panchayat is initially being established, a new map is reconfigured. The Patwari (District Officer) surveys the village and facilitates the redrawing of boundaries. An official map is then created, a copy of which must be kept with the Sarpanch. The formalisation of inter-village boundaries, which the Van Panchayat facilitates, is the source of much conflict: "Once, we built a wall to prevent the people of Gaula (a neighbouring village) from entering and they called the police and filed a complaint against us. The police asked me to call the other Van Panchayat members but they were too scared to come. They tried to arrest me," says Hayat Singh.

[14] Agarwal R., 1999

Agar, where the Van Panchayat is dysfunctional and the penalties are paper tigers, is a classic case in which the Van Panchayat was introduced to prevent “encroachment by outsiders”. “Earlier there were 13 villages within one Gram Panchayat. Everyone had begun to ask for a share of grass from parts which were closest to our village. A proposal had to be sent to the Patwari, who provided money for building boundary walls, the Van Panchayat for Agar was made,” says the former Sarpanch of Agar. Such steps have evidently led to inequities among villages, in terms of the forest resources they can access. For instance, Chaugaonchhina, a neighbouring village and formerly part of the same Gram Sabha as Agar, has a bad reputation of encroaching on the Agar Van Panchayat land. Chaugaonchhina, literally the meeting point of four villages, is mini-site of commerce as well as leisure, where all the men from villages conglomerate every evening. “Chaugaonchhina has no civil land many resident politicians have appropriated it and made it into private gardens,” says Umakant Sharma, a resident.

Agar, which has 22 families, has a relatively large Van Panchayat of over 40 hectares. Chaugaonchhina, which has 116 families, has no such claim over any land, and hence it inevitably produces encroachers. The Van Panchayat, then, harnesses some alliances and destroys others. For instance, Gaula, another neighbouring village, enjoys access to Agar’s grazing lands, ”we are the same Gram Sabha, and there’s a general agreement that we send our animals there and they can send theirs here,” a village elder adds. Whereas Chaugaonchhina grazers are constructed as thieves and viewed with resentment, solidarity is nurtured with Gaula residents. This may also have to do with the geo-political history of the villages, where both Gaula (Gauladhar) and Agar (Guldhar) were products of the Dewaldhar Estate, and Chaugaonchhina was not – two siblings and a stepsister. In any case, the Van Panchayat boundaries strengthen these existing ties and differences.

Complementary to the effective exclusion of outsiders, is the idea of reasserting customary village authority over its forest, ‘apnapan’, ‘apna jungle’. For instance, even though most Bajja households claimed not to use the Van Panchayat, the men attended its meetings, asserting their ownership over the village forests. Despite playing a minimal role in the Van Panchayat (for

reasons that shall be discussed later), the SC woman panch in Bhorgaon states that everyone in the village is a rightful member of the institution. “This is my village, my jungle. When the Forest Department intervenes for timber at the cost of our needs, I will fight for my rights exactly the way Naxalites fight for their rights, when their control of natural resources is threatened,” the Bhorgaon Sarpanch declared vehemently. This demonstrates that if the Van Panchayat serves as a mechanism by which a village defines its authority in opposition to other villages, it also helps carve out a political identity for the village as against that of the government. While there are contradictory opinions over whether it is a source of state authority, people view the Van Panchayat, albeit a state intervention, as a marker of village autonomy and control in opposition to that of the state. “The Van Panchayat is good. The only other option the government leaves us is taking it within its own authority. At least this way, it comes within the boundary of the village,” says a panch in Nadila, who is otherwise disgruntled by the inability of the Van Panchayat to bring about any radical material transformation in his life. “Of course conservation was the main objective with which the Van Panchayat began. But the forest department is not responsible, the village is,” corroborates the former Sarpanch in Agar.

Community workers from Chirag tell us that the Van Panchayat in Bhorgaon is successful because of the communitarian ethos in the village. A dynamic Van Panchayat can only be maintained in the presence of a strong collective. When we tried sieving through the abysmal nature of Agar’s Van Panchayat, the social perception in the village pointed to the lack of consensus and cooperation towards the serious potential of the Van Panchayat. “The VP can be effective only if the people come together to protect it,” the Sarpanch states. ”One person cannot do anything to protect the Van Panchayat, an entire collective is needed. It has to be looked after like a child. A consensus is required to protect against larger obstacles like fires,” the former Sarpanch elaborates. Village meetings, which are basic indicators of an active collective were absent in Agar. The idea of shramdaan is crucial to understanding this communitas. Efforts have been made by Chirag to instill the ethic of shramdaan or ‘general welfare’ amongst the villagers by making residents forfeit 20% of their wages procured from working on the Van Panchayat land.

