

UNDP-MoTA Project on

Improved Governance of Forest and Tribal Villages

through the Effective Use of Forest Rights Act

in Vidarbha, Maharashtra

a project led by KHOJ

supported by VNCS, GSMT, YRA



Process Documentation

by Kalpavriksh

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Supported By:

VNCS (Vidarbha Nature Conservation Society)

GSMT (Gramin Samasya Mukti Trust)

YRA (Yuva Rural Association)

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Disclaimer: This process documentation is not an exercise to evaluate the merits of the project and does not reflect the authors' or Kalpavriksh's views on the project. It also does not represent the views of the Ministry of Tribal Affairs, Government of India and United Nations, including UNDP, or any of its Member States.

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Introduction

Vidarbha Livelihood Forum (VLF) is a network of Civil Society Organizations which works for the empowerment of communities dependent on forest and other natural resources. According to its mission statement, the forum believes in harmonious coexistence of people, wildlife and forests and makes efforts to facilitate and strengthen this relationship through the use of traditional knowledge, legal framework and sustainable natural resource management practices. Members of VLF have been working towards enforcement of legal provisions like the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (also known as Forest Rights Act), Panchayats (Extension to Scheduled Areas) Act (PESA), and National Rural Employment Guarantee Act (NREGA) in ensuring better livelihoods and improved conservation of natural resources in over 300 villages of 7 districts in Vidarbha region of Maharashtra.

This report documents the process followed for implementing a project on drafting Community Forest Resources (CFR) management and conservation plans (henceforth termed as management plans in the document) in 50 villages in Vidarbha, under Forest Rights Act (FRA), 2006. The project was implemented by KHOJ with VNCS, GSMT, and YRA – all members of VLF (henceforth referred to as facilitating agencies). The project was funded by United Nations Development Program (UNDP).

This process documentation is not an exercise to evaluate the merits of the project and does not reflect the authors' or Kalpavriksh's views on the project.

Structure of the Report

Section 1: General information about FRA, its relevance to the project, state level lobbying and advocacy efforts by VLF members in implementation of the Act, background of Vidarbha, project details

Section 2: Methodology of drafting management plans, sub-sections on individual steps, detailing standard procedures, typical cases, learnings and challenges

Section 3: Impact of management plan drafting process on villages

Section 4: Issues and learnings of the management plan drafting process

Section 5: Factors impacting management plan drafting process

Way Forward: Steps being taken by facilitating agencies to move the process forward

Section 6: Methodology followed for this process documentation

Annexures

List of Abbreviations

CFR	Community Forest Resource
FRA	Forest Rights Act
FD	Forest Department
GSMT	Gramin Samasya Mukti Trust
MoTA	Ministry Of Tribal Affairs
NREGA	National Rural Employment Guarantee Act
NTFP	Non-Timber Forest Produce
TDD	Tribal Development Department
UNDP	United Nations Development Program
VLF	Vidarbha Livelihood Forum
VNCS	Vidarbha Nature Conservation Society
YRA	Yuva Rural Association

Glossary of Vernacular Terms

<i>Amla</i>	Indian gooseberry, fruits of <i>Embllica officinalis</i>
<i>Beedi</i>	A local, cigarette-like tobacco-based product
<i>Chuna</i>	Slaked lime
<i>Dhangar</i>	Traditional pastoralist community
<i>Geru</i>	An earthy red coloured mud
<i>Gram sabha</i>	Village assembly, consisting of all adult members of a village
<i>Gram sevak</i>	Secretary, <i>gram sabha</i>
<i>Mahua</i>	Local name of tree species <i>Madhuca latifolia</i>
<i>Nistar</i>	Customary rights, usufruct rights
<i>Taluka</i>	Administrative sub-unit of a district
<i>Tendu</i>	Local name of tree species <i>Diospyros melanoxylon</i> whose leaves are used to make <i>beedi</i>
<i>Tola</i>	Hamlet

Background

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (also known as Forest Rights Act or FRA) was enacted in 2006. The Act acknowledges in its preamble that the forest dwelling Scheduled Tribes and other traditional forest dwellers have been residing on forest lands for generations and are integral to the sustainability of forest ecosystems; but their forest rights on ancestral lands and habitat were not recognized during the colonial period and consolidation of State forests. The Act seeks to undo this injustice by recognizing and vesting the forest rights and occupation in forest land in the forest dwelling Scheduled Tribes, and other traditional forest dwellers. FRA came into force with its notification and formulation of Rules in 2008; these Rules were subsequently amended in 2012¹.

Section 5 of the Act, empowers the *gram sabha*, with the right and responsibility to protect wild life, forest and biodiversity; to ensure that Community Forest Resource (CFR) area (see Box 1) is used sustainably and access to it is regulated; ecologically sensitive areas are protected and any destructive practices that may affect their cultural and natural heritage are prevented. Rules 4 (1) (e) and (f), empower *gram sabhas* to constitute a committee (henceforth termed as 4 (1) (e) committee) to fulfil above responsibilities (see Box 3). This committee is mandated to prepare a conservation and management plan for their CFR in consultation with the *gram sabha*. As per the preamble of the Act, such vesting of the responsibility and authority with the *gram sabha* for sustainable use, conservation of biodiversity and maintenance of ecological balance would strengthen the conservation regime of the forests while ensuring livelihood and food security.

Although, implementation of FRA has been slow across India, Maharashtra is among the few states where a comparatively higher number of CFR titles have been granted. This has mainly been because of the active advocacy, lobbying and ground level facilitation by civil society organizations and people's movements. One such network of organizations in Vidarbha region of Maharashtra is Vidarbha Livelihood Forum (VLF). For the implementation of FRA, VLF has undertaken sustained, coordinated efforts on ground and with the government officials. They continuously lobbied, facilitated processes and brought actors together at district, sub-divisional and *gram sabha* levels to help remove implementation hurdles. As a result, over 600 villages had received CFR titles in the region, till 2014. VLF members, KHOJ and Vidarbha Nature Conservation Society (VNCS) also lobbied with government agencies, particularly Forest Department (FD) and Tribal Development Department

Box 1: Community Forest Resource (CFR) Rights

The Act (Chapter 1 Sec 2(a)) defines CFR as “customary common forest land within the traditional or customary boundaries of the village, or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access”.

Section 3 (1) of the Act provides Scheduled Tribes, and other traditional forest dwellers for claiming a number of forest rights, community rights such as:

- » 3 (1) (b) - rights granted under nistar (usufruct rights), by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;
- » 3 (1) (c) - right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries;
- » 3 (1) (d) - other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities.
- » **And most significantly 3 (1) (i)** - right to protect, regenerate, or conserve or manage any community forest resource (CFR), which they have been traditionally protecting and conserving for sustainable use.

Box 2: Vidarbha Region²

Vidarbha is the eastern region of Maharashtra and comprises of 11 districts, namely, Amravati, Akola, Bhandara, Buldhana, Chandrapur, Gadchiroli, Gondia, Nagpur, Wardha, Washim and Yavatmal. It shares its border with Chhattisgarh to the east, Madhya Pradesh to the north and Telangana to the south. Wainganga, Wardha, Kanhan, Khapra, Sipna, Gadga and Purna are among the main rivers in the region. The forest in this region predominantly belongs to tropical dry deciduous type³. Many scheduled tribes like the Bhils, Gonds, Rajgonds, Korkus, and Kolams inhabit the region and their livelihoods depend on subsistence agriculture, fuel wood and collection and sale of Non-Timber Forest Produce (NTFP) such as *mahua* flowers and seeds, *tendu* leaves, lac, gum, vegetables, *amla* and fodder. These communities have distinct cultures, knowledge systems, institutions and languages.

1. The Forest Rights Act, 2006, and the Amendment rules, 2012 can be accessed at <http://tribal.nic.in/Content/ForestRightActOtherLinks.aspx>

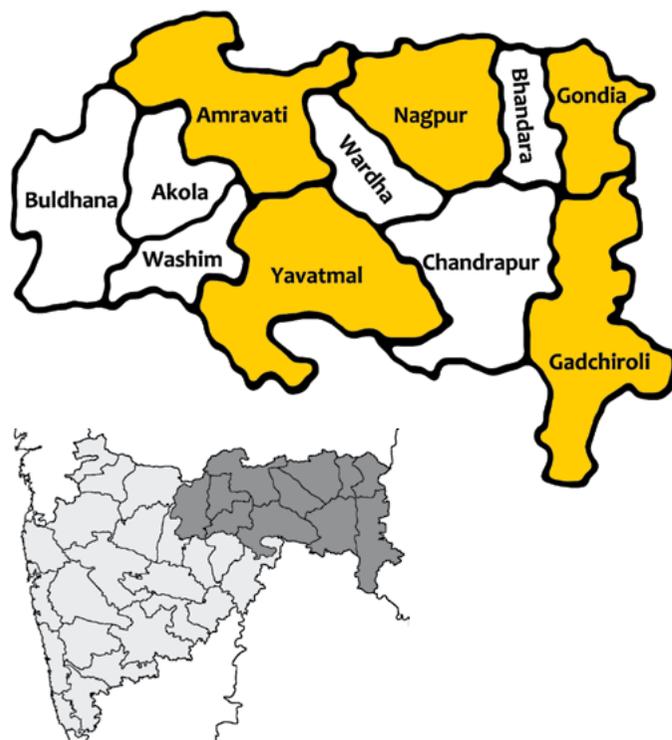
2. Source: N. Pathak (Ed.) (2009). *Community Conserved Areas in India: A Directory*. Kalpavriksh, Pune/ Delhi; and field visits.

3. Champion, S. H., & Seth, S. K. (1968). *A revised survey of the forest types of India*.

(TDD) to help *gram sabhas* exercise their right to collect and sell *tendu* leaves directly, instead of being auctioned by FD. They negotiated for the Tribal Development Corporation to pay an initial support amount and to also guarantee support in case the *gram sabhas* make a loss. This was initially tried in 18 villages in 2013, where most villagers collected and sold *tendu* leaves directly, paid back the loan and made a profit for themselves. During these initiatives and associated discussions at various levels, a need for effective management of CFRs emerged, leading to this process towards helping 50 villages draft their management plan as a pilot.

Top: Map of Vidarbha showing districts where project was implemented

Bottom: Map of Maharashtra showing Vidarbha



UNDP-MoTA Project

The Ministry of Tribal Affairs (MoTA) in partnership with the United Nations Development Program (UNDP) has instituted a joint project, “Strengthening National Capacities in Tribal Areas” to advance tribal development and forest rights in the country. KHOJ developed a proposal under this program to facilitate improved governance of forest and tribal villages in Vidarbha region of Maharashtra through the effective use of FRA. The proposal focused on the CFR rights, especially on helping *gram sabhas* draft their CFR management plans. This proposal was endorsed by the Principal Secretary of TDD.

Objectives of the Project⁴

The FRA empowers the *gram sabhas* as decision making bodies for the management and governance of their CFRs. The objective of this project was to build capacities of the *gram sabhas* to manage their CFRs through effective resource mapping; management prescriptions; and by developing forest conservation, management and village livelihood strategies. The process of drafting the management plans itself was expected to lead the *gram sabhas* towards actively engaging in protection, conservation, regeneration, and sustainable use of their CFR areas.

The following focus areas were identified towards achieving this goal:

- » Training and handholding of 4 (1) (e) committees of the *gram sabhas* to coordinate the process
- » Extending legal and technical support to *gram sabhas* to enable them to function as governance units
- » Facilitating resource mapping and development of management plans with the *gram sabhas*
- » Preparation of soil-water conservation plans under National Rural Employment Guarantee Act (NREGA)
- » Ensuring mechanisms for convergence of resources from all government line agencies towards operationalizing the management plans

Project Coordination and Facilitation

The project was implemented on ground by a network of Civil Society Organisations, who were members of VLF namely:

- » KHOJ - A quest for Knowledge, Hope, Opportunity and Justice
- » VNCS - Vidarbha Nature Conservation Society
- » GSMT - Gramin Samasya Mukti Trust
- » YRA - Yuva Rural Association

50 villages were identified based on two main criteria:

- 1) CFR titles received/to be received in near future
- 2) Existing involvement and engagement of the organizations in the village.

Project Details

Time period: 26th November 2013 to April 2015.

Geographical scope: 50 villages in 5 districts of Vidarbha- Amravati, Gadchiroli, Gondia, Nagpur and Yavatmal (see Annexure 1 for the list of villages).

