Background Paper No. 12

FOREST SECTOR REVIEW OF NORTHEAST INDIA

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COMMUNITY FORESTRY INTERNATIONAL

Santa Barbara, CA, USA

This paper was commissioned as an input to the Study on Natural Resources, Water and the Environment Nexus for Development and Growth in Northeast India
FOREWORD

In Northeast India, there is an urgent need for actions that promote the conservation and sustainable use of the region’s endangered forest and watersheds. This report proposes concrete actions that can enable communities to better protect and manage threatened ecosystems. The forests of the region are known around the world for their rich biodiversity and dramatic scenery. The region is inhabited by a diverse array of cultural communities, covering a staggering range of terrain. In all, over 240 distinct ethno-linguistic are distributed through the mountains, plateaus, upland valleys and river plains making the Northeast one of the cultural hot spots on the planet and an ideal context for community-based forest management. The watersheds of the region are critical catchments that regulate hydrological flows to some of the world’s most densely populated agricultural lands and cities.

Largely closed to the outside world for the past fifty years, in recent decades deforestation and watershed deterioration has progressed rapidly due to land clearing by migrants and local people and heavy timber demand from Bangladesh and urban centers in India. While indigenous communities are recognized as the rightful stewards of much of the forest land in the Northeast, they have little external support to carry-out this critical task. Illegal logging and forest clearing is made easier where tenurial rights to forests are weak or unclear. This lack of clarity is a result of an ambiguous legal and policy framework that is constantly challenged by private sector interests, and even by government agencies.

This report was prepared for the World Bank to provide input into the larger natural resource management and development sector review that the organization is currently undertaking. Community Forestry International was requested to prepare the assessment as it has already been engaged in reviewing the forestry sector with local partners over the past three-years. With support from the John D. and Catherine T. MacArthur Foundation and the Global Development Alliance (GDA) of the United States Agency for International Development, Community Forestry International (CFI) has been working with its partners to formulate recommendations for enabling legal frameworks and program strategies to facilitate community-based forest conservation.
Based in Shillong, Meghalaya this partnership is referred to as the Community Forestry Alliance for Northeast India (CFANE) and has established a policy dialogue with key stakeholders regarding the legal position and operational role of resident communities in conserving and managing the forests of northeastern India. To facilitate and inform the dialogue, the Northeast Hill University and CFI formed the Community Forestry Working Group for Northeast India. Working Group members are drawn from government agencies, state forest departments, NGOs and academic institutions in the states of Arunachal, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura. To inform the Working Group’s deliberations, the project secretariat has sponsored a series of legal and policy assessments and diagnostic studies. These included ten case studies, three legal and judicial reviews, and seven state profiles. Based on an review of the research and consultations the Working Group has formulate a series of recommendations for actions that it is submitting to the central and state governments for consideration. The policy framework proposed attempts to build on indigenous management traditions, integrating past and present laws that support community forest stewardship, and engaging emerging national policies supporting democratization and decentralization.

The Working Group has made a commitment to continue to meet and monitor forest management in the Northeast under the Community Forestry Alliance for Northeast India (CFANE) to facilitate coordinated action between government organizations, development agencies and civil society institutions. This report provides a summary of key findings that emerged from meetings held in Shillong in April 2002 and December 2005. The report draws heavily on the issue briefs prepared by key members of the Working Group. Mr. S. Palit did much of the research and writing for Section 1. Prof. B.K. Tiwari and Prof. S.K. Barik made substantial contributions to the development of Section 2. Section 3 presents three case studies that were researched and written by Mr. Vishal Gupta, Mr. Ibobi Singh, and Dr. V. Darlong and Prof. S.K. Barik. Mr. Sanjay Upadhaya and the ELDF team did much of the background research that forms the basis for Section 4, and Dr. D. Choudhury provided the thoughtful guidance for Section 5. We are indebted to all of the individuals who have contributed to the development of this project and report, especially to our Working Group members which provided the conclusions and recommendations for Section 6. Special thanks are due to all the communities and local NGOs who participated in this assessment and provided numerous
insights into their problems and aspirations. We are also grateful to the staff of the Forest Departments of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura, without whose support and assistance, this project would not have been possible. And, lastly, I extend my gratitude to Kate Smith-Hannsen, for her care in editing the report. While acting as the general author and editor of this document, I have attempted to accurately capture the views of the group, and while there was a strong consensus regarding the basic recommendations for action, I take full responsibility for any errors, omissions, or inaccuracies that may have entered the text.