"We don't know why we have to do it, but they tell us that it is our forest and that we will benefit from hard work in the forest, and that we are working for ourselves," says Shanti Devi, the Bhorgaon chowkidar. "Service-wallahs in the village should be asked to contribute, not us who toil on the Van Panchayat lands, whose life depends on the wages we earn from it," says Bhagwati Prasad Tamta of Nadila. "The NGO has introduced this principle to instil a sense of collectivity and the notion of 'our village'. This may help us conserve the environment, but doesn't help us deal with our household expenses. However, when visitors see this shramdaan being practiced, they give donations to the Van Panchayat, rewarding us for the cause," add Janaki and Sushila. From this, it seems apparent that the villagers value the monetary benefits of the Van Panchayat activities, and simultaneously disapprove of the practice of shramdaan which seems force-fed and imposed from the top. And yet, there's also the recognition of the funding attraction generated by the romance of the ideal.

In Hayat Singh's words, the most 'direct' benefit of the Van Panchayat is that it supplements depository of grass for most households. Theorists like Agarwal, too, see this as second most important function of the Van Panchayat: "to ensure the equitable distribution of forest products amongst the members."[15] However, in the villages we studied, grass was the often the only forest produce that the VP land generated, occasionally followed by wood. Shortage of fodder is often a source of extreme anxiety. A larger fraction of the daily calendar includes laborious efforts invested in grass cutting, from privately owned farms and forests. "A reserve of grass is created, during the rains women cut it, dry it, and make stacks for the year," says Hemchandra Tamta. According to Ganga Devi, a Chirag representative, the NGO actively intervened in the Bhorgaon Van Panchayat because "the poor were not benefiting from it. In 2004, plantations and enclosures were made so that people benefited from it and jungles were protected." The Van Panchayat, consequently, as a site of *chara vikas*, provides *some* relief to the villagers who rely on the forests for the fodder.

"The Sarpanch is seen as a supervisor who directs how much land must be used for grass-cutting on a particular day. Grass, during that one month is cut for around two weeks till the land is

[15] Agarwal R., 1999

exhausted. On an average, they collect 10 *ghattas* (bunch), which can last for two months, depending on the number of livestock," says Hayat Singh. "Our main source of grass is our fields. Even though we need to buy grass, the reserve collected from the Van Panchayat lasts for a month at the most. I get one ghatta per day which lasts for two days for one cow," a woman in Bhorgaon adds. The degree to which the Van Panchayat aids the fodder reserve varies. There are those who claim that it does not help them at all, it does not ease their financial burden in any way. Some say, it has a fractional effect in their lives.

Hayat Singh succinctly sums up the other benefits of the Van Panchayat: "The indirect benefits are environment protection, the fact that no one can lay claim over it, that the government's property is left intact, and that it introduces a disciplinary and procedural ethic within the village." For Hayat Singh, the Van Panchayat reintroduces a legal centralist perspective on governance and forest management. It is a way by which a parallel legal framework is subsumed into a larger, uniform system of management, remaining semi-autonomous and yet following state procedures and norms.

Agarwal sees "carrying out the direction of the deputy commission or subdivisional magistrate regarding the administration of these forests,"[16] as a function of the Van Panchayat, thereby stressing the role of the state. "With the various bans, the Van Panchayat is more a sarkari intervention than one that emerges from the village. The forests are consequently greener than in our grandfather's time," Hemchandra Tamta of Nadila adds. While the ambiguity between state and village power remains, the central objective of conservation and regeneration of the forest cannot be divorced from its material benefits. In essence, *jungle bachao* cannot be separated from *ghaas ki poorti*. Through the Van Panchayat, wood required for weddings and building houses can be procured with relative ease, circumventing the bureaucratic quagmire of going through the domain of the Reserve Forest. However, the trees cut for such purposes are those which are dry and dying. In this fashion, a delicate balance between environment protection and material needs is maintained, at least ostensibly so. Sustainable development, then, can be seen

[16] Agarwal R., 1999

at the core of the Van Panchayat – "It is important because the next generation will benefit from it. Without the jungle, there's nothing," as a previous Sarpanch puts it.