Estimated budget per village: ₹ 1,80,000.

Facilitation by: KHOJ in 15 villages in Amravati district; VNCS in 24 villages in Gadchiroli, Nagpur and Gondia districts; GSMT in 5 villages in Yavatmal district, and YRA in 6 villages in Gondia district.

4. Source: Project proposal submitted by KHOJ to UNDP

The flowchart below depicts various steps taken for drafting management plans:

Box 3: Rules 4 (1) (e) and (f) of the FRA Amendment Rules, 2012

- » 4 (1) (e) – The *gram sabha* shall constitute committees for the protection of wildlife, forest and biodiversity, from amongst its members, in order to carry out the provisions of section 5 of the Act.
- » 4 (1) (f) – The *gram sabha* shall monitor and control the committee constituted under clause (e) which shall prepare a conservation and management plan for community forest resources in order to sustainably and equitably manage such community forest resources for the benefit of forest dwelling Scheduled Tribes and other Traditional Forest Dwellers and integrate such conservation and management plan with the micro plans or working plans or management plans of the forest department with such modifications as may be considered necessary by the committee.

A. Preparatory Steps

Planning the process, building institutional structures, acquiring data, district level convergence meetings with various government line agencies etc.

B. Training and Capacity Building

Building capacities of 4 (1) (e) committee members and project team, workshops, and peer-learning through exposure visits

C. Boundary Demarcation and Stock Assessment

Boundary demarcation, collection of data on forest resources and biodiversity by conducting field assessment of 2% to 5% of the CFR area

D. Data Collection, Analysis and Writing of Management Plans

Making a template and draft plan for one village and seeking feedback, collecting socio-economic data, conducting individual and community need assessment, analysis of data, collating specific action points, writing management plan

E. Finalization of Management Plans

Reading of management plans in *gram sabhas*, incorporating suggestions in the plans

A. PREPARATORY STEPS⁵

Preparatory steps were aimed at building the foundation of the management plan drafting process. These were embedded in and emerged from the larger collective advocacy strategy of the facilitating agencies (KHOJ, VNCS, GSMT, and YRA) towards implementation of FRA. Throughout the management plan drafting process, larger advocacy processes informed and complemented each other.



Gram sabha meeting in Payvihir, Amravati

Meeting between forest officials and facilitating agencies, conducted in March 2014



◇ A **planning meeting** of all facilitating agencies was held on 2nd December 2013 to discuss the future strategy for CFR management in the region. During the meeting, this project was discussed and project roles and responsibilities were assigned to each facilitating agency.

◇ **Gram sabhas** were held in 50 villages to discuss FRA, CFRs, needs and objectives of their management and the process of drafting management plans. All *gram sabhas* passed a resolution, for drafting the management plans and requesting the respective facilitating agency working in their area to help them draft these plans. In return, the facilitating agencies assured the *gram sabhas* of their help and support.

◇ A **team was constituted** in each village to coordinate and facilitate processes. These included village level project staff of facilitating agencies, 4(1) (e) committee members and some village volunteers, mainly youth appointed by the *gram sabhas*.

◇ A meeting was held with **Principal Secretaries of state FD and TDD** by facilitating agencies during the winter session of the Assembly at Nagpur in December 2013. Information regarding the project and an intention to facilitate CFR planning process was shared with them. Discussions also involved relevant laws and their impact on local livelihoods, governance of CFRs, and the possible need for convergence of line agency resources to support activities developed under the CFR management plans. The meeting led to a decision to set

up a State Steering Committee to guide all UNDP-MoTA programmes in the state.

◇ A **State Level Steering Committee⁶** was constituted in March 2014 to oversee all programmes supported by UNDP-MoTA. The Steering Committee consisted of:

1. Principal Secretary, Tribal Development Department, Mumbai - Chairperson
2. Principal Secretary (Forest), Revenue and Forest Department, Mumbai - Member
3. Principal Secretary, Rural Development and Water Conservation, Mumbai - Member
4. Principal Secretary Animal Husbandry, Dairy and Fisheries, Mumbai - Member
5. Tribal commissioner, Nashik - Secretary

◇ A **meeting between relevant forest officials and the facilitating agencies** was held by Principal Secretary of FD at Nagpur on 9th December 2013 to discuss the management plan drafting process. In the meeting it was agreed that the plans prepared in the 50 villages under UNDP program would be incorporated in the working plans of the department. The officials were also directed to lend their support during boundary demarcation, stock assessment and other processes and to co-ordinate with other relevant departments to prioritize these villages for convergence of resources (see Box 5). The facilitating agencies asked for sharing with the concerned villages, the relevant data including the working plans and management plans for those

5. Information in this sub-section is sourced from quarterly reports submitted to UNDP by facilitating agencies, and from meetings conducted with members of facilitating agencies and villagers.

6. शासन निर्णय क्रमांक: बैठक - २०१३/प्र.क्र.२७२/का-१४

areas. As a result a decision was taken to upload working plans of Maharashtra on the FD website to be publicly available⁷.

◇ **Orientation and training program** for the project staff of facilitating agencies and FD staff was organized at Ramtek, Nagpur from 13th to 15th Jan 2014. This included an introduction to the project and its methodology, an introduction to working plans, methods of conducting stock assessment and mapping, and basic training on use of GPS for boundary demarcation among other aspects.

◇ A **training module for 4 (1) (e) committee members** was prepared (see annexure 2). The module explained the roles and responsibilities of *gram sabhas* and 4 (1) (e) committee members in CFR governance and management, the process of preparation of management plans and the implementation of the final plan. It also included legal information on laws such as FRA and Biodiversity Act among others.

◇ A workshop was conducted in Nagpur, to develop **a set of working guidelines on the roles and responsibilities** of the *gram sabhas*, 4 (1) (e) committees and others involved in the process of drafting and implementing CFR management plans. The guidelines also included details on the process of opening bank accounts, issuing *gram sabha* notices, etc. (see annexure 3). These guidelines emerged during preliminary discussions between members of facilitating agencies and representatives of 50 villages Based on these the state TDD issued a government resolution on 24/06/2015 (see annexure 6).

In addition to various meetings and workshops, smooth functioning of the process was also a result of personal level lobbying by various members of the facilitating agencies.

◇ **4 (1) (e) committee formation** was facilitated by GSMT for 5 villages in Yavatmal that had received their CFR title in December 2013 i.e. after the project had commenced. In other villages the committees had already been constituted before the start of the project.

◇ **Maps and other documents** required for preparation and implementation of management plans were obtained from Maharashtra Remote Sensing Application Centre (M.R.S.A.C), Revenue Department and FD for all 50 villages.

◇ **Division wise convergence meetings** were conducted to channelize resources towards the activities planned in the CFR management plans from the departments of Forest, Tribal, Animal Husbandry, Fisheries, Irrigation, and NREGA.



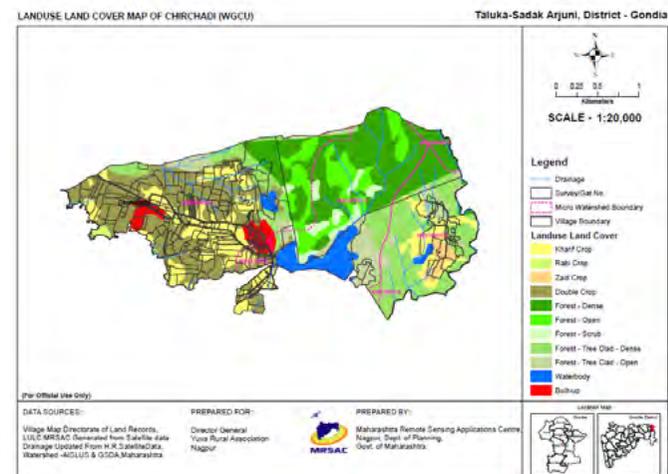
CFR titles received in villages of Yavatmal

Maps Obtained from M.R.S.A.C for 50 villages

- » Contour maps
- » Land use land cover maps
- » Slope maps
- » Groundwater maps
- » Soil depth maps
- » Soil drainage maps
- » Soil erosion maps
- » Soil land capability maps
- » Soil texture maps

Documents and Maps Received from Forest, Revenue and Other Departments

- » Working plans
- » Topo sheets
- » Beat maps
- » Contour maps
- » Village maps
- » Lists of landholders



Land use land cover map of Chirchadi, Gondia, an example of maps obtained from M.R.S.A.C

7. The working plans of some divisions have been uploaded at <http://www.mahaforest.nic.in/management.php?mid=1>

B. TRAINING AND CAPACITY BUILDING⁸

To elicit participation and build capacities of the villagers for the management plan process, the facilitating agencies organized various training programmes, including training of 4 (1) (e) committees and trainings on GPS, stock assessment and mapping. Exposure visits were organized for villagers to encourage mutual learning.

Training of 4 (1) (e) Committee Members

Training and capacity building programmes for 4 (1) (e) committee members of all the 5 districts were conducted using the training module (see annexure 2 for details on conducting trainings).

All the trainings were organized between March and May 2014 with the following objectives:

- » Creating awareness about the nature of rights granted under CFR
- » Creating awareness about and clarifying the basic roles and responsibilities of the committee members towards conservation and management of CFRs as mentioned in FRA
- » To help build local capacities towards drafting the management plan and implementing it

Further, a set of working guidelines on the roles and responsibilities developed in the earlier stages were discussed and analysed by the committee members and other villagers attending the training programmes. These guidelines were amended to suit their particular context and subsequently included in the individual management plans.



4 (1) (e) committee training conducted at Upatkhedha, Amravati



Villagers from Nagpur district on an exposure visit to Gadchiroli

A total of 827 participants from 50 villages were trained. They subsequently participated in management plan drafting process.

Other Trainings

◇ **Training on People's Biodiversity Register** were conducted to introduce the villagers to the provisions of the Biological Diversity Act, 2005.

◇ **FD staff workshops** were conducted to orient forest staff towards the post CFR management processes, and convergence.

Peer-Learning through Exposure Visits

Some 4 (1) (e) committee members and villagers were taken to other villages where processes towards CFR management had already begun. This was a peer learning process to understand what the villagers in other districts have achieved after their CFR rights were recognized. This also helped the committee members reflect upon how they could improve participation, conservation, livelihoods potential and governance in their own villages. Members from all 50 villages participated in the exposure program.

Villages Visited for Peer-Learning Process in the 5 Districts

District	Villages Visited
Amravati	Moushi Chak, Mendha, and Porala (Gadchiroli), Payvahir (Amravati)
Gadchiroli	Walani (Nagpur), Payvahir (Amravati)
Gondia	Moushi Chak, Kukdi, Narotichak (Gadchiroli)
Yavatmal	Payvahir (Amravati), Khatijapur (Amravati)
Nagpur	Moushi Chak, Kukdi (Gadchiroli)

8. Source: Quarterly reports submitted by facilitating agencies to UNDP.

C. BOUNDARY DEMARCATION AND STOCK ASSESSMENT

Boundary demarcation and stock assessment were considered crucial for management of CFR and development of management plans.

Boundary Demarcation

Boundary demarcation aimed at clearly understanding and clarifying CFR boundaries on the ground. It involved marking CFR boundaries as per the title deeds. This was done by marking trees with *geru*, paint, glazing or tar as appropriate. Boundaries were also mapped using a GPS.

The facilitating agencies worked closely with government officials to ensure that boundary demarcation was a smooth process. Topo sheets and other maps were obtained from the government agencies for boundary demarcation.

Challenges and Learnings

The demarcation process brought out various challenges related to CFR boundaries.

◇ In Chichghat, Yavatmal, claim for the CFR was filed according to traditional boundaries but the title mentioned a compartment number whose boundaries were not specified. FD officials were requested to help demarcate the boundaries or provide the compartment map. Since none of these demands were met, GSMT advised the villagers to demarcate CFR area according to originally claimed traditional forest boundaries.

◇ In Gadchiroli, Kukdi and Mohatola villages had claimed different areas within a forest compartment (70 and 90 ha. respectively). However, entire compartment was allotted to both villages in the title deed. Initial attempts to resolve conflicts arising from this situation were futile, but later, 4 (1) (e) committee members of both villages jointly decided to divide the CFR area equably between themselves and finalize the boundaries.