~Mark Poffenberger
December 2005
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<th>Full Form</th>
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</tr>
<tr>
<td>CF</td>
<td>Community Forestry</td>
</tr>
<tr>
<td>DFO</td>
<td>Divisional Forest Officer</td>
</tr>
<tr>
<td>FCA</td>
<td>Forest Conservation Act</td>
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<td>Forest Development Agency</td>
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<td>Forest Survey of India</td>
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<tr>
<td>ha</td>
<td>Hectare</td>
</tr>
<tr>
<td>ICI</td>
<td>Indigenous Community Institutions</td>
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<td>ITK</td>
<td>Indigenous Technical Knowledge</td>
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<td>Joint Forest Management</td>
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<td>Km</td>
<td>Kilometre</td>
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<tr>
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<td>Ministry of Environment and Forests</td>
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<td>SFM</td>
<td>Sustainable Forest Management</td>
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<td>Scheduled Tribe</td>
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<td>TTI</td>
<td>Traditional Tribal Institutions</td>
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<td>Unclassed State Forests</td>
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<td>WLS</td>
<td>Wild Life Sanctuary</td>
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INTRODUCTION

The forests of northeastern India are rich in biodiversity and timber, while the cultural complexity of the region is extraordinary. The watersheds of the region are critical catchments that regulate hydrological flows to some of the world’s most densely populated agricultural lands and cities, including nearly 250 million people in Bangladesh and eastern India. In recent decades, deforestation and watershed deterioration has progressed rapidly due to shortened swidden cycles that allow less time for forests regeneration, timber demand from Bangladesh and urban centers in India, and land clearing by local and migrant peoples. Illegal logging and forest conversion is made easier where tenurial rights over forests are weak or unclear. This lack of clarity is often linked to an absence of forest mapping, demarcation and registration, as well as exacerbated by laws and policies that are conflicting or ambiguous and constantly being challenged by private sector interests, government agencies, and even from within the communities.

Forest conflicts in the hills regions of Northeast India have a long history, dating back to inter-tribal disputes that have occurred periodically since the region was settled over one thousand years ago. Tribal resistance to British colonial incursions into the hills of Northeast India in the early 19th century resulted in special policies enacted to allow customary systems of forest management and respect for traditional systems of governance. This policy reflected a recognition by the British colonial government that the hill communities could not be centrally administered and where best allowed to function under their own governance systems. The Indian Constitution recognized special rights of most indigenous hill communities under the Sixth Amendment to the Constitution.

Since Independence, the Government of India has attempted to establish an integrated set of national environment and development policies, especially relating to the administration of public forestlands, yet the states of the Northeast present unique needs and problems. Perhaps nowhere is this exemplified as much as in the realm of community-based forest management. As one Indian analyst writes of national government misunderstanding of the unique historical experience and cultural realities of Mizoram: “This lack of understanding is… visible in national policies and programs that
ignore exceptional circumstances, resulting in a waste of resources to the disadvantage of
the very people they are intended to benefit.”

Unlike much of the Indian sub-continent, where forest departments have functioned as
state forest managers for over a century, in the Northeast most state forest departments
have emerged since the 1970s. At least two-thirds of the region’s forests are official
under the legal authority of Autonomous District Councils, and are physically controlled
and managed by rural people. Indigenous Cultural Institutions (ICIs), such as village
councils, chieftainships, and councils of elders have generally done a good job of
protecting their forest resources, based on small, homogenous village society that
supports collective needs and interests. Unfortunately, the past history and recent
experiences of ICIs in forest management has been poorly documented and has received
very little outside support from state or national governments, as well as from
international agencies.