GENDER DIMENSIONS

"In Uttarakhand, the high male out-migration in search of employment makes the women effective managers of the rural economy."[17] Through our observations, we realized that, by and large, unemployed as well as older men continued to manage important resources, while women were in effect used as surplus labour. Agricultural work, sowing and so on is primarily done by women. Agriculture is not seen as a source of income, because the probability of crop failure is high, precariously determined by rainfall. Having no monetary value, it is consequently a realm occupied by women and older men. Raising livestock is the sole responsibility of women, grass-cutting and drying is a perennial chore that takes up at least three hours of their day. When we asked a widower in Agar why he has no livestock, he says that while his wife was alive he did rear them, but now he has no one to look after them. His brother, with a physically impaired wife has not kept a buffalo. He says, "With a wife like this, how can rear a buffalo? To rear a buffalo, you need to be a tough as one. Besides, my *bahus* (daughters-in-law) have done their M.A's. I have to force them to go to the field, imagine forcing them to run behind a buffalo!" ***(****Aurat aisi hai, kaun layega ghaas? Bahu MA hai, voh kahegi, No! Bhais ke liye bhais banna padta hai).* He also has an unemployed son, who finds no mention in this context. Hence, it is not surprising that the women who did speak of the benefits of the Van Panchayat, emphasized *ghaas ki poorti.*

Moreover, apart from the Bhorgaon Self-Help Group (SHG) and Bajja panch members, the women were not familiar with the administrative processes of the Van Panchayat. For instance, the Agar Pradhan's daughter-in-law did not know what the Van Panchayat was. She has been living in the village for the last ten years, but had never once been for the elections. This is despite expressing the fact that she visits the forest frequently for fuel wood, grass and pirul (pine grass). She also actively proclaimed that women were more dependent on the forests. In Nadila, a woman said, "*Mard log meeting ke liye jate hai, pachaas rupai jamate hain, aur ham ghas*

[17] Sarin M., 2001

kaatne jaate hain. (The men go for the meetings and deposit the money, and we (women) go to cut the grass)."

"Young unemployed men saw *rozgar* as the most important aim, yet to be fulfilled. In Bhorgaon, a lot of unemployed men worked on the Van Panchayat land through Chirag. The Chirag project, funded by Sir Ratan Tata Trust, involved making *khaals* and digging holes for trees to be planted. This task was done primarily by men (who resented the money that they had to surrender as shramdaan). On those rare occasions when the NREGA brings work to the village, it is usually taken up by men. Seema Tamta, the Dalit panch in Bhorgaon, says she has never seen any women enrolled in it. "In this area, women don't go out as labour; a lot of the work is done within the house. We don't go to Chaugaonchhina for leisure, unlike the men. We find contentment within our homes," she adds.

In Nadila, men worked on the Van Panchayat land through the National Rural Employment Guarantee Act (NREGA), about five months ago. Thus, uneducated unemployed men constantly seek opportunities for wage labour, and even though these opportunities are hard to come by; the NREGA has been implemented only once in both Nadila and Bhorgaon, and the bureaucratic struggle to procure the wages is long and tiresome. Further, when we asked a Thakur woman in Bhorgaon why she wouldn't search for wage labour so that she could make ends meet, she replied with pride, "Our men don't allow us to do *mazdoori*." While the daily grass-cutting, back-breaking sowing, carrying fuel wood and pirul from the forests is much the same as *mazdoori*, the cultural understanding denies the equation, even as it may acknowledge the crucial role of women in agricultural activities.

In Agar, a retired service professional hinted that absence of men in the village led to their indifference and casual approach towards the Van Panchayat. The forest was a domain was occupied by women who were "left behind" in the village, and hence no serious value was attached to it. In Bhorgaon, women subverted this devaluation by playing an important role in the working of the Van Panchayat. Chirag initially set up a Self Help Group, which was a successful enterprise and in 2004, after most civil land in the district was converted into Van Panchayat land,

it roped the SHG women into the Van Panchayat project. It is important to recognize that motive of conservation and environmentalism is not innate or intrinsic in this case, but introduced by an external source. However, this does not deny the fact that women are enthusiastic and always ready to protect their forest. The proximity of their houses to the Van Panchayat is very high, which enables their full participation. They sing songs while planting trees from their nursery, and there's a general sense of merriment which reinforces their cohesive solidarity. They also negotiate their power with the male Sarpanch in effective ways.

The Sarpanch exerts his authority through strong masculine notions, intermingled with his assumed acumen gained through his experiences in the Army: "These women who have been confined to the four walls of their homes. They lack exposure and barely know how to write, so obviously they will have different views. The mahilas think I'm being aggressive because they lack the confidence as well as the intelligence to comprehend what I'm saying."

The SHG members, many of who are also official members of the Van Panchayat, are Thakurs or Brahmins. Consequently, the intersecting lines between caste and gender complicate the idea of empowerment. The SHG women have a virtual monopoly over the Van Panchayat, through which the SC women, perhaps inadvertently, are excluded from that sense of celebratory collectivity. The ownership and agency expressed by SHG women is much greater than the SC women, including an SC woman member of the Van Panchayat. She says "They selected me because I'm educated and I could sign when needed. I don't go to the Van Panchayat to collect pirul or to plant trees. There's too much of a slope involved. The SHG women might work in the Van Panchayat and get some pocket money out of it but I don't go there."