◇ There were numerous discrepancies between the claimed and granted forest areas:

» In most cases, granted CFR area was less than the claimed CFR area, e.g. Kadamtola in Gadchiroli claimed CFR rights on 83.16 ha but received title on only 29.51 ha.

» CFR area granted in the title deed for Ghota, Amravati was completely different from the one claimed by them. The allotted CFR area was 6-7 km away from the village.

» In many cases, the granted CFR area was in small, broken forest patches, instead of the originally claimed customary forests which were composite forest patches.

Such situations created confusion and dissatisfaction among villagers and facilitators, making planning difficult. Though appeals for correction of CFR boundaries

had been filed in some cases, they remain unaddressed. For the purpose of preparing management plans, the demarcation was done for the area as per the title deed. In some cases, complete boundary demarcation could not be carried out at that stage and management planning was done for a subset of the CFR area actually received. The discrepancies in the CFR area, however, remain a serious concern for future.

Stock Assessment

Stock assessment involved development of baseline data of forest resources, soil strata, water run-off, biodiversity etc. It was felt that this was important for understanding the nature of the forests, available resources and their status, for future monitoring and for assessing the effectiveness of conservation and management practices in the CFR area.

Development of Process

◇ The process for stock assessment was adapted from the process usually carried out by the FD.

◇ The process was pilot tested in Khatijapur, Amravati for its entire CFR area of 35 ha by KHOJ team members, village volunteers, and FD staff.

◇ Carrying out stock assessment in the entire CFR was found to be time consuming, not feasible and not essential for the overall stock assessment. It was therefore decided that 2% - 5% of the CFR area would be sampled for other villages, to understand the nature of the forest and the potential for biodiversity conservation and livelihood generation.



Boundary demarcation using GPS

The Standard Process Followed

◇ Facilitating agencies informed the villagers about the stock assessment process. Village volunteers were selected by the *gram sabha* or 4 (1) (e) committee members.

◇ A typical group for stock assessment consisted of project staff of facilitating agencies, village volunteers, 4 (1) (e) committee members, resource persons or knowledgeable elders, forest officials and any other local inhabitants wishing to participate.

◇ A team meeting was conducted to decide the tasks for the day.

◇ CFR area was mapped on a graph paper and divided into quadrates of 1 ha (100 m x 100 m) each. Using systematic sampling technique, 2% - 5% of the quadrates were selected.

◇ The selected quadrates were identified on the ground. Their GPS coordinates were noted so that the same plot could be monitored in future.

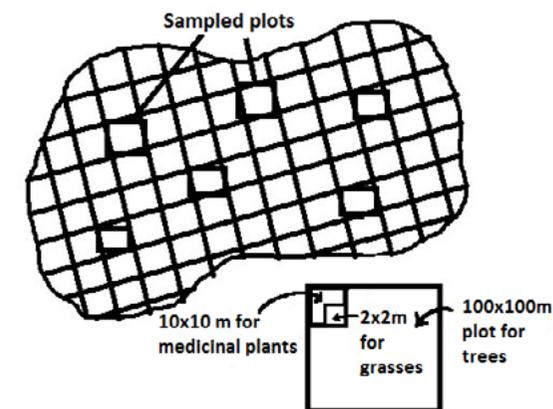
◇ The quadrates were then laid out in the forest area using ropes.

◇ Data collected included flora and fauna. The possible activities that could be undertaken, and tree species that could be planted were identified.

◇ This process was modified to suit the local context and situations.



Stock assessment process - Laying out plots



CFR area mapped on graph paper and selected quadrates marked



Stock assessment process - Measuring girth of trees and marking them with paint

Challenges and Learnings

◇ **Seasonal variations:** In Avalgaon, when the process was initiated in summer, grasses and medicinal plants could not be assessed and hence assessment was again carried out in August. Ideally, stock assessment should be carried out once in each season for one year to get baseline data on available flora, fauna as well as other features.

◇ **Time requirement:** The process is time consuming. The time required depends on the terrain and density of the forest and the distance of the CFR area from the village. On an average, 3 hours were required to sample a plot of 1 ha.

◇ **Human resources:** 7-8 people were required to conduct one assessment - one to write, two to hold the tape, two to clear the path, and two to count trees.

◇ **Unforeseen situations:** In one village, the *gram sabha* declined to do stock mapping process after initially agreeing to it, as villagers were unhappy with their CFR title. The received CFR area was much less than the claimed area and it included agricultural land, village land and individual forest rights claimed area.

Box 4: A Typical Case of Stock Assessment

In Avalgaon, Yavatmal, stock mapping was carried out over 3% of the CFR. In 1 ha. plots, trees with girth above 15 cm were counted and divided in girth classes. Different sized plots were laid out in the same 100 m x 100 m plot - 10 m x 10 m to assess medicinal plants and 2 m x 2 m to assess grasses. Soil type, slope direction, water bodies, density and frequency of trees and the suitability for plantation of *amla* trees, *teak*, *mahua*, bamboo, etc. were also recorded.

D. DATA COLLECTION, ANALYSIS AND WRITING OF MANAGEMENT PLANS

Management plans were prepared for a period of 10 years, 2014 - 2024. Planning was done for the entire CFR area received in the title deed or in some cases, a subset of it. The following steps were taken for writing the plans:

◇ A **template for preparing management plans** was drafted by facilitating agencies based on the working plan code of the central government, after adapting it to local situations (see annexure 4).

◇ A **meeting on management plan process** was held at Pench in May 2014 between the facilitating agencies and the Principal Secretaries of FD and TDD to discuss challenges in the preparation of management plans. The template prepared was shared and discussed in this meeting. Concerns regarding trade of NTFP were discussed with Small Farmers' Agri-business Consortium in the meeting.



Principal Secretaries of FD and TDD discussing issues of management plan process and their resolutions with members of facilitating agencies during a meeting at Pench

◇ A **draft plan of Payvahir village** was prepared by KHOJ based on the template. It was circulated among forest officials and others for suggestions and was modified. Some other completed draft plans were also shared with forest and other government officials.

◇ **Socio-economic surveys** were conducted by trained village volunteers and project staff of facilitating

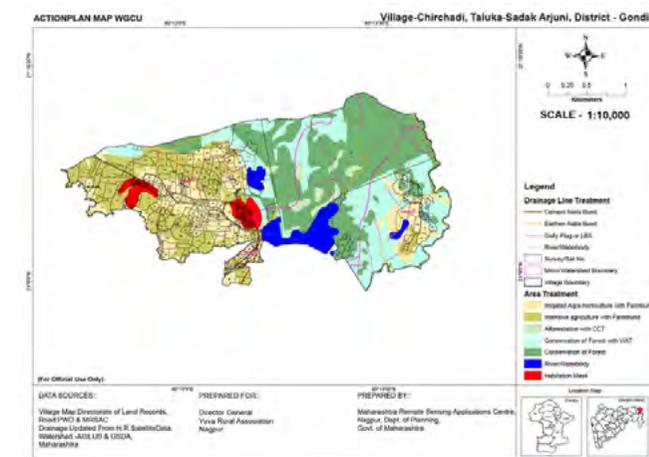
agencies. Data on fuel wood and fodder requirements was collected. Projected needs such as dairy, poultry, bio gas, L.P.G. etc. of each family were recorded during these surveys. This information was collected using forms prepared after modifying survey forms used by the agriculture department.

◇ In villages such as Chirchadi, in Gondia, special **women's meetings** were conducted during the writing process. Inputs from women, which were often different from those of men, were incorporated into the plan during these meetings. For instance, women brought to notice that the area specified for grazing was at an inaccessible distance from the village and hence impractical. As a result, the area assigned for grazing was changed in the plan.

◇ The **works to be taken up in the management plan** emerged through a number of processes. Some of the works originated through initial discussions with villagers and 4 (1) (e) committee members, some emerged during the stock mapping exercise and some emerged subsequently during various formal and informal meetings and discussions with the stakeholders. Even before the commencement of the project, some active *gram sabhas* such as Payvahir had already planned and implemented some activities.

◇ **Data collected during the surveys, was analyzed** and a number of livelihood related activities emerged from this. The planned activities were then mapped and a treatment map was prepared. Based on the treatment map, an M.R.S.A.C. map was prepared and included in the management plans as an action plan.

◇ **Writing of management plans:** Based on the above steps, plans were written by the facilitating agencies. Most plans were first prepared in English and then translated to Marathi/Hindi. In the case of GSMT, management plans were written in Marathi and later translated into English. These plans were discussed in *gram sabhas* organized to finalise them.



Top: Treatment Map of Avalgaon, Yavatmal
Bottom: Action plan of Chirchadi village, Gondia

E. FINALIZATION OF MANAGEMENT PLANS

Finalization of the draft plans involved reading them in *gram sabhas* and modifying them based on inputs received. Most of the *gram sabhas* were conducted in the month of January 2015. As the management plans were to be incorporated into the working plans of the FD and resources were to be sought under convergence of different government schemes, the presence of officials from various line agencies was also sought for these *gram sabhas*.

Standard Process

◇ The facilitating agencies requested the 4 (1) (e) committee members to conduct the *gram sabhas*. A day and time was fixed for conducting the *gram sabha*. In some cases, the facilitating agencies prepared the notices to be issued to concerned officials, while in villages where the *gram sabhas* and the committee members were proactive and confident, they prepared and issued notices on their own.

◇ During the *gram sabha*, initial introduction about FRA, 4 (1) (e) committee functioning and the processes carried out for formulating the draft management plan were shared by the project staff of facilitating agencies and 4 (1) (e) committee members.

◇ Because of limitation of time, only a summary of the planned activities was read out, particularly focusing on the activities to be taken up for enhancing livelihoods, forest conservation and those for individual households. Financial outlay for these works was also calculated and read out.

◇ In some cases, a few copies of plan summaries in Marathi were distributed, in advance or during the *gram sabha*.

◇ Suggestions and recommendations of the villagers were recorded. Suggestions were also sought from government officials wherever they were present in the *gram sabha*. Management plans were revised and finalized based on these suggestions.



Evening gram sabha in Lakhapur, Nagpur



Gram sabha in Avalgaon, Yavatmal



Gram sabha in Chirchadi, Gondia



Gram sabha in Jaitadehi, Amravati

In most villages, *gram sabhas* proceeded smoothly, however unforeseen situations sometimes did occur. For instance, in one village, the meeting was initiated and the background of the plan was explained. However, the plan reading was disrupted because of general dissatisfaction with a number of issues in the village, such as issues related to NREGA, the working of the *gram sevak* and some 4 (1) (e) committee members. *Gram sabha* could not proceed after that.

The project was implemented in 5 districts in Maharashtra covering 50 villages. The total number of households covered was 5926 out of which 70% were tribal families. The planning was undertaken for a total forest area of 13,959.62 ha. In most cases, forests were degraded with no local protection measures in place. The management plan drafting process led to a number of positive changes including the following:

◇ In some villages, these processes initiated effective CFR management, including self-regulation on grazing, tree cutting and hunting.

◇ *Gram sabha* offices were set up in a number of villages. The offices were used for maintaining records of claims, titles, appeals, notices and letters to officials etc., and for conducting formal and informal meetings. This led to more motivated and proactive *gram sabhas*.

◇ *Malguzari* tanks located in the CFR area of Narotichak, Kukdi and Kurandichak villages were in a bad condition - their water holding capacity had reduced due to silt and there was a rampant growth of *Ipomoea* in the tank. Villagers initiated the task of tank deepening and *Ipomoea* removal. These tanks are now being used for fishing, irrigation, cattle needs, etc.

◇ The management plan drafting process brought various actors including government officials, facilitating agency members and villagers to a common platform which facilitated discussions on many locally important issues.

◇ Prior to receiving CFR rights, *tendu* leaves were harvested (target oriented) and sold to contractors through a tendering process by the FD. With help from VNCS and KHOJ, a system of harvesting, tendering and sale of *tendu* leaves was arrived at. The process was carried out in 18 villages in 2013. Despite a few initial glitches, the *gram sabhas* have been harvesting and

selling *tendu* at a substantial profit since then.

◇ Encouraged by VNCS, villagers also decided to stop "*boota kataai*" (trimming of tender branches to get a flush of new leaves) to facilitate generation of new and larger leaves. According to them, this has led to improved yields and regeneration of these trees in the forests.