While the forest dependent communities of the northeast may have considerable legal
authority over the natural resources of the region, based on legislation passed during the
British Colonial era, as well as under the Indian Constitution and laws approved in the
1950s in particular, at present, indigenous community-based systems of forest
conservation are threatened by the absence of formal mapping, boundary registration and
titling. Trends towards privatization, sedentarization of agriculture, and
commercialization have all driven activities that foster deforestation, while community
traditions supportive of forest conservation and sustainable use have generally eroded.
As one analyst notes: “The intrusion of commercial forces can only be averted by
strengthening the village councils and by introducing administrative and financial
incentives and disincentives to deter the exploitation of natural forests.”

In other parts of India, forest departments and communities have received worldwide
attention for their success with the national Joint Forest Management strategy, a program
that was enacted in June 1990, and which has allowed communities to gain new rights
and responsibilities for state forest lands. The JFM approach provides communities with
a share of timber and non-timber forest products from public lands in return for forest
protection. While the JFM policies and programs have extended new incentives for
marginalized rural people in India to participate in public forestlands restoration
activities, these policies have had limited impact in the Northeast. In peninsular India, for over a century communities have had limited access rights to public forestland, and as a consequence JFM presented new opportunities to the rural poor to gain partial control over the resources. In the Northeast, many communities have historically controlled their forest resources and continue to do so. Entering into sharing agreements with their state forest departments may decrease their authority and resources, rather than enlarge them.

In the Northeastern states of India, special community forest management policies need to be designed that reflect the historic rights and current pressures faced by rural villages. From a conservation standpoint, policies need to be developed that support community forest stewardship and create incentives for them to better withstand pressures for forest privatization and commercial exploitation. Northeastern India has been politically isolated for decades, in part due to the presence of insurgency movements in a number of states. While the central government has invested heavily in infrastructural and related development projects, they have relied on state agencies to implement them by following national strategies that may not reflect the needs and conditions of local communities. Centrally funded schemes and projects often bypass indigenous and traditional institutions creating new project entities as activities demand. Most community-level projects that engage Indigenous Cultural Institutions (ICIs) have been conducted by small NGOs with limited resources. Further, with the exception of the IFAD project that has been implementing innovative NRM strategies in three Northeastern states since 1998, there has been little opportunity for externally-aided projects.

Efforts to raise community resource management concerns to the national policy level have had limited impact. Most rural, indigenous communities are politically marginalized and have little voice at higher levels of national government. As a consequence, not only are their views poorly reflected in the formulation of national laws and policies, they may also receive little consideration in judicial decision-making. Without state and national policy support, as well as greater international understanding and financing, fragile community forest management institutions are likely to collapse under external and internal pressures, leading to an accelerated depletion of the region’s rich forests and biodiversity. There is a need for mechanisms and processes that can bring government officials, forest officers, scientists, and NGOs together to explore
formulating an enabling policy environment that will support local communities to act effectively as custodians of the region’s forests.

To support community forest management in Northeast India it will be necessary to revise or formulate new policies and legislation at the state and national level that give greater formal recognition of the authority of indigenous and traditional institutions and the validity of customary resource rights and management responsibilities. Community institutions need external support to build their capacity to deal with local government, especially Autonomous District Councils (ADCs), forest departments, NGOs, and private sector actors.

Forest departments need to reorient their strategies, priorities, and attitudes to relate their activities to community managers of over 60 percent of the region’s forests. This would include providing orientation for forest department staff regarding indigenous resource management institutions, traditional rules and regulations, and territorial authority. Forest departments also need to respect and support the boundaries of CF areas and assist in establishing communal title to ensure that communal forest lands are conserved.