On the contrary, in Bajja, we notice that despite the physical proximity of the Van Panchayat to its residents ("The forest is right above our heads"), they did not use it or even visit it. It was interesting to note that while all the Nadila (SC) women were out in the fields or in the forests, and our respondents were largely unemployed or retired service class men, in Bajja, the (Brahmin) men were out in bigger towns and cities, and the women were confined to their homes. The women did not depend on the Van Panchayat at all, and hence, their political engagement with it

was also minimal. They did not go for the elections. When asked whether they attended the meetings, they said the men from their family did so when they were in the village. We learnt from a respondent in Nadila that the Van Panchayat meetings are generally held on a Sunday so the men enrolled in jobs could attend them. Hence, while the effective functioning of a Van Panchayat can assuage the burden of women, even if it fulfills their resource needs only partially, it is important to recognize that women across classes do not uniformly align themselves in favour of a single agenda and their access to power is often differential.

STRATIFICATION AND RESOURCE USE: CLASS

The high level of rural out-migration in the state has made the region heavily dependent on the money-order economy. Male migration in the region dates back several centuries when Kumaoni men were recruited in large numbers into the army. More recently, however, migration has increased tremendously, particularly among the upper caste Brahmin and Rajput men. Most households have a young male member who has migrated for work to a city. Several villages were marked by the complete absence of adult men, at least during the day, who work in places like nearby Bageshwar and Almora, Delhi and even run businesses in Mizoram. A large number of people in these three villages had worked in the army or as teachers in government schools, and most young men were either unemployed or working outside the village in a variety of "service-jobs". Migration as well as the high dependence on rainfall and small size of land-holdings has lowered the productivity of agriculture in the area. Grain in most households lasts only for about three months of the year, increasing the reliance on markets and ration-shops for food. Thus, survival has come to depend on cash incomes from coveted private and state jobs.

This increasing out-migration and the rise of the service-class have led to a reduced reliance on the forest in recent years. Agar, a village comprising primarily 'service-class' families (army-men and school teachers) does not have an active VP. According to the former village Pradhan, "There is no chowkidar in the village because everyone is caught up in service jobs". Another well-off man in the village stated that the only reason they had appointed the present Sarpanch to

the post was because he was poor and relatively free (he runs a small shop in the nearby market). He said, “Nobody is really interested in getting involved with the Van Panchayat, because no one wants the headache. The Sarpanch is poor and not very old. If he’s swallowing a little bit of money, let him do so. After all, he is our relative and we don’t really need the money.” While speaking of the possible benefits from the VP, several persons stated that the VP was useful for those who were unemployed since they received some money from work done on forest lands. This view seems to be shared across villages with many people from Bhorgaon (which has a fairly active VP) saying, “The members are mostly those who are unemployed or retired, not the service people.”

The Sarpanch of Agar himself noted the apathy of villagers toward the VP. “In other villages, they worship the forest and the land. They get everything from the forest. All their problems are solved by the forest. The VP land has never been very important in our village. Everyone has left this place – there are lots of *naukriwallas* (people with ‘jobs’). People keep fewer animals. And now people have gas and they can buy milk from the bazaar.**”**

Others pointed out that modernity had drastically changed peoples’ aspirations and priorities. The husband of the village Pradhan (head of the Gram Panchayat) in Bhorgaon summed up the disinterest of the youth in agriculture and forestry, “Nowadays, the children don’t want to come to the fields. The fathers have put a pen in their hands; they know a lot, they want to study, not become farmers. Now, no one can even recognize the herbs from the forest.” However, the community workers from the NGO reiterated the significance of the commons stating that, “People share the fruits of whatever grows on VP land.” However, they added, “there are some in the village who have money and who send their children away to study. They do not care about maintaining these lands.” For instance, a young man in Agar, who had, until recently, been living in Mumbai, knew very little about the VP, civil land or his family’s mangas. At the same time, he believed that the VP could make a difference to the livelihoods of people in his village. At present, none of the VPs were an income-generating enterprise although most people believed it had played a critical role in the regeneration of their forests.

Bajja, a part of the Bajja-Nadila village, also has primarily 'naukriwallas' and high migration. All the young men are away at work in nearby towns leaving the women with effective control over the household. These women, however, claim not to use the VP at all, despite its geographical proximity to their homes. Interest in and use of the VP is determined by livestock ownership, which depends on source of income and number of household residents.