◇ In Payvihir, villagers decided to take over marketing of custard apple from FD after receiving their CFR title. The villagers implemented learnings from their first year's experience, conducted marketing research by sending youths to places like Amravati and Akola and changed their packaging technique. They earned a profit of ₹17,000 in the first year and ₹2,75,000 in the second year.

◇ In Nayakheda, villagers believed that CFR management processes were instrumental in mobilizing the villagers, bringing people together and the commencement of regular *gram sabha* meetings. They also felt that the entire process led to a greater self-identity within the village and better recognition outside. They also initiated an environmental awareness program as a result of their greater involvement with forest management and conservation activities. This included village school teachers taking school children to trips in forest areas and sharing with them the knowledge related to plants and animals⁹.

⁹ In Nayakheda CFR management activities had started in 2012 facilitated by KHOJ, as soon as they received CFR title. By the time management plan drafting process began they had already seen the beginnings of the above mentioned benefits of managing and conserving their forests.



Manual removal of *Ipomoea* in Gadchiroli



Collection of *Tendu* bundles in Chambarda, Gadchiroli



Handing over of fishing boat to people of Jaitadehi, Amravati, by Praveen Pardeshi (Guardian Secretary, Amravati, Pricipal Secretary, FD) to reaffirm their rights over fishing in water bodies of Sapan Dam under FRA

One of several processes of officers of all departments converging and meeting at village level to understand and facilitate the conservation and livelihoods process in Payvihi, Amravati



Strengthening Governance through Convergence of FRA and NREGA¹⁰

Box 5: Rule 16 of the FRA Amendment Rules, 2012

Rule 16 provides for post claim support and handholding to holders of forest rights. It states that the State Government shall ensure through its departments especially tribal and social welfare, environment and forest, revenue, rural development, panchayati raj and other departments relevant to upliftment of forest dwelling scheduled tribes and other traditional forest dwellers, that all government schemes including those relating to land improvement, land productivity, basic amenities and other livelihood measures are provided to such claimants and communities whose rights have been recognized and vested under the Act.

The villages whose CFR rights were recognized in Amravati district were facing many challenges such as degraded forests, soil erosion in their CFR area and over 90% distress out migration. To make CFR truly meaningful for such communities, collective discussions and a review of available legal options were conducted.

Convergence of FRA and NREGA was sought- while FRA provided rights, NREGA provided for financial resources. In 2012, a cluster of villages in Amravati after asserting their rights under FRA, planned to undertake phase wise soil water treatment and plantation activities in the CFRs, with help of KHOJ, using FD funds. Since then, each year, people have been treating 25 to 30 ha of forest land with Water Absorption Trenches (WAT), Continuous Contour Trenches (CCT) and carrying out plantation exercises. 70% of the 150,000 saplings planted so far have survived.

Subsequently, with support of government officials like Praveen Pardeshi (Guardian Secretary of Amravati and Pricipal Secretary, FD), meetings of all departments were initiated. It was decided in these meetings that every few years a cluster of 20 to 30 villages would be identified and focused upon to address their concerns through convergence of resources from all departments before moving on to the next cluster of villages. A district level

committee headed by District Collector and block level committee headed by Block Development Officer were constituted to conduct monthly follow up meetings. Villagers of places where convergence schemes were being implemented, also participated in these meetings; sometimes the meetings were organized in these villages.

Consolidation of suggested activities and planning actions happened at the *gram sabhas*, thus strengthening the process of governance and accountability at village level. The convergence committees dealt with issues across various sectors. Systematic follow up in monthly meetings paved way for experience sharing among different villages; and ensured that the government is aware about the activities being conducted by villagers and is able to assist them wherever needed. Soil water conservation works, forest conservation works, individual benefits, drinking water, public distribution system and collective community action evolved through this process. The key to the success of convergence programs lies in continuous follow up, quick action on decisions, and regular field interactions.

¹⁰. This note on 'Strengthening Governance through Convergence of FRA and NREGA' was contributed by KHOJ.

The table below illustrates the example of Narotichak village and resources to be made available from different line agencies under the convergence program for conservation and livelihoods activities. (Source: The CFR management plan prepared for Narotichak village, Gadchiroli)

	Department	Activity	Total no. of Units	Cost per Unit (in rupees)	Funds (in lakhs)	Implementation period
1	Forest Department	Bamboo plantation 278 plants/ha.	163.38 ha	34,500/ha.	56.37	2014-23
		Mixed plantation 1100 plants/ha.	43.22 ha	73,000/ha.	31.55	2014-22
		Digging trenches along <i>tendu</i> trees (5 trees/ha.)	236.89 ha	500 /ha.	1.33	2014-16
2	Agriculture Department	Farm pond	16	80,000	12.8	2014-16
		Farm bund repairing (<i>Majgi</i>)	34.45 ha	12757/ha.	4.39	2014-15
		Building earthen bunds (<i>Bodi</i>)	13	55,264	7.18	2014-15
		Cement nala bund (CNB)	2	95000 /CNB	1.9	2014-15
		Repairing of new earthen bund	8	44,428/ha.	3.55	2014-15
		Plantation along farm bund	11 ha	30000/ha.	3.3	2014-20
3	Animal Husbandry	Poultry farming	18 unit	1000 /unit	0.18	2014-15
		Goat farming	11 unit	75000/family	8.25	2014-15
		Milch animal	18 unit	45000/unit	8.1	2014-15
4	Tribal Development Department	Supply of diesel pumps	16 pump	30000/pump	4.8	2014-15
		Providing LPG connection	59	6000/connection	3.54	2014-16
		Bio gas	13 families		1.56	2014-15
5	Fishery Development	Removing silt and strengthening walls of existing tanks (10 ha.)			5	2014-15
		Fish feed, fish seed & maintenance		0.70 /ha.	7	2014-15
		Total			160.8	

SECTION 4: ISSUES AND LEARNINGS

◇ **Titles with incorrect CFR area:** Under this project, the planning and boundary demarcation were done as per the area received in the CFR title. However, as mentioned earlier, in many areas there were discrepancies regarding the traditionally accessed areas of the village and the ones mentioned in the CFR title. In some cases appeals were filed while in others the granted area was accepted. The ultimate resolution of such situations remains to be seen; but processes to ensure that villagers receive titles over the actual traditional areas need to continue.

◇ **Impact on pastoralist communities:** As villagers begin to assert their rights and start active management and protection of their forests, they tend to bar pastoralist communities such as *dhangars*, as a step towards forest protection. However, some of these communities have also been traditionally accessing these forests. FRA provides for their rights and this needs to be taken into account in all planning processes. For e.g. villagers of Nayakheda informally negotiated with the *dhangars*, that they could graze their livestock in the same areas as the village cattle.

◇ **Involvement of women** in the process was varied across villages - ranging from good to poor. Often, women were present in the meetings but were reluctant to speak up. Hence, conducting mandatory separate meetings in all cases, like in Chirchadi, would be useful to seek women's valuable inputs in the CFR management plans. It was also observed that women were more vocal or active in villages that already had women's institutions or self-help groups. Strengthening such institutions would therefore help in increasing women's participation both in the planning and implementation of plans.

◇ **Issues related to NREGA:** As part of convergence of government schemes, NREGA has

been envisioned as one of the major funding sources for employment generation in the management plans. Various issues such as mismanagement of funds, delayed payments, less payments, etc. were brought out by villagers as inherent problems of NREGA. NREGA implementation issues will need to be resolved before it can be linked to CFR management activities. There is a likelihood that in villages where other livelihood activities are available, villagers would not be willing to contribute labour towards their CFR if they are to be paid under NREGA.

◇ **Participation of government officials:** At all stages of the planning process attempts were made to include local government officials, particularly during the finalization stage. However, these officials could not participate at all times and on all sites. In most cases where they did participate, their inputs were found to be useful for the management plans, given their vast experience with the area and/or the specific subjects that they were handling.

◇ **Human-wildlife conflict:** In villages such as Nayakheda, successful forest protection and

management activities, which were started in 2012 led to increase in populations of wildlife such as deer and wild boar. Unfortunately, these caused crop damage in neighboring villages, resulting in human-wildlife conflicts. With the improvement in forests, such issues are likely to come up in other areas as well and need to be taken into consideration in the planning processes.



Sambar in Nayakheda marking the return of wildlife into the forests after 2 years of conservation efforts



Women collecting fuelwood



Dhangars in Nayakheda, Amravati

SECTION 5: FACTORS IMPACTING MANAGEMENT PLAN DRAFTING PROCESS

Duration of association: A direct correlation was found between successful management plan drafting process and duration and nature of association of the facilitating agency with the village. Longer, deeper and more regular association directly reflected greater willingness, capacity and empowerment of the *gram sabhas*.

Duration of management plan drafting process: Time duration is an important factor for any project. Sufficient time is required for villages to understand their roles and responsibilities, the need for drafting the management plan and to ensure participation of all, including women. Substantial time is also required to spread and deepen the understanding about processes such as stock assessment and boundary demarcation. The duration of this project may not have been sufficient to convey this to all the villagers. The effect of this was reflected in processes, particularly in villages where facilitating agencies' engagement with the villages had not been long.

Existing experience and capacity of the *gram sabha*: The existing capacity and experience of *gram sabhas* played a huge role in effective implementation of the project. *Gram sabhas* which had prior experiences in forest management, or where they were mobilized and motivated, management plan drafting process was smoother and results were better.

Human resources: Limitation of time also meant larger number of people being involved in trying to implement the process faster. Mobilization of villagers requires human resources and in cases where there was not enough project staff to do this and prior association in the village had not been very strong, participation of the villagers in the process was impacted.

Dynamics of village institutions: Village dynamics also plays an important role in the direction that the process takes. Existing conflicts or social and political divisions within the village could bring the process to a halt at any stage. Participation of *gram sabha* members also depends on these factors. In one village, villagers admitted that *gram sabhas* and meetings usually take place in the village on a number of issues, but not many people attend them and hence remain unaware of processes.

Physical location and spread of the villages: Some of the villages were located in more inaccessible areas making regular communication and visits difficult. Similar situations also arose in areas with multiple *tolas*, particularly where *tolas* did not communicate with each other.

Gender participation in management plan drafting process: Women play an important part in various forest related activities such as collection of NTFP, firewood, and fodder. Yet, in many cases, women are not able to participate in planning meetings for a number of reasons. Presence or absence of women and their voices could significantly impact the nature of the plan.



Revived malguzari tank in Kurandichak, Gadchiroli



Asserting CFR rights via a signboard in Avalgaon, Yavatmal



Women in Ghana, Amravati participating in stock assessment



Villager explaining how stock assessment was conducted



Lac cultivation

The facilitating agencies believe that “the preparation of management plans is not the end but a part of a larger process to build people’s capacities for improved livelihoods and better forest conservation and governance. This process would help establish a mechanism for *gram sabhas* to be able to exercise their rights and duties as per FRA”. The facilitating agencies will continue to focus their efforts in supporting *gram sabhas* in trying to implement these plans.

As a part of this exercise, the facilitating agencies are also holding meetings with the government departments at the state level to ensure that some of the decisions taken during this planning process are formally accepted and that the relevant government departments, particularly TDD and FD commit to helping all *gram sabhas* interested in drafting management plans and strategies for their CFRs. In particular they are focusing their efforts in trying to ensure that:

1. a set of guidelines are issued clarifying roles, functioning and support to 4(1) (e) committees. As a follow up of this the state TDD issued a set of guidelines for constitution and functioning of Community Forest Resource Management Committees (CFRMC) under Rule 4 (1) (e) of FRA on 24/06/2015 (see annexure 6)
2. district and state level convergence committees are formed in Maharashtra to facilitate convergence of resources towards implementation of the management plans. As a follow up to this, government district level convergence committees were constituted in the 5 districts where the 50 villages under this project are located on 12/06/2015 (see annexure 5)
3. policy change and written commitment from the FD that these management plans will be incorporated in the working plans of the FD, as the plans for the respective CFRs and FD will not plan separately for those areas.

Apart from lobbying for the above changes, the facilitating agencies also plan to work towards dissemination of learnings from this process to other CFR areas at national and state level.

11. This note on ‘Way Forward’ was contributed by KHOJ

Methodology

The facilitating agencies requested Kalpavriksh to document the process.