National program and schemes need to adapt FD field programs to support indigenous CF institutions and practices. Programs need to have the capacity to provide small grant funds to indigenous resource management institutions to hold meetings, and conduct forest planning and monitoring activities. New community forestry support programs should be designed to support meetings of indigenous organizations to discuss ways to strengthen forest management. This could include forming specialized committee to operate under indigenous organization, with special responsibility for natural resource management – establish by-laws and bank accounts. Community forestry rules and regulations need to be reviewed, and possibly updated, as well as being documented and registered with local government (ADCs). Communities need encouragement and backstopping while developing management plan for forests that consider various needs including conservation and protected areas, water resources, production forests and management, and agricultural needs. Communities should be supported to map and demarcate CF areas with support from the ADCs and forest departments. Resulting maps should be registered with the ADC.
\[2\] Daman Singh, p. 214.
SECTION 1: FOREST RESOURCES OF NORTHEAST INDIA

Over the past century, Northeastern India has gained worldwide attention for its diverse and extensive forest cover. Forests of this region are unique, both in terms of their structure and species composition. The region is a meeting ground of temperate east Himalayan flora, palaeo-arctic flora of the Tibetan highlands, and wet evergreen flora of Southeast Asia and Yunnan, forming a bowl of biodiversity. Arunachal Pradesh occupies a significant place and is a hot spot for the evolution of flora in Northeast India and for speciation. The Brahmaputra valley, sandwiched between eastern Himalayan in the north, and the Garo/Khasi/Jaintia and Mikir/Cachar/Barail hills ranges in the south, are meeting grounds of the temperate east Himalayan flora and the wet evergreen and wet deciduous floristic elements. The Khasi-Jaintia hills function as a corridor of the Southeast Asia floristic elements into the Indian subcontinent through the Arakan arc. The altitudinal variation and rainfall patterns of southwest and northeast monsoon play a significant role in the development of ecological niches in this region of India.

Forest Ecosystems of the Northeast

In a project entitled, “Biodiversity Characterization at Landscape Level in North-East India,” twenty-one forest vegetation cover types and seven associated forest vegetation types were classified and mapped with high accuracy, using satellite remote sensing technology and geospatial database (Anon., 2002). The classification of forest types reflected those categories identified by Champion and Seth (1968). The present mapping has provided the exact extent and distribution of various forest vegetation types at 1: 250 000 scale. This study has also helped in assessing the extent of shifting cultivation and its role in the degradation and loss of neighboring forests.

While the region has a diversity of forest ecosystems characterized by varied patterns of biodiversity and structure, it is possibly to classify most forests into five broad categories according to elevation and dominant timber tree species (see Table 1). ¹

¹ This framework is presented by B. Datta Ray and K. Alam in Forest Resources in North East India (New Delhi: Omsons Publication, 2002) p. 17-18.
Table 1: Major Forest Ecosystems of NE India by Elevation and Species

<table>
<thead>
<tr>
<th>Forest Type</th>
<th>Altitudinal Range (in meters)</th>
<th>Important Species</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alpine Temperate</td>
<td>Above 3500</td>
<td>Rhododendron, Arenaria, Saxifraga</td>
</tr>
<tr>
<td>Subtropical Pine</td>
<td>1000-3500</td>
<td>Pinus roxburghii, P. merkusii, P. wallichiana</td>
</tr>
<tr>
<td>Subtropical Broad Leaved</td>
<td>900-1900</td>
<td>Castanopsis, Quercus, Michelia, Alnus, Schima</td>
</tr>
<tr>
<td>Tropical Evergreen</td>
<td>Up to 900</td>
<td>South Bank of Bramaputra – Dipertorcarpus macrocarpus, Shorea assamica</td>
</tr>
<tr>
<td></td>
<td></td>
<td>North Bank of Bramaputra – Mesua ferrea, Altingia excelsa</td>
</tr>
<tr>
<td>Tropical Evergreen</td>
<td>Up to 600</td>
<td>Terminalia myriocarpa, Bambax ceiba, Canarium strictum, Ailanthus grandis</td>
</tr>
</tbody>
</table>