Integration with the larger market economy has changed the socio-economic situation in the village of Bajja, leading to greater economic differentiation between the people of Bajja and of Nadila. Participation of Bajja families in the cash economy has resulted in their lack of interest and involvement in forest-related activities. Despite being well-off, Bajja residents only kept one or two cows, requiring less grass and therefore, less labour. Their source of feed was from within their own agricultural lands. Their access to local markets is greater (jobs in Bageshwar town), allowing them to buy milk. Moreover, the need for fuel wood is minimal is Bajja due to the primary use of LPG in these households. At the same time, the women asserted their right to the forest and mentioned that their husbands did go for the VP meetings whenever held. The Bajja-Nadila VP, therefore, is of primary importance to the people of Nadila where men are largely unemployed and dependent on wood to satisfy domestic energy requirements. Only two residents of Bajja were involved in the VP – they were both women members of the council and seemed to be poorer than the other Brahmin families of the village. One woman is a widow living with her son, the other a woman with a large family and both had small, kuccha homes.

Importantly, the NGO has introduced the concept of 'shramdaan' (voluntary work) in relation to all forest-related labour. For instance, when work such as the building of contour terraces or planting saplings is done, those villagers in need of work are employed. They are paid for 80 percent of the work while the remaining 20 percent is given as shramdaan, unpaid labour contributed to the community for its "general welfare". The people of Bhorgaon and Bajja complained that shramdaan was a burden, since they were required to perform unpaid labour at a time when prices of all commodities were soaring. Many said that they did not know why they performed this service, but did so because the NGO had told them to.

Significantly, research has shown that common resources other than forests (irrigation canals and water sources) were "managed by informal institutions known as *shramdaan*, literally work donation".[18] However, as Agarwal notes, market linkages are eroding this concept, and now villagers have no interest in doing work without payment since "the economic logic of the cash economy (has) also changed local value of time and labour".[19] The concept of shramdan does not exist in the village of Agar, where what is known as the 'manga system' runs. A well-off retired teacher in the village of Agar, whose children do not live in the village, pays labourers from nearby villages to do the grass-cutting in the months of October and November for Rs. 100 per day and one meal. Such is the trend with increasing male migration and the declining subsistence economy.

However, the residents of upper Agar, who belonged to a separate family, were not members of the service-class. Largely, the men of the families were unemployed or engaged in casual labour and agricultural work. The land ownership of these families, on an average, appeared to be less than those of lower Agar. None of the residents from here are currently members of the VP.

CASTE

The general contention held many scholars is that social stratification in the plains is more conspicuous than in the Indian Middle Hills. And yet, caste is taken as the primary indicator of social ranking, since reliable information on landholdings in these areas is absent.[20] Agrawal notes that the degree of offences conducted by Dalits is far greater than the Brahmins and the Thakurs, hinting at their increased dependence on common lands.[21] While we did not record any instances of 'offences' committed by 'encroachers', we did gather that the level of dependence by the Dalits was relatively high in Bajja-Nadila.

[18] Agarwal S., 2006.
[19] Ibid.
[20] Agarwal A., 2001: 23-24

[21] Agarwal A., 2001: 23-24

In Bajja-Nadila, caste and class overlap almost completely with the Brahmin Upadhyays of Bajja in well-paying service jobs and the Dalit families of Nadila largely unemployed or engaged in agricultural work. The Tamtas of Nadila displayed a greater interest in and enthusiasm for the work of the VP. Indeed, most of the VP members were from this part of the revenue village as is the Sarpanch.

In Bhorgaon, however, the SCs, Brahmins and Thakurs are more or less equally dependent on the forest and in need of multiple sources of fodder. The Van Panchayat comprised members of all the castes present in the village. While economic differentiation between castes in Bhorgaon is not tremendous, there are subtle forms of exclusion in operation. The SC community resides at one end of the village, near the road and at some distance from the other families as well as the forest. While many Thakur and Brahmin women interacted regularly, the upper-caste residents of Bhorgaon had little knowledge about the SC households, their names and occupations. Due to his palpable physical and social isolation, the SC community displayed a lower degree of awareness of the working of the VP, and did not participate in the collective tree-planting activities initiated by Chirag.

Another important factor affecting this non-involvement in VP activities is the fact that the women's SHG largely runs the panchayat and none of the SC women are members of this collective (although some SC women are a part of a women's group run by another NGO). Thus, the sense of ownership and agency expressed by women in the collective is much greater than the SC women, including an SC woman member of the VP. The SC member said that she largely cut grass from her mangas which are closer to her home, although she does go to the VP, along with other SC women, during the grass-cutting hours. Another SC woman (not a member of the VP) shared her views. "We go to the VP when the NGO calls us. We sometimes cut a tree from the VP with the SP's permission. We do not give any shramdaan, nor do we do any other work in the VP."