◇ In a meeting held with facilitating agencies at Nagpur in September 2014, villages were selected for documentation on the following basis -

- » Villages selected should include those being facilitated by each of the organizations.
- » Villages should represent a diversity of situations, some where management plan drafting process was smooth and others where hurdles were faced. For instance, in Amravati, the villages Nayakheda and Payvihir were ahead in preparation of management plan activities; whereas in the village of Menghat, processes were slow due to its remoteness and lack of communication and transportation. Similarly, villages in Gadchiroli, Yavatmal and Gondia districts were selected based on diversity of local situations, including pace of the processes, community composition and location of villages.

◇ Field visits were planned; processes were observed and stakeholders were interviewed using a pre-drafted set of questionnaires.

◇ The documentation is based on detailed field visit notes and interviews with the facilitating agencies and *gram sabha* members. As the documentation process was started in September 2014, some prior processes could not be observed firsthand and information on these processes was taken from quarterly reports submitted by facilitating agencies to UNDP.

◇ Information and case studies on other processes such as *Ipomoea* removal, *tendu* leaves management, convergence activities and annexures for this report were provided by members of the facilitating agencies.



Meeting for process documentation in Kalamtola, Gadchiroli



Field visit to CFR area in Dalli, Gondia

Dates	District, Villages	Purpose
19th to 21st Sep 2014	Gadchiroli (Narotichak, Narotimal, Kukdi, Kalamtola)	Preliminary visit
26th to 27th Oct 2014	Amravati (Nayakheda, Menghat, Payvihir)	To collect information on processes which had already occurred
28th to 29th Oct 2014	Yavatmal (Avalgaon and Chichighat)	To collect information on processes which had already occurred
30th to 31st Oct 2014	Gondia (Mogra and Dalli)	To collect information on processes which had already occurred
20th to 21st Nov 2014	Amravati (Nawalgaon)	To observe stock mapping
4th to 6th Jan. 2015	Amravati (Payvihir, Khatijapur, Upaatkhedha, Nayakheda, Jaitadehi)	To attend <i>gram sabha</i> (Reading of management plan)
9th to 12th Jan 2015	Nagpur (Lakhapur), Gondia (Wasni), Gadchiroli (Narotimal), Gondia (Chirchadi), Yavatmal (Avalgaon)	To attend <i>gram sabha</i> (Reading of management plan)
15th Jan 2015	Yavatmal (Avalgaon)	To attend <i>gram sabha</i> (Reading of management plan)

ANNEXURES

Annexure 1: List of Villages

No	Name of Org.	Name of village	Block	District	CFR area as per title (ha.)
1	VNCS	Narotimal	Armori	Gadchiroli	34.24
2	VNCS	Narotichak	Armori	Gadchiroli	246.89
3	VNCS	Kukdi	Armori	Gadchiroli	87.66
4	VNCS	Mohatola	Armori	Gadchiroli	87.66
5	VNCS	Kurandichak	Armori	Gadchiroli	43.65
6	VNCS	Dongartam	Armori	Gadchiroli	35.11
7	VNCS	Ambetola	Gadchiroli	Gadchiroli	60.25
8	VNCS	Bhikarmoushi	Gadchiroli	Gadchiroli	71.4
9	VNCS	Karamtola	Gadchiroli	Gadchiroli	29.59
10	VNCS	Moushichak	Gadchiroli	Gadchiroli	664
11	VNCS	Wadegaon	Gadchiroli	Gadchiroli	228.86
12	VNCS	Chambarda	Gadchiroli	Gadchiroli	45.69
13	VNCS	Wasni	Deori	Gondia	55.09
14	VNCS	Mohandi	Deori	Gondia	191.48
15	VNCS	Poulzhola	Deori	Gondia	630.28
16	VNCS	Sundri	Deori	Gondia	462.92
17	VNCS	Mahaka	Deori	Gondia	315.15
18	VNCS	Mehatakheda	Deori	Gondia	311.13
19	VNCS	Kosbi	Deori	Gondia	268.35
20	VNCS	Dhavalkhedi	Deori	Gondia	548.93
21	VNCS	Dhamditola	Deori	Gondia	295.76
22	VNCS	Lakhapur	Ramtek	Nagpur	133.22
23	VNCS	Fulzhari	Ramtek	Nagpur	53.67
24	VNCS	Akola	Ramtek	Nagpur	38.87
25	YRA	Chirchadi	Sadak Arjuni	Gondia	1224

No	Name of Org.	Name of village	Block	District	CFR area as per title (ha.)
26	YRA	Dalli	Sadak Arjuni	Gondia	1210
27	YRA	Khadki	Sadak Arjuni	Gondia	1691.34
28	YRA	Rajguda	Sadak Arjuni	Gondia	119.82
29	YRA	Mogra	Sadak Arjuni	Gondia	519
30	YRA	Usikheda	Sadak Arjuni	Gondia	373
31	KHOJ	Payvahir	Achalpur	Amravati	192.98
32	KHOJ	Nayakheda	Achalpur	Amravati	633
33	KHOJ	Khatijapur	Achalpur	Amravati	36
34	KHOJ	Upatkhedha	Achalpur	Amravati	129
35	KHOJ	Bhavai	Chikhaldara	Amravati	174.36
36	KHOJ	Lawada(van)	Chikhaldara	Amravati	174.99
37	KHOJ	Chunkhadi	Chikhaldara	Amravati	265.66
38	KHOJ	Ghana	Chikhaldara	Amravati	375
39	KHOJ	Bhandri	Chikhaldara	Amravati	420
40	KHOJ	Jaitadehi	Chikhaldara	Amravati	66
41	KHOJ	Bodhu	Chikhaldara	Amravati	102.5
42	KHOJ	Butida	Chikhaldara	Amravati	166.6
43	KHOJ	Ranamalur	Dharni	Amravati	50
44	KHOJ	Ghota	Dharni	Amravati	50
45	KHOJ	Menghat	Chikhaldara	Amravati	370
46	GSMT	Avalgaon	Maregaon	Yavatmal	756.28
47	GSMT	Dabhadi	Zarizamni	Yavatmal	509.1
48	GSMT	Chichghat	Zarizamni	Yavatmal	208.1
49	GSMT	Pawnar	Zarizamni	Yavatmal	268.71
50	GSMT	Borgaon	Zarizamni	Yavatmal	679.47

Annexure 2: Training Module for Members of 4 (1) (e) Committees under Forest Rights Act

Objectives

- » Share information of legal provisions governing CFR and village governance through various laws like FRA, Biological Diversity Act (BDA), Panchayats (Extension to Scheduled Areas) Act (PESA).
- » Build perspective of members of 4 (1) (e) committees for managing the CFR rights by duly fulfilling their duties while enjoying their rights
- » Enable communities fulfil their legal and technical responsibilities as a body corporate
- » Create processes that help build capacities of the members of the village committees to discharge their functions of conservation and livelihoods with due principles of accountability and transparency.

Duration: 2 days

Methodology

Through lectures, group discussions, presentations and sharing, field based training on forest survey & stock mapping, GPS training.

Session 1: (1 hour) - Introduction of participants, introduction to the workshop and its purpose

Session 2: (1.5 hours) - Introduction and objectives of FRA

Open discussion facilitated by a moderator on nature of rights, CFR rights and their purpose, communities' experience of actions taken in post CFR claim situations

Session 3: (1.5 hours) - Elinor Ostrom's 8 principles for management of commons (By using power point presentation or posters)

- » Define clear boundaries
- » Rules of common resources to be developed taking into consideration local needs and conditions
- » Those impacted by rules can participate in modifying the rules
- » Rulemaking authority of community members is respected by outsiders

- » Monitor implementation, behavior of members
- » Use graduated sanction for violations
- » Accessible and low cost dispute resolutions
- » Responsibility of governance of the common resource in nested tiers from the lowest level up to the entire interconnected system

Session 4: (1.5 hours) – Biological Diversity Act

Lecture and open discussion on the basic purpose of BDA, formation of the biodiversity committee and preparation of the people's biodiversity register.

Session 5: (1 hour) - Sharing efforts undertaken by various villages for management of forests.

Session 6: (1.5 hour) – Group discussion on role of gram sabha in management of CFR

Discussion with focus on following key functions:

- » Ensuring open and transparent decision making
- » Framing norms and rules
- » Follow up on bottlenecks
- » Ensuring principles of equity and justice are imbibed in the process

Session 7: (1.5 hours) - Roles and responsibilities of 4 (1) (e) committees

Formation of 4 (1) (e) committee under FRA.

1) As executive committee of the *gram sabha* managing the forest resources including forest, land and water under the FRA, BDA, PESA and wherever applicable, they will have to define

- » Roles and responsibilities of members of the committee
- » Operational processes

2) Preparation of basic norms for forest governance w.r.t

- » Grazing
- » Fuel wood
- » Minor minerals
- » Collection, storage, disposal and transportation of forest produce

- » Regeneration of forest resources and its management principles

3) Preparation of community forest management plan

- » Consultation with *gram sabha*
- » Identification of volunteers
- » Boundary mapping and area demarcation
- » Resource mapping
- » Preparing prescriptions for future forestry operation
- » Soil water conservation survey and planning
- » Livelihoods plan
- » Preparing composite plan
- » Sharing with *gram sabha*
- » Preparing the final plan document
- » Sharing the copies with the government agencies for suitable amendments/ modifications of the working plan documents

4) Financial management and legal compliances

- » Bank account of *gram sabha* and its operations
- » Pan card
- » Cash book and ledger
- » Auditing processes

5) Record keeping

- » Maps
- » *gram sabha* meeting – notice registers
- » *gram sabha* registers
- » Copies of resolutions
- » NTFP records
- » Transit pass book and record

6) Management of NTFPs

- » Identification
- » Collection/processing
- » Storage
- » Sale
- » Records

Session 8: Closure

Annexure 3: Guidelines on Roles and Responsibilities of Gram Sabhas, 4 (1) (e) Committees, Others

FRA recognizes individual and CFR rights and bestows a set of responsibilities on the *gram sabha*. In this context, the *gram sabha* is defined as in Section 2(g) of FRA – “a village assembly which shall consist of all adult members of village and in case of State having no *panchayats, padas, tolas*, and other traditional village institutions and elected village committees, with full and unrestricted participation of women. Section 5 of the Act empowers the *gram sabha* to protect the wildlife, forest and biodiversity, and to regulate access to CFR. Rule 4 (1) (e) of FRA mandates that the *gram sabha* constitute a committee for the protection of wildlife, forest and biodiversity, from amongst its members. TDD has evolved a set of guidelines to help the *gram sabhas* and the 4 (1) (e) committee discharge its duties under the Act. The 4 (1) (e) committee shall constitute of 7 to 21 members in such a manner so as to represent all sections of its rights holders. At least half of its members shall be women. The 4 (1) (e) committee shall be the executive committee of the *gram sabha*.

4 (1) (e) Committee

Meetings

- » The committee shall call a meeting of its members every month to discuss the works and issues related to FRA.
- » In case of emergency, emergency meetings to discuss issues arising shall be called.
- » Notice of meeting should be issued on signature of the Chairperson /Secretary to members at least 3 days in advance and should include date, place and time of the meeting. Its record should be maintained.
- » Emergency meetings can be called by issuing a *Davandi* (announcement by beating of drum) at a notice of half an hour

Officer Bearers of 4 (1) (e) Committee

The Committee shall elect from amongst its members a Chairperson, a Secretary and a Treasurer, one of whom compulsorily has to be women. If the village desires, it can also elect Dy Chairperson and Dy Secretary in addition to above.

Chairperson of the Meeting

The meeting shall be chaired by the Chairperson of the committee. In absence of the Chairperson, Dy Chairperson shall chair the meeting. In absence of both, the members may decide one member as Chairperson from amongst them and conduct the meetings. If the Chairperson or the Dy Chairperson, consistently remains absent from 3 consecutive meetings for unjustifiable reasons, the committee may cancel the membership and elect a new Chairperson or Dy Chairperson or both from amongst the remaining members.

Quorum of the Meeting

At least 2/3rd members shall be present for completion of Quorum. In case of absence of quorum, and if 50% of members are present, the committee may meet at the same venue after half an hour.

Proceedings of the Meeting

- » The Chair shall ensure the completion of Quorum
- » Secretary shall be present for all meetings
- » The Secretary shall seek the approval of minutes of last meeting and also inform members of the action taken
- » The Secretary shall record the proceedings of the meetings and the resolutions undertaken
- » Any other issues apart from those mentioned in the meeting shall be taken up with the permission of the Chair.