Of 1,300 species of orchids documented worldwide, 700 are found in northeastern India, with 550 species of orchids in Arunachal Pradesh alone. In Manipur, 430 species of plants are used for medicinal purposes. And of the 1,000 species of ferns found in India, over 50 percent are located in the Northeast. Fauna is also present in diverse forms throughout the region. For example, in the small state of Manipur there are 8 species of cats, and ten species of martens, badgers, and otters, as well as numerous other small carnivores. Yet, the loss of biodiversity is shocking. Forest cover decreased by 1,800 sq. km. in northeast India between 1991 and 1999, and in Manipur, while the forest covers 78 percent of the land area, only 22 percent retains dense forest. One of the primary factors in retaining biodiversity is maintaining good forest cover, with sufficient older secondary forest. A recent study found that diversity of bird species declined unless fallowed swidden fields were allowed to regenerate for ten years or more. It is for this reason, that community-based landscape planning and conservation efforts should be a major strategy for securing the region’s biodiversity.

Forest Administration

Unlike other regions of India, administrative control of forest in Northeast is predominantly by community with much of the forests listed as “unclassified” (see Table 2). As in other parts of India, the state forest departments administer Reserved and Protected forests. The reluctance of state forest departments to consider changing the “unclassified” category to reflect community claims to much of these forests remains an ongoing source of tension. As such, their attitudes do not appreciate the special constitutional safeguards accorded to indigenous people of the region, nor their historic claims to that land, rather it reflects an orientation that such forests are waiting to be
classified as “reserved” or “protected” forests that would then place them under the management of the state forest departments.

<table>
<thead>
<tr>
<th>State</th>
<th>Reserved (km²)</th>
<th>Protected (km²)</th>
<th>Unclassified (km²)</th>
<th>Total (km²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arunachal Pradesh</td>
<td>15,300</td>
<td>4,200</td>
<td>32,000</td>
<td>51,500</td>
</tr>
<tr>
<td>Assam</td>
<td>18,100</td>
<td>0</td>
<td>8,900</td>
<td>27,000</td>
</tr>
<tr>
<td>Manipur</td>
<td>1,400</td>
<td>4,100</td>
<td>11,800</td>
<td>17,400</td>
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<td>Meghalaya</td>
<td>700</td>
<td>300</td>
<td>8,500</td>
<td>9,500</td>
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<td>Mizoram</td>
<td>7,100</td>
<td>3,600</td>
<td>5,200</td>
<td>15,900</td>
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<tr>
<td>Nagaland</td>
<td>300</td>
<td>500</td>
<td>7,800</td>
<td>8,600</td>
</tr>
<tr>
<td>Tripura</td>
<td>3,600</td>
<td>500</td>
<td>2,900</td>
<td>7,000</td>
</tr>
<tr>
<td>Total</td>
<td>46,600</td>
<td>13,200</td>
<td>77,100</td>
<td>136,900</td>
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**Table 2: Administrative Classification of Forest Cover in NE India (km²)**

**Forest Condition**

According to an official estimate based on satellite images (survey report of FSI), the northeastern region has 163,799 km² of forest, which is about 25 per cent of the total forest cover in India. As Table 2 indicates, the territory under forest constitutes approximately 64 per cent of the total area of the region. Within the region again the extent of forest cover varies across the states, as opposed to 19.4 percent for India as a whole. This reflects the important of forest resources for the northeastern part of the country. A large part of the forests in this area fall under the category of open forests with a crown density of 10-40 percent and only few areas qualify as dense forests i.e. of crown density of 40 percent or higher. According to 1995 estimates, these states including Arunachal Pradesh, Assam, Meghalaya, Manipur, Mizoram, Nagaland and Sikkim accounted for a loss of 791 km² forest area in two years viz. from 1993 to 1995. Further, the problem has been aggravated due to the indiscriminate felling of trees for meeting the raw material needs of industries, surviving on production of paper and pulp, plywood, and match sticks.