SYMBOLISM & ITS LATENCY

Having read about the existence of 'sacred groves'[22] across the country, we began our fieldwork with an assumption of finding numerous ritual practices associated with the forest. In turn, we hoped to determine the degree of significance of the forest in the social life of the chosen villages. We intended on recording some folktales and oral histories that had been passed down through generations which would indicate a sense of engagement with the forests. However, in conversations, people described the forests in terms of its contribution to their livelihood and material existence; the symbolic relevance seemed more muted and indirect, a legacy that remains present in the backdrop. It is important to point out that the villages we studied were entirely Hindu in their constitution; hence the festivals celebrated were similar to mainstream Hindu society, with variations.

The festivals displayed the strong references to their sources of subsistence. Some examples include the worshipping of bullocks and the plough on the day of Ekadashi (ten days after Diwali). According to the Bhorgaon Sarpanch, the bulls are decorated and prayed to on this day. On Vasant Panchami, which celebrates spring, households decorate the doors of their homes with *jau*, a local coarse grain, and "on this day, we also put *jau* flour on our heads," the Sarpanch adds. Harela is one specific festival where grains like *dhaan*, wheat, *jau* are treated as objects of worship. "Women come to their natal homes. The grains are hidden in the mud. On Biku or Sankrantri, we eat what we have supposedly hunted down. Bakri is eaten on this day. Vegetarians must eat meat on this day. It cleanses the body of poison. On the ghee festival, *udad dal* is ground and special rotis are made out of it. It is important to eat ghee on that day," a woman in Nadila tells us. These anecdotes suggest that agricultural farms and their produce are as 'sacred' as the forests, if not more. Additionally, local fruits and trees such as Beru and Kafal find a mention in some songs.

However, contrary to popular perception, the Van Mohatsav was introduced to the villages by external sources, perhaps, as a celebration of a quintessential innate environmentalism, assumed to form the skeleton of these village societies. "I don't think anyone in the village celebrates Van Mahotsav. It is only the environment-wallas who suggest it but no one really does anything,"

[22] Guha and Gadgil. 1992

Shantidevi, the Bhorgaon chowkidar states. “The Van Mahotsav is a special event when we plant a tree in the Van Panchayat, do a puja, nah-gana and eat sweets. People from Chirag coordinate it, they also come and take pictures of it,” the SHG women add. Consequently, it is difficult to draw any strong conclusions about the symbolic representation of forests in any of the villages. If anything, it hints at the need to resist any kind of uncritical glorification of the jungle.

CONCLUSION

Through our findings, we can conclude that the relevance of the Van Panchayat to ordinary people varies across lines of class, caste and gender. Measuring the primacy of such an institution in these villages is difficult because unlike the Van Panchayats of Nainital District, the ones in Bageshwar are at a stage of infancy. The recent mushrooming of Van Panchayats - after the conversion of civil lands in the region - is seen as a mechanism by which a semblance of environmentalism that is so often attached to Uttarakhand can be maintained. There is *some* substance behind this semblance which cannot be denied. The Chipko Movement in the Kumaon region took a radical turn, ultimately contributing to the formation of another state in 2000. The Bhorgaon Sarpanch tells us, “Conservation comes with our legacy. We don’t use any chemicals.” Pirul, collected from the forest by the women is mixed with the gobar; the mixture is used as a fertilizer. “We don’t use urea here, only gobar. There is not enough water for urea usage. And it completely destroys the soil,” says Shantidevi, whose views resonate with those of many others.

Pine trees also a general source of annoyance, seen as hazardous and fire-inducing. “It destroys the forest, especially the American one. Baanj, kaaphal and walnuts are good because they conserve water and serve as important fodder sources. These need to be nurtured with care. Chir, on the other hand, grows rampantly here,” the present Sarpanch of the defunct Van Panchayat in Agar shares with us. The licences for the resin from the pine trees are owned by contractors from bigger towns, further alienating them from any benefits of the tree: “At this height, there can only be Chir trees. These trees have always been here; though some varieties