Functions of the 4 (1) (e) Committees

- » To discharge its duties as laid under Section 5 of FRA
- » To prepare CFR management plan in consultation with *gram sabha*
- » To undertake works on directions and decisions of the *gram sabha*
- » To report to the *gram sabha*, the progress of works, status of funds and plans
- » To set up an office of *gram sabha* and to maintain records and documents in the office
- » To call for meetings of the *gram sabha*
- » To form subcommittees if required
- » To make budgets for programmes, events, works or expenses and get approval from *gram sabha* on a monthly basis or as and when required by *gram sabha*
- » To formulate effective plans for management of forest, land and water of the area and to protect the watersheds
- » To formulate rules for acts of violations and to ensure its implementation
- » To ensure protection and conservation of its water bodies and forest areas
- » To formulate rules for effective use of forest and other natural resources
- » To ensure protection, conservation and regeneration of the biodiversity
- » To protect and conserve the commons
- » To seek approval for the management plan of the CFR area
- » To formulate rules for nistar and for cases of poaching
- » To formulate rules for grazing and incidences of forest fire
- » To prepare *panchanama* in cases of violation of rules
- » To issue Transit Pass for transport of NTFPs
- » To ensure planning and effective implementation

of works

- » To read, study and share the Government Resolutions and policies in *gram sabha*
- » To update Community Biodiversity Registers
- » To facilitate resolution of conflicts related to land and forest and if not resolved inform the *gram sabha*.
- » To list out beneficiaries, as decided in *gram sabha*, for various government programmes
- » To conduct/facilitate *shramdaan* (voluntary contribution of labor) for effective management of forest and other natural resources
- » To ensure that the rules and regulation framed by *gram sabha* and committee are honored by the members
- » To maintain all record and accounts of committee
- » To operate the accounts of the *gram sabha*. Withdrawal of funds from *gram sabha* account shall be permitted only on *gram sabha* resolution of 50% or 100 members whichever is less
- » To ensure participation of women in meetings of committee and *gram sabha*
- » To ensure that the needs of the aged, old, destitute are prioritized

Role of the Secretary

- » To issue notices and keep records of the meetings of the committee
- » To keep record of the bank accounts and utilization of funds
- » To follow up with other members of the committee, any work with government agencies
- » To undertake any other work assigned by Chairperson or the *gram sabha*
- » To place before *gram sabha* proceedings and developments of the month

Role of the Members

- » To attend and participate in the meetings
- » To understand the nature and reasons for works undertaken

- » To monitor and control the implementation of works in the village
- » To approve necessary decisions and to strive hard to achieve the goals set by the *gram sabha* and the Committee
- » To ensure compliance of the rules and regulations
- » Ensure effective monitoring and control over utilization of funds

Technical Members of the Committee

- » The forest guard responsible for the works in the forest area
- » *gram sevak*
- » *talathi* (land record officer) shall serve as Member Technical of the Committee

However, they are not authorized to vote. They shall provide opinion to the *gram sabha*, however, the decision of the *gram sabha* shall be final and binding

Operation of Bank Account and Annual Audits

- » The account to be opened in name of *gram sabha* shall be operated by any two of the following members - Chairperson/Secretary/Treasurer
- » There shall be a *gram sabha* – Govt. Funds A/c which shall be maintained and operated jointly by the Chairperson and the Forest Guard. However, all books of accounts, cheque books shall be kept at the office of the *gram sabha*. Withdrawal of funds from this account shall be on the decision of the *Gram sabha* which shall be accompanied with the withdrawal slip/cheque.
- » Funds shall be withdrawn only as per decisions and instructions of the *gram sabha*
- » Office bearers are not permitted to keep more than ₹1000/- as cash in ordinary circumstances
- » All payments above ₹500/- or from *gram sabha* account shall be done by resolution of *gram sabha* by A/c Payee cheque only
- » In addition, the *gram sabha* may decide to

make all wage payments (even below ₹500/-) by cheque only

- » The committee shall be responsible for carrying out annual audit of the funds in the *gram sabha* account and placing the same before *gram sabha* for its approval within 3 months of the completion of financial year i.e. before 30th June every year

Legal Documentation

- » Maintain all records properly
- » Maintain rubber stamps of the Committee and the *gram sabha*
- » Maintain all the bank accounts duly as required
- » Maintain a PAN Card of the *gram sabha*
- » If required maintain a TAN A/c of the *gram sabha*
- » Keep receipt book for fines or contributions
- » Keep report of annual work done and assets created in the year (list)
- » Prepare display board for works done in the village by committee or *gram sabha*
- » Keep photographs and other essential records in support of the work of the committee or the *gram sabha*

District Level Convergence and Resource Mobilization Committees

Section 16 of the Amended Rules of the FRA calls for convergence of government departments and government schemes. In order to ensure that the benefits of all the Government policies and programmes reach the holders of FRA, it is essential that there be some coordinated efforts at district level. It is hence essential to form a District Level Convergence and Resource Committee that will ensure effective flow of schemes to the villages with individual and community forest rights claimants and capacity building and monitoring of 4 (1) (e) committee. The District Level Convergence and Resource Committee will consist of :

- » District Collector - Chairperson

- » CEO - Dy Chairperson
- » DCF (in case of more than one DCF's in District, Nodal DCF) - Secretary
- » The following shall be the other members of the said committee - ATC (if placed in Dist. HQ or / PO), Regional Manager (TDC), Members of NGOs with work on FRA, two representatives of 2 *gram sabhas* to be rotated annually, and heads of all line Departments including Animal Husbandry, Fisheries, Irrigation, PWD, Forests, Agriculture, and all Heads of ZP agencies, BDO and Tahsildars of concerned blocks.

Functions of the Committee

- » To facilitate communication of any guidelines and orders issued by the State to the Committees at village level
- » To ensure that 4(1) (e) committees are formed, wherever, required by the *gram sabha*
- » To facilitate training and capacity building of the 4(1) (e) committees with a special focus on CFR
- » Provide resources and essential support to the *gram sabha* for preparation of management plans and to include them in the working plans/ management plans of the forest department
- » To provide Revolving Grants to needy villages from the available resources
- » To ensure convergence of all departments in monitoring the implementation of the management plans prepared by *gram sabhas*
- » To identify active villages for convergence and ensure effective flow of schemes to these villages
- » To provide essential guidance for effective harvesting and marketing of NTFPs for CFR villages
- » To meet on a monthly basis and to review the progress on Convergence with marked outcomes
- » To monitor implementation of government programmes in these villages

Block Level Convergence and Resource Committees

It will consist of

- » PO/ Tahsildar - Chairperson (If PO is available in block he would be the Chairperson and if not then Tahsildar will be the Chairperson.)
- » BDO - Dy Chairperson
- » ACF - Member Secretary
- » The other members of this committee shall be - Asst Manager (TDC), Tahsildar, 2 members of NGOs, 2 members of *Gram sabhas* on rotation basis annually, and all members of line departments at block level.

Function of the Block Level Committee

- » The members of the Block Level Committee shall meet once every month
- » The committee shall make efforts for effective convergence of all schemes for CFR villages
- » The Committee shall also endeavor to deliver and follow up on the decisions of the District level committees

Annexure 4: Management Plan Template

1. Premise and the law of FRA
2. Village at a glance
3. Introduction to the Management Plan
4. Management Plan Process
5. Village Overview
6. The Village Forests
7. Current Status of Forest and its biodiversity
8. Forest Fauna
9. Forest Resource Utilization
10. Present System of Management
11. Future Management
12. Management of Forest in CFR regime
13. Ecological Centre
14. Rules and Records
15. Dispute Resolution
16. Proposed Additionalities
17. Addressing Livelihoods through Agriculture
18. Annexures
19. Local and Botanical Names
20. Rules of 4 (1) (e) Committee
21. Identification of Soil Moisture Conservation works
22. *Gram sabha* Approval

Annexure 5: Government Resolution on Formation of District Level Convergence Committee to Implement Conservation and Management Plan of Community Forest Rights Areas.

Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 and Rules 2008. Formation of District level Convergence Committee for implementation of the Conservation and Management Plans for Community Forest Rights Areas.

Government of Maharashtra

Tribal Development Department

शासन आदेश क्रमांक: बैठक-२०१३/प्र.क्र.२७२/का-१४

Madam Kama Road, Hutatma Rajguru Chowk

Mantralaya, Mumbai - 400032

Date: 12th June 2015

Read

1. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 and Rules 2008, and Amendment Rules 2012.
2. Tribal Development Department, Government Resolution dated 21/04/2015 - शासन निर्णय क्रमांक: पेसा-२०१५/प्र.क्र.१६/का.१७

Introduction

Under Section 3 (1) of Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act 2006, Rules 2008 and Amendment Rules 2012, Scheduled Tribes (ST) and Other Traditional Forest Dwellers (OTDF) have rights to both individual and Community Forest Rights (CFR). This includes the rights of ST's and OTFD's for claiming forest land for their livelihoods and habitation and community forest rights like nistar, collection of forest produce within or outside the boundaries of the villages, that was traditionally collected, minor forest produce for its own use or for disposal, rights over fisheries or other produce from water bodies, grazing, and traditional and seasonal resource rights; and right to protect, regenerate, or conserve or manage any community forest resource, which they have been

traditionally protecting and conserving for sustainable use.

In order to ensure effective implementation of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 and Rules 2008, and Amendment Rules 2012 and especially the implementation of the provision pertaining to Section 3(1) relating to Community Forest Rights and for its effective planning and management and strengthening of the gram sabha, and to monitor, guide, review and evaluate the projects implemented by the Non-Governmental Organization, a State level Steering Committee was set up through a Government Resolution (GR) dated 05/03/2014.

The pilot project implemented by KHOJ in 5 districts across 50 villages, under the MoTA-UNDP program, has been completed on April 30, 2015. In this context, a decision was taken by the State Steering Committee during a meeting held on 20/05/2015- that according to the management plans of the 50 villages, prepared during this pilot project, works are to be undertaken by the gram sabha and for their implementation there is a need for convergence of regional level government agencies. This was under the government's consideration. Accordingly a GR is being issued as below-

Government Decision

In the context of recognizing Community Forest Rights (Community Forest Resources), a pilot project was undertaken by KHOJ and other non-governmental organizations, under the MoTA-UNDP program, in 5 districts across 50 villages for the implementation of an effective and efficient management system to ensure sustainability of rural communities' whose

livelihood is dependent on forests, and to ensure protection and long term sustainability of forests and natural resources. Management plans of 50 villages were prepared during the pilot project. In order to implement the management plans with the assistance of Forest Department, Agriculture, Animal Husbandry and Fisheries Department, Rural Development and Water Conservation Department, MNREGA, for the implementation and management of CFR, to provide the assistance of all the Government agencies at the regional level, and to seek convergence of the works undertaken by gram sabhas under CFR, a District level Convergence Committee is being approved.

District Collector shall be the Chairperson of the said District level convergence committee and Deputy Conservator of Forest will be the Member Secretary. The following shall be the member of the Committee-

- » District Collector - Chairperson
- » CEO, SP - Member
- » PO ITDP - Member
- » District Agriculture Officer - Member
- » District Animal Husbandry Officer - Member
- » Asst. Commissioner Fisheries - Member
- » Dy. Conservator of Forest - Member Secretary

In case of need, members of other departments can be invited to the committee meetings. 2 members of the gram sabha shall be nominated on rotational basis.

District level convergence Committee Amravati, Gadchiroli, Gondia, Nagpur and Yavatmal shall converge all resources for the implementation of the Community Forest Rights in the 50 villages of the 5 district.

The Conservation and Management plans prepared by the gram sabha for the duration of 10 years shall be a

non-separable part of the Working Plan of the Forest Department. As per the GR dated 21/04/2015 the 5% of Tribal Development Departments' funds which are available to the PESA villages can be used for the implementation of CFR management plans.

The list of 50 villages of 5 district of Amravati, Gadchiroli, Gondia, Nagpur and Yavatmal is annexed as Annexure 1.

Commissioner, Tribal Development, Nashik shall act as Nodal Agency for all these Committees.

This Government resolution shall be available on www.maharashtra.gov.in and its unique code is 201506151722563724.

In the name and by order of the Governor of State of Maharashtra,

Suresh D Naik

(Section Officer, Government of Maharashtra)

Annexure 6: Government Resolution on Formation of CFRMC and Operational Guidelines of Committee.