<table>
<thead>
<tr>
<th>State</th>
<th>Dense Forest (km²)</th>
<th>Open Forest (km²)</th>
<th>Total Forest cover (km²)</th>
<th>% of total area</th>
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<tr>
<td>Arunachal Pradesh</td>
<td>57,756</td>
<td>11,091</td>
<td>68,847</td>
<td>82.2</td>
</tr>
<tr>
<td>Assam</td>
<td>14,517</td>
<td>9,171</td>
<td>23,688</td>
<td>30.2</td>
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<tr>
<td>Manipur</td>
<td>5,936</td>
<td>11,448</td>
<td>17,384</td>
<td>22.2</td>
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<td>Meghalaya</td>
<td>5,925</td>
<td>9,708</td>
<td>15,633</td>
<td>26.6</td>
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<td>Mizoram</td>
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<td>14,552</td>
<td>18,338</td>
<td>31.4</td>
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<td>Nagaland</td>
<td>5,137</td>
<td>9,027</td>
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<td>3,517</td>
<td>5,745</td>
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<td>N.E. India</td>
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<td>68,514</td>
<td>163,799</td>
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<td>India</td>
<td>377,358</td>
<td>255,064</td>
<td>637,293</td>
<td>19.4</td>
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2 FSI, 2000
3 FII, 1996
Forest Cover Change

Table 4 shows that the Northeast registered a decrease of 244 square kilometers of forest area during the period from 1997 to 1999. In addition to areas being cleared of forest, a substantial area of forests are experiencing ongoing degradation through hacking, fires, and grazing.

### Table 4: Change in Forest Area of NE India (km\(^2\))

<table>
<thead>
<tr>
<th>State</th>
<th>Area in 1999</th>
<th>Area in 1997</th>
<th>Change in area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arunachal Pradesh</td>
<td>68,847</td>
<td>68,602</td>
<td>+245</td>
</tr>
<tr>
<td>Assam</td>
<td>23,688</td>
<td>23,824</td>
<td>-136</td>
</tr>
<tr>
<td>Manipur</td>
<td>17,384</td>
<td>17,418</td>
<td>-34</td>
</tr>
<tr>
<td>Meghalaya</td>
<td>15,633</td>
<td>15,657</td>
<td>-24</td>
</tr>
<tr>
<td>Mizoram</td>
<td>18,338</td>
<td>18,775</td>
<td>-437</td>
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<tr>
<td>Nagaland</td>
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<td>14,221</td>
<td>-57</td>
</tr>
<tr>
<td>Tripura</td>
<td>5,745</td>
<td>5,546</td>
<td>+199</td>
</tr>
<tr>
<td>N.E. India</td>
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<td>164,043</td>
<td>-244</td>
</tr>
<tr>
<td>India</td>
<td>633,397</td>
<td>637,293</td>
<td>+3,896</td>
</tr>
</tbody>
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The region’s forests are experiencing an extensive process of forest fragmentation, degradation, and outright deforestation and forest conversion. The management of the forest has suffered in the recent past due to pressure on land, decreasing cycle of shifting cultivation, exploitation of forest for timber and lack of scientific management strategy. Shifting cultivation has been an important factor responsible for much of the forest being classified as “open forest” (see Table 3), especially in states like Manipur, Mizoram, Meghalaya and Nagaland, where much of the land designated as “unclassified” forest are part of the *jhum* or swidden pool.