were brought in by the British. They would take the wood to the rivers and make their furniture. Now cutting trees is banned here. This happened after the Chipko movement. Balan Singh Janauti was a famous Chipko leader from a nearby village. Indira Gandhi told the police to shoot him but the women of the area stood in front of him and didn't let that happen," states the Bhorgaon Sarpanch. Thus, the region does have a strong history of conservation, which has had some influence on the way some people approach the issue. Though this awareness was displayed only by a few men (those who are or have been in past, in some position of authority), it is worthy of notice. Girishchandra Kandpal, the Pradhanpati of the Bhorgaon recalls how prior to the Chipko Movement, tree-felling was rampant and the forests were mired in commercial transactions over which the villagers had no control. "The trees used to be cut and sold outside the area. Other people were benefiting from our forests. They had permission to cut 100 trees but would cut 200." According to him, the movement has created ripples which can be felt to this date, at a time *paryavaran* is important both at the village-level as well as globally. For the people in the three villages, conservation, regeneration, sustainability and control are all intricately connected: "Being a member of this village and being born on this land, I feel that the forest is mine and want to preserve it because it may be of use to my children," says Govind Lal. He adds, however, that he does not get any benefits from it at present.

While Jodha highlights the income-generating importance of CPRs[23], our findings demonstrated that the Van Panchayats were not consistent sources of income and employment. While some (like the SHG members) faithfully believe that "only if there is *hariyali* (greenery), will there be livelihoods and economic benefits", many despair at the lack of fiscal advantages from institutions like the Van Panchayat as well as the forest at large. "The amount spent on the Van Panchayat could have been used to build housing for the entire village. There is only 1800 rupees in the VP bank, the amount is insignificant and not much can be done with it. The SHG, on the other hand, is effective because loans up to Rs 20,000 can be procured and the poor can benefit from it," the Bhorgaon Sarpanch states. The monetary under-productivity of the Van Panchayats undercuts any possibility of 'new commons'[24] where income generated from the VP could be invested in improving public schools, bore-wells, and so on. It is important to note that in the last five years,

[23] Menon A. and Vadivelu A. G, 2006
[24] Brara R., 2006

the Van Panchayats have not received any funds from the government; the intervention by Chirag is supported by private funding agencies.

The state's monetary indifference to the workings of the Van Panchayat despite the well-established laws and clauses, only serves to diminish the social and political significance of the institution. Given the dependence on cash income, the lack of interest (on the part of young men) in the VP also comes from the fact that, since the VP is a community institution, the members and Sarpanch do not get any salaries from the government. The lack of salary for the Sarpanch is a major disincentive for a job, which if expected to be carried out effectively, can imply a full-time commitment. "The Sarpanch has to be employed in some other work; he cannot fill his stomach by looking after the VP," states an Agar resident. The social significance of the Van Panchayat may radically enlarge if its financial consequences amplify. At the same time, it must be noted that the autonomy of the institution may be put at stake if its members are recipients of a state salary.

The contracts for the resin from the pine trees, even within the Van Panchayat territory, are owned by commercial *thekedars* who do not belong to the village. Such contracts require tremendous principal capital as well as the social means to swamp through a bureaucratic quagmire which makes resin a monopolistic venture. The royalties from this transaction must be deposited into the Van Panchayat bank account, though this has not happened yet, in any of the villages (tapping began one or two years ago). Increasingly depending on a cash-based economy for their subsistence in a geographical and micro-climatic context where agriculture itself is financially unviable, people hope that the Van Panchayat can be turned into an income-generating enterprise.

Measuring the success of these Van Panchayats is questionable precisely because 'success' itself has to be defined according to various parameters. While the Bhorgaon and Bajja-Nadila Van Panchayats can be seen as relatively successful in terms of their level of activity and as fodder sources, their reliance on the NGO for funds, may undermine this success. Self-sufficiency of an institution can then be seen as a necessary criterion of its success. Our findings point to the increasing importance of non-state actors such as NGOs in common property resource

management. Successful NGO intervention was responsible for the revival as well as establishment of VPs in two of the three villages. The lack of any inflow of funds from the government to the VP made the organization a crucial source of grants for forest development work. This reliance on the NGO is, however, worrying, given the often temporary nature of such involvement in a single village. In Agar, one reason, among others, for the decline of VP work was the withdrawal of the NGO from the village.

Further, these forest commons only supplement the biomass requirements, a dependence on multiple sources of fodder continues. “We only get one grass stack from it in a day, nothing more. The only success of the Van Panchayat is that we get a little more grass than before. An equitable store is generated. There is a race when all the women come together to cut grass. But the situation is better. At least there’s some grass now. Earlier there was only an open, unprotected jungle. Now at least there are trees growing there,” says Gita Devi, a resident of Nadila, encapsulating the general ambiguity in people’s attitudes towards the Van Panchayat.