Guidelines for constitution and functioning of the committee constituted under Rule 4(1) (e) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights 2006, Rules 2008).

Government of Maharashtra
Tribal Development Department
शासन निर्णय क्रमांक: वहका-२०१४/प्र.क्र.६६/का-१४
Madam Kama Road, Hutatma Rajguru Chowk,
Mantralaya, Mumbai – 400032
Date: 24th June 2015

Read

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights 2006, Rules 2008 and Amendment Rules 2012)

Introduction

Under Section 3 (1) of Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act 2006, Rules 2008 and Amended Rules 2012, Scheduled Tribes (ST) and Other Traditional Forest Dwellers (OTDF) have rights to both individual and Community Forest Rights (CFR).

This includes the rights of ST's and OTFD's for claiming forest land for their livelihoods and habitation and community forest rights like nistar, collection of forest produce within or outside the boundaries of the villages, that was traditionally collected, minor forest produce for its own use or for disposal, rights over fisheries or other produce from water bodies, grazing, and traditional and seasonal resource rights.

Section 3 (1) (i) of FRA 2006, provides right to protect,

regenerate, or conserve or manage any community forest resource, which they have been traditionally protecting and conserving for sustainable use; section 3 (1) (k) provides right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity; and section 5 empowers the gram sabha to protect the wild life, forest and biodiversity ensure that the decisions taken by the gram sabha to regulate access to community forest resources are complied with etc. for the implementation of this a committee be formed. Accordingly a government decision is being taken as follows-

Government Decision

According to Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, Rules 2008 and Amendment Rules 2012, Section 3 (1) (i) has provisions for right to protect, regenerate, or conserve or manage any community forest resource, which they have been traditionally protecting and conserving for sustainable use, and section 5 (empowers the gram sabha) to protect the wild life, forest and biodiversity. In order to carry out the (above mentioned) provisions and the duties mentioned in Rule 4 (1) (f), the gram sabha shall constitute a committee as per Rule 4(1) (e) from amongst its members. This committee formed according to Rule 4 (1) (e) will be referred to as CFR management Committee (CFRMC). The gram sabha shall monitor and control the committee thus formed.

1. The Committee will be the Executive Committee of the gram sabha for the purpose of planning for the management and conservation of the community forest resources, manage the revenue being generated from the management of community resources, management

of funds being received from the government, keeping accounts of the funds that have been deposited and spent, and to carry out all administrative responsibilities related to FRA.

2. All the duties and responsibilities of the CFRMC would be as per FRA 2006, Rules 2008, Amendment Rules 2012, and other directives from the Ministry of Tribal Affairs, Government of India.

3. In this context, the gram sabha shall mean – *gram sabha* as defined in Section 2 (g) of the FRA – “means a village assembly which shall consist of all adult members of village and in case of State having no Panchayats, Padas, Tolas, and other traditional village institutions and elected village committees, with full and unrestricted participation of women”.

4. Guidelines for Assisting the CFRMC in implementing the FRA

i. CFRMC represents all forest rights holders within a gram sabha. It would have a minimum of 5 and maximum of 11 members. The quorum of the committee will be not less than 50% of all members of which 1/3rd should be women.

ii. CFRMC will elect with majority one President, one Secretary and one Treasurer from among its members. One of these positions should be a woman and the President should be from a Scheduled Tribe.

iii. The notices for conducting the meetings of the committee will be signed by the President/Secretary of the committee.

iv. Emergency meeting of the CFRMC must be announced through, drums and other traditional methods of announcement, in the village at least half an hour before the commencement of the meeting.

v. At the beginning of the meeting the Secretary should read out the minutes of the last meeting and get the approval of the committee. The secretary should

also update the committee on any actions taken as per the previous minutes.

5. Functions of the CFRMC

i. With the approval of the gram sabha to carry out all the responsibilities mentioned in Section 5 of FRA.

ii. With the approval of the gram sabha and for the benefit of the Scheduled Tribes and Other Forest Dependent Communities, to prepare a conservation and management plan as per Rule 4 (1) (f).

iii. To collate all the changes required in the management plan, working plan or any other conservation and management plans of the forest department, as per the management and conservation plan prepared by the CFRMC.

iv. To prepare a detailed result oriented plan for forest, land and water management with the area under the jurisdiction of CFRMC.

v. To prepare a set of Rules in consultation with the gram sabha to ensure implementation of FRA and to contain violations of the Act.

vi. To approve all decisions related to the Transport Permits, revenue generated through forest management activities and those related to changes in the management plans, etc. of the forest department.

vii. The Central Government has announced a Minimum Support Price for 12 non timber forest produce. CFRMC to take care that these NTFPs are not sold for rates less than the specified MSP.

viii. To coordinate the revenue generated from various CFR management related activities and also the funds being received from the government agencies.

ix. To prepare a proposal for the activities related to forest rights and a statement of projected expenditure for the same and get it approved from the gram sabha.

x. To work as per the directions and decisions of the Gram sabha.

xi. To update the gram sabha about the progress of work, funds and other activities.

xii. To take care of all the administrative documents and related papers and to maintain accounts of the funds.

xiii. To keep the gram sabha informed about and conduct trainings on the FRA, and related government decisions and policies.

xiv. To keep the Community Biodiversity Register updated

xv. To keep the accounts and to pass a resolution in the committee for withdraw funds as and when needed as per the decisions of the gram sabha.

xvi. To write all the activities undertaken and completed by the committee on a board to the gram sabha.

xvii. To present to the gram sabha the photographs and other related documents about the activities undertaken by the committee.

6. CFRMC is a legal entity constituted under the FRA and hence does not need to be registered under any other Act or Institution. The Collector as the Chairperson of the District Level Committee must direct all the banks to open bank accounts for the CFRMCs on priority basis without any hurdles.

7. The District Level Committees and the Sub Divisional Level Committees must ensure that within the jurisdiction of the 15002 Forest Rights Committees, CFRMCs are formed as per Rule 4 (1) (e) of FRA. As per Rule 12 (b) (4) if in any villages community forest rights have not been claimed the reasons for the same should be conveyed to the nodal officer, Commissioner, Tribal Development, Nashik.

8. Handling and Auditing Accounts

i. In order to perform the economic and administrative tasks of the CFRMC smoothly, the committee should open a joint account in the name of the President, Secretary and the Treasurer, of whom one should be a woman. Of these any two office bearers would be the signatories of the account and will withdraw funds after approval from the gram sabha.

ii. The passbook, check book and all other related administrative documents should be kept in the office of the gram sabha. All transactions would take place as per the resolution passed by the committee and only through an account payee check

iii. The gram sabha should decide on the amount of money to be kept as petty cash.

iv. The details of the deposits and expenditure of the account will be placed in the gram sabha. The account will be audited by the local auditor of the Zilla Parishad.

9. The District Level Committee and the Sub District Level Committee should coordinate and ensure that the activities planned in the management and conservation plan prepared by the CFRMC get the benefit and support under various ongoing schemes of different Government Line Agencies.

Commissioner, Tribal Development, Nashik shall act as Nodal Agency for all these Committees

This Government decision is available on www.maharashtra.gov.in and its unique code is 201506251654034424.

In the name and by order of the Governor of State of Maharashtra,

Suresh D Naik

(Section officer, Government of Maharashtra)

Annexure 7: Case Studies¹²

CASE I: Transforming Rights into Resources: Management of Tendu Leaves by Gram Sabhas for 3 Successive Years in 3 Districts of Vidarbha Region

By February 2014, 1232 villages¹³ had received rights over their CFRs in Vidarbha region of Maharashtra. The challenge now was to ensure that these rights were not just on paper, but that people were able to exercise them to ensure sustainable livelihoods and conservation of forest biodiversity. One of the major non timber forest produce in this area is *tendu* leaves. Historically, *tendu* leaves have been procured and sold by traders, who supply these leaves to *beedi* manufacturers. Tribal and forest dwelling communities were merely leaf collectors who would get their daily wage. Receiving CFR rights however meant that the people now had governance and management rights, essentially transforming them from mere labourers to owners and managers of forests and forest produce. In 2013, 18 *gram sabhas* collectively expressed their interest in handling and managing the entire process of *tendu* leaves trade, from planning to collection of leaves, managing the process, selling the leaves and equitably sharing the benefits. They soon realized that despite having rights over CFR, the auctioning of *tendu* leaves was still being carried out by the FD for all forests in the area, including their CFR forests. This was brought to the notice of the then Chief Secretary of the State and the then Principal Secretary, FD by VNCS. As of follow up, it was decided, in a joint meeting of VNCS with the concerned government agencies that to support the *gram sabhas*, amendments will

be made to the tender notification.

However, this also meant that the *gram sabhas* had to deal with issues like issuance of tender, negotiation with traders, process of *tendu* collection and management, arrangement of finances to support the process, and dealing with profits and losses. This was not easy and *gram sabhas* also realized that they did not have the capacity to handle these issues. Consequently, they decided to set up a Technical Committee (comprising of members of the 18 *gram sabhas*, members of facilitating organisations VNCS and KHOJ, and FD staff) to help in tendering process. None of the traders came forward to bid for these tenders. The facilitating agencies, VNCS and KHOJ then made efforts towards convincing the



Collection of Tendu bundles in Chambarda, Gadchiroli

12. Case studies contributed by KHOJ

13. Source: Tatpati, M. (Ed) (2015) Citizens Report 2015: Community Forest Rights under Forest Rights Act. Pune Bhubaneswar and New Delhi: Kalpavriksh, and Vasundhara in collaboration with Oxfam India, Delhi, on behalf of Community Forest Rights Learning and Advocacy Process.



Chief Secretary, Jayantkumar Banthia in a gathering of tendu pluckers at village Narotichak (Dist. Gadchiroli), who handed over 1st standard bag of tendu leaves to the representative of Tribal Development Corporation in the presence Praveen Pardeshi, PS-Forest, Dilip Gode of VNCS, TSK Reddy CCF, Gopal Reddy, Divisional Commissioner, Abhishek Chandra, Collector & SP of Gadchiroli

government to support these *gram sabhas* as part of their obligation under FRA as well as the State's Tribal Area Economic Improvement Act. As a result the Tribal Development Corporation agreed to support the collection process in its first year of being handled by the *gram sabhas* and allocated an amount of ₹1.13 crores for the process. The *gram sabhas* collected a total of 2076 bags of *tendu* leaves in 2013. This was sold at ₹3600 per std. bag (881 bags of 4 villages, Dist. Gondia), and ₹3200 per std. bag (1118 bags of 12 villages, Dist. Gadchiroli and 70 bags of 2 villages from Amravati). Of this, an amount of ₹69, 00,000 was returned to the Tribal Development Corporation as a payment towards the advance of ₹70, 00,000 that the *gram sabhas* had taken from the department.

The balance amount after deducting plucking charges and management cost was paid to the *tendu* collectors as bonus in a ceremony by the Honorable Governor of Maharashtra on 18th December 2013 at village Kukdi in Gadchiroli district.

In 2014, 27 villages joined in the process while in 2015, 23 villages decided to go ahead with the *tendu* management and sale process. The *gram sabhas* issued transit passes for the transport of *tendu* leaves from the collection centers to and from the godowns. In all these years, the Tribal Development Corporation supported the *gram sabhas* under an arrangement with them.

Year	Districts	Villages Involved
2012-13	Amravati Gondia Gadchiroli	18
2013-14	Gondia Gadchiroli	27
2014-15	Amravati Gondia	22

Going through this entire process, has slowly helped the *gram sabhas* develop their own management and governance capacities. While some *gram sabhas* are

now making profits, others are just about breaking even. One of the major benefits of engaging in this collective process has been the coming together of the *gram sabha* members for ecological conservation and village development. Developing the capacities to handle the challenges related to trading, arrangement of finances, management of collection process, legal and financial compliances, etc. has been the milestone of the entire exercise.

The *gram sabhas* have gained confidence and are beginning to enjoy management and governance roles. In Amravati district, some of the villages in the buffer zone of Melghat Tiger Reserve, have also taken up *tendu* collection and sale.