As such, these lands are cleared and burned for cultivation every 5 to 15 years, and forest regeneration is typically halted during the young secondary forest phase changing the landscape extensively. About 450,000 families in northeastern region annually cultivate 10,000 km\(^2\) forests whereas total area affected by ‘*jhumming*’ is believed to be 44,000 km\(^2\). Degraded secondary forests, bamboo thickets and weeds or simply barren land dominate today’s ‘*jhum scapes*’. Further, as hill farmers shift to such cash crops as ginger, pineapple and broom grass, lands once allowed to regenerate as forests are now permanently converted to agriculture, reducing total forest cover.

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4 Singh, 1990  
5 Toky and Rmakhirshanan, 1981 and Roy and Joshi, 2002
Government Actions to Conserve Northeastern Forests

Efforts of the Government of India to establish a network of protected areas in Northeast India to conserve biodiversity have had limited impact due to a failure to involve indigenous communities and local government. This “top-down” approach to the designation of national parks and wildlife sanctuaries has fallen far short of its goals, despite the high biodiversity value of the region. Government of India’s Supreme Court’s requirement for Autonomous District Councils and Forest Departments to prepare working plans for all forests in the region has made little headway. A major constraint to these initiatives has been a failure to interface effectively with local communities that are engaged in forest protection and management.

According to the Conservation Atlas of Tropical Forests: Asia and the Pacific, “Northeast India is one of the most crucial areas in the sub-continent for attempts to develop a comprehensive conservation network” due to its rich diversity of habitats, and significant levels of endemism that are found in a wide variety of flora and fauna. Yet, by 1989 only 1 percent of the area had been designated as protected areas, representing four national parks and three protected areas (total area 1880 km$^2$). Over the past sixteen years, while the land formally designated as protected area has increased to 11,216 km$^2$, much of this territory remains “paper parks,” in many cases with limited functioning management on the ground. Even with these additional national parks and sanctuaries, formally designated Protect Areas cover less than 5 percent of the region’s territory and less than 8 percent of the Northeast’s forests. Yet, external pressures from logging and mining activities, and internal pressures for farmland and settlement continue to build, driving a process of forest degradation that threatens the rich and unique biodiversity of the region.

A major constraint to national efforts to designate protected areas is that the much of the forests of the region, especially in the hills where biodiversity is greatest, are under the legal control of indigenous communities. As a consequence, the national government has little authority to designate land for protected areas that is not under its jurisdiction. The British colonial government and the Government of India have generally respected customary land rights of the over 240 ethno-linguistic tribal communities residing in the

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Northeast, allowing these communities to retain clear authority over most of the upland forests. The demands of local communities to retain control over their natural resources are typically supported by more than 20 armed insurgency movements that reject national efforts to exert control over indigenous areas. Effective efforts to develop a conservation area network in that region will necessarily be required to involve these cultural communities, as “owners” of the land, rather than following a “North America” model of state-sponsored and managed national parks and wildlife areas.

**Community Efforts to Conserve Forests**

Fortunately, there is much to build upon in creating community-based protected area networks including strong indigenous traditions of nature conservation and forest protection. Community forest management systems have existed in diverse forms throughout Northeast India for centuries and continue to be the primary mode of forest conservation and protection in that region. Community forest protection has been a key mechanism in guarding the region’s immense biodiversity.

As detailed in Section 3, in East Kameng District of Arunachal Pradesh, the Nishi tribe has established elaborate controls over critical watersheds as well as forests with high natural beauty and biodiversity, including the protection of hilltop forests, forests around lakes and mountains (Sineiak), forests in the vicinity of villages (Myoro tom), and forests in niches and along drainages (Changtam Bote). In addition to forest protection, a variety of animals and plants are considered sacred and can not be harmed. The Jamatia people of Killa District, Tripura have traditions of forest conservation, but have also revitalized these strategies to restore forests that have been degraded in the past. The Nagas of Mokokchung District in Nagaland have historically divided their forests into blocks, one of which has for generations been designated as a conservation area. In recent years, they have decided to add two more blocks for conservation, as they no longer require them in their Jhum land pool. In the East Khasi