Shanti Devi, the chowkidar in Bhorgaon, is paid Rs 250 every month through Chirag. She also plants trees for which is gets three rupees per plant, and Rs 4-7 for building contours. “There is some employment for us because of the VP. But we don’t get very much money from it since everything is so expensive these days. What is seven rupees? What will we get with it? We can get more money from other jobs in the village,” she states. “Eighty rupees is given for labour by Chirag and 20 rupees is taken as shramdaan. What is 80 rupees in these expensive times?” Pushpa Dangwal adds. “The formation of the VP has not made much difference to our economic situation. However, earlier, the pines were cut. Now, one has to go through the Sarpanch to cut a tree. Only *control* has increased, nothing more,” says Govind Ram. Thus, insofar as the territorial objective is concerned, the Van Panchayats can be seen as successful to the extent that they provide legitimized maps which, in principle, block off people from accessing the village commons. However, these boundaries are often transgressed, especially in Agar where there is no guard, the VP wall is in shambles, and everyone monitors their privately-controlled mangas.

One of the central institutional variables determining the effectiveness of the VP is the decision to hire a guard (Agrawal and Yadama)[25]. In this regard, it is clear that the VPs of Bhorgaon and Bajja functioned successfully owing to the presence of an active guard who frequently patrolled the forest. Research has also pointed to the relationship between group size and forest condition, since smaller villages find it difficult to protect extensive forests due to the presence of fewer residents and the inability to generate sufficient funds to hire a guard, as can be seen in the case of Agar.

Of the four main collective action problems, as outlined by Arun Agrawal (1994), the first two – boundary and authority rules, and monitoring – were dealt with satisfactorily in the villages of Bhorgaon and Bajja. However, the VPs did face trouble with regard to sanctioning and arbitration, albeit less than what would have occurred without a boundary wall and a guard. Here, the lack of support from the government plays an important role. One Sarpanch complained, "Even when we registered complaints against offenders to the Patwari, he did not give them any penalties. Offenders should have been punished instantly, so that regulations were maintained. The lack of appropriate sanctioning measures amounted in a lot of damage within the Van Panchayat, and a casual attitude towards it. *Dheela pad gaya*."

Therefore, although over 70 percent of forest land in Almora and Bageshwar district is, in principle, managed by local communities[26], this paper has attempted to show that reality is far more complicated. The Van Panchayat, a social and administrative body, is located at the intersection between customary and legal rights and ownership. The equivocation between 'community-owned', 'state-owned' and 'privately owned' [27] land continues even after the recent proliferation of Van Panchayats across the state. Defining the 'community' continues to be equally problematic, fraught with varying levels of engagement, investment and management[28]. As Bina Agarwal[29] has correctly noted, forest councils do not have uniform trajectories of establishment and development. Even within Bageshwar district, as our comparative study has

[25] Agrawal, A, and Yadama G.N, 1997
[26] Agrawal A., 2001
[27] Guha R. & Gadgil G., 1991
[28] Sundar N. & Jeffrey R., 1999: 28-34
[29] Agarwal B.,

represented, some VPs are state-initiated, some are self-initiated (Agar), some are revived by NGOs (Bhorgaon and Bajja-Nadila), some fail to survive (Agar). Further, with a radical transformation in social aspirations, where a movement outwards is seen as a movement upwards, forests are not seen as beneficial in and of themselves. "Jungle *bachao* is fine, but industry and commerce is also important. Even though the younger people are moving out, they will come back. If industries are set up here, and if resources are well-utilised, migration will reduce," a retired service professional in Agar avers. This can be seen as a significant external force which has led to the decline of the commons.

Elinor Ostrom has outlined some 'design-principles' which shape the foundation of a stable, effective common property resource: 1) clearly defined boundaries, 2) democratic decision-making arrangements, 3) strong monitoring and sanctioning mechanisms, 4) easy, efficient and cheap conflict resolution mechanisms, and, 5) a coherently carved out community[30]. In this paper, we have attempted to address these principles and understand the efficacy of the three VPs in terms of these parameters. We found the three villages are not driven by all the aforementioned design-principles – at least one or more is lacking in every village. In other words, Van Panchayats seem to be in a state of qualitative decline, despite their rapid spread across the state. It is important to recognise their potential in supplementing village livelihoods and the extent to which they can contribute to resource production and regeneration. A strong Van Panchayat can serve as the backbone of a village if it contributes sufficiently to the sustenance of the households. Its effective functioning can lead to the formation of newer commons. Access to the Van Panchayat and the form of attitudinal engagement with it, reflect the 'durable inequalities' of gender, class and caste within the three villages. If the government moves beyond its perfunctory stroke of environmentalism, the Van Panchayat can be transformed into a genuine model of sustainable development, where inequalities of gender, class and caste are truly and democratically addressed.

[30] Ostrom, E., 1990

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