CASE II: Payvahir: Convergence - from Theory to Practice

Payvahir, one of the four hamlets of Upatkheda Gram Panchayat in Achalpur block of Amravati district received its CFR in December 2012. It is located in the foothills of Melghat Tiger Reserve, a hilly and forested protected area in the Satpura mountain ranges of central India. Melghat is largely inhabited by Korku tribes. Though the Tiger Reserve has forested lands to some extent, the foothills of Melghat region are completely degraded due to deforestation over the past many decades causing serious threats to natural resources, wildlife and biodiversity. Coupled with this, the area has experienced heavy soil and water erosion and almost no wildlife exists in the area. This has also impacted the human life in the area especially the economically underprivileged Korkus.

Of the 111 households of Payvahir, 94 are Korku and 7 belong to Balai community. Only 39 families have agriculture lands and others work as agriculture labourers. Due to poor quality of land and lack of employment opportunities in Melghat, like other villagers, Payvahir families too, used to migrate for most part of the year post monsoon to work as labourers in cotton growing areas of Amravati district.

With active support from FD and other government agencies the villagers are now regenerating degraded forests which has brought other development works to the village and neighbouring villages. The village with no recognition on the map of India till 2009, won the India Biodiversity Award in 2014. This change was made possible by the partnership between the gram sabha (people), FD and KHOJ, an organisation committed to working on livelihoods and conservation of the tribal

people.

Payvahir received its CFR title in June 2012. *Gram sabha* in the meanwhile had already formed a Biodiversity Management Committee and was in the process of reviving the earlier Joint Forest Management Committee with the FD. The *gram sabha* formed a committee for management of wildlife and forests under Rule 4 (1) (e) and Section 5 of FRA. All these different committees decided to work together as the executive committee of the *gram sabha* viz Section 4 (1) (e) committee. The committee developed a micro plan for 7 years for development of forestlands and other village development activities.

The micro plan helped to mobilise resources from Mahatma Gandhi National Rural Employment Guarantee Scheme and FD. Resources were mobilized for soil and water conservation on 50 ha (150 acres), well repairs, farm ponds, stone bunding across water streams, drinking water tank and water taps for all houses, construction of cattle sheds, construction of 32 houses under Indira Aawas Yojna (this reduced pressure



Gram sabha meeting in Payvahir, Amravati

on forest wood), village approach road, plantation etc. FD provided resources for plantation of local species on 50 ha and as part of the process 50 thousand trees of 12 local species were planted in the last two years. FD also invested in the construction of Water Absorption Trenches (WCT) and Continuous Contour Trenches (CCT) on forest lands for water conservation. Well irrigation is now available for 40 ha and resources are being mobilized for remaining 42.5 ha of un-irrigated lands. The first stage of soil and moisture conservation work has been completed on un-irrigated farms. The *Gram sabha* has mobilized development works of more than ₹1 Crore over the past 3 years thus stopping distress out migration among all households of the hamlet. In addition, income is being generated from non-timber forest produce namely, *tendu* leaves and custard apple. During 2013, village received ₹200,000 from Tribal Development Corporation as an advance towards collection charges for collection and sale of the *tendu* leaves. Around ₹97,000 were subsequently returned to Tribal Development Corporation.



Mr. Shriram Dahikar and Mr. Ramlal Kale receiving India Biodiversity Award 2014, on behalf of Payvahir gram sabha on 22nd May 2014 at Port Blair, Andaman Islands

To reduce pressure of grazing from unproductive cattle, the FD has launched a scheme to replace unproductive animals with productive milch animals. Cattle population has grown to 150. Ten tribal families received buffalos. After domestic consumption, villagers are able to sell milk in nearby villages, hotels and towns. FD has also planned a community bio gas system worth ₹37, 00,000 to reduce pressure on biomass (wood/forest); its work is currently in progress.

Women have played a very crucial role in the entire CFR and post CFR development processes. Section 4 (1) (e) committee comprises of 50% women who participate in all decision-making related to planning and implementation of land and water development activities. 3 have been promoted to organize women. The Self Help Groups successfully exposed corrupt practices in Public Distribution System; after which they applied for a Ration shop themselves and received the same. The Public Distribution System is now managed by Self Help Group members in Payvahir. According to Mangrai Tandil (F, 50), Vice President of Section 4 (1) (e) committee and member of Joint Forest Management Committee and Biodiversity Management Committee “we have such a system in place in the village, that for any decision, women and youth are part and parcel of the consultations. Whether major or small, every decision is taken through consultations only in *gram sabhas*. That is why we have been able to protect our village forest”. She also informed that women have ensured total prohibition of alcohol in the village. A direct result of this prohibition has been that the village has seen wonderful results in development activities. President of all committees - 4 (1) (e), Joint Forest Management Committee and Biodiversity Management Committee - Shriram Itram Dahikar (M, 32) informed that “There is total change in the village. We are no more afraid of officials of FD, police or any government department. Now we work with them so closely and all are helping us in protecting our forest. Our unity and management of forest resources has given us so much prestige and credit as never before”.

The *gram sabha* of Payvahir has decided upon some rules and regulations for all members to follow, these include, protecting and conserving the forest from illegal use, fire, brushing, etc. As part of its forest management strategy, of the 192 ha of land, the *gram sabha* has reserved 15 ha as “no intervention land” to ensure the natural growth of flora and fauna”. An area of 30 ha is demarcated as ‘Fodder Reserve’ to cater to the grazing needs of the village cattle. 10 ha is identified as a ‘Reserve for Medicinal Plants’, where various varieties of plants that exist locally and have medicinal value are proposed to be planted. Most importantly, additional forestland of 25 ha is demarcated for natural regeneration and efforts are undertaken to promote natural growth and to ensure better environment for the existing species. Moreover, natural custard apple tree area will be further developed to about 25 ha, as an important livelihood source for the youth in the village. A wetland development plan of constructing Van Talav (water body) is also proposed for the purpose of year-round availability of water for wildlife and natural growth of trees.

The noticeable feature is that the entire process in the village is collectively managed by the *gram sabha*, which is the body governing the process and overseeing the decisions. *Gram sabha* meets every alternate Sunday evening (or as and when required for urgent matters). The Section 4 (1) (e) committee has set up its own office and has maintained all records related to functioning of *gram sabha*, 4 (1) (e), Joint Forest Management Committee and Biodiversity Management Committee.

The impact of protection, conservation and regeneration is visible now as the wild life, which had completely disappeared from the forest, has started returning slowly. This is visible from the number of species of birds seen and deer grazing in the forest. The villagers were also delighted to see a Black Bear in their forests.

Payvahir villagers, however are not content with this success. They want to develop themselves as a self-sufficient village based on their natural resources. As a result if their negotiations with four other neighbouring hamlets of Upatkhedha Group Gram Panchayat (collective *gram panchayat*) which received CFR titles along with Payvahir, they have come together and planned a massive plantation program with the help of FD. Their objective is to develop the entire area of approximately 1000 ha (Payvahir 192 ha, Naya Kheda 600 ha, Upatkhedha 129 ha and Khatijapur 36 ha) into an ecological zone. Fifty thousand trees have already been planted in Upatkhedha as a part of this plan. The four hamlets have decided to work on this plan and set an ideal example of rural development and self-rule model for themselves and others.

Their hard work towards governance and management of natural resources have started paying dividends. Payvahir *gram sabha* received the ‘Sant Tukaram Vangram



Community biogas system being constructed at Payvahir

Puraskar”, 2nd best district level Award in 2013. This was followed by winning the UNDP and Government of India’s ‘India Biodiversity Award 2014’, which was received by President of Section 4 (1) (e) committee Mr. Shriram Dahikar and Mr. Ramlal Kale on behalf of the *gram sabha* on 22nd May 2014 at Port Blair (Andaman Islands). The award comprised of a Citation Certificate and cash prize of ₹100,000. The *gram sabha* also won the Sant Tukaram Award in the year 2015.

This success story of Payvahir towards sustainable livelihoods through natural resource management can only be attributed to the governance skills acquired and applied by the *gram sabha* in managing their CFR, regenerating biodiversity and maintaining constructive dialogue with government departments and neighbouring villagers.

CASE III: The Struggle for Fishing Rights

The villages of Upatkheda in Achalpur block and Jaitadehi in Chikhaldara block of Amravati district, Maharashtra got their CFR rights in 2012. These rights also included rights over water bodies and fishing. Fishing in these water bodies was being done by Fisheries Cooperative Society of fishing communities from outside, as after an auction the lease granted to them by the Fisheries department. Despite an order from the District Level Committee to not renew the lease, the Fisheries Department went ahead and renewed the Fishing leases to these cooperatives, even after Upatkheda and Jaitadehi received their CFR titles. The two *gram sabhas* lodged a complaint with the District Level Committee seeking to uphold their rights under FRA and for Jaitadehi, also under PESA.

Couple of meetings were conducted with the District Level Authorities and finally the matter was referred to the Fisheries Commissioner, Mumbai. The Fisheries Commissioner finally ordered to cancel the fishing lease to the cooperative societies and upheld the rights of the *gram sabhas*. This was a great victory for the people who struggled to ensure their rights. They had stalled all the efforts of the cooperative to enter the water body and fish during this entire period.

The *gram sabha* of Upatkheda had spent over ₹35,000 for fish seeds and guarded their water body safely against the trespassers. *Gram sabha* of Jaitadehi spent ₹50,000 for procuring fish seeds for the year 2014-15. In both the villages the *gram sabhas* are regularly managing the whole process, which includes forests, natural resources and fisheries. Fisheries, is an additional income to the village communities that have got CFR and also for those villages that come under PESA.

In addition to the villages mentioned above,

Ghota village has also been successfully managing fisheries in their village. The struggle that the villagers had to go through, to be able to exercise their fishing rights under FRA, helped bring this issue to the forefront. The challenges that they faced whether related to procurement of seeds or technical support or lack of staff, has helped push the State to give an added focus to the subject that was nowhere on the agenda till recently.



Villagers of Jaitadehi and Upatkheda with fish

KHOJ

KHOJ is a civil society organization based in Amravati district of Maharashtra. The organization started as a group of young professionals and has been predominantly working on issues of tribal rights in Melghat region of Amravati district since 1996. The organization's goal is to empower *gram sabhas* and village institutions to effectively govern their ecological and developmental issues. During the last 4 years, the organization has extensively worked in over 40 villages in Amravati district on strengthening livelihoods and governance through effective use of FRA, NREGA, Biological Diversity Act and the Panchayats Extension to Scheduled Areas Act; and closely worked with Department of Tribal Development and Forest Department on challenges related to their implementation and policy change.

VNCS

Vidarbha Nature Conservation Society (VNCS) is a registered charitable organization dedicated to the cause of the protection and management of natural resources through community involvement, conservation of biodiversity, sustainable rural development, environmental education and awareness, scholar & research oriented studies & documentation etc. It is based in Nagpur, Maharashtra and its geographical areas of operation are Maharashtra, Bastar Region in Chhatisgarh and Madhya Pradesh. The organization's mission is promotion of ecological balance through nature conservation and to build a ecologically sensitive and responsible society.

GSMT

Gramin Samasya Mukti Trust (GSMT) is a registered organization committed to capacity building of Panchayati Raj institutions and community based organizations for sustainable development in the areas of livelihood, health and education. It has its presence in Yavatmal, Chandrapur and Amravati districts of Maharashtra and is based in Wani, Yavatmal. The organization's vision is of a healthy, self-reliant and self-governing community. The key issues that the organization has been working on since 1990 are agriculture, education & literacy, health & family welfare, HIV/AIDS, housing, human rights, micro finance (SHGs), micro, small & medium enterprises, new & renewable energy, and Panchayati Raj.

YRA

Yuva Rural Association (YRA), registered as a society in 2002, has been undertaking direct and indirect interventions such as capacity building, policy advocacy, networking and alliances for the rural and tribal communities at the state and national level. It is committed for a social transformation through socio-economic and political empowerment of the poor and marginalized focusing dalits, tribal, minority and women in rural areas by establishing their access over resources and human rights that will promote social harmony, ecological balance and enable them to negotiate with State and Market. Its head office is located in Nagpur.

Kalpavriksh

Kalpavriksh is a registered non-profit organisation working on environmental and social issues. The group started in 1979 and currently works on Environment Education, Conservation and Livelihoods, Urban Environment, Environmental Development and Alternatives. It is based in Pune and works on local, national and global levels. Kalpavriksh believes that a country can develop meaningfully only when ecological sustainability and social equity are guaranteed, and a sense of respect for and oneness with nature and fellow humans is achieved.



Nests of baya weaver birds - a reflection of conservation efforts in Payvahir, Amravati

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For more details on the project, contact:

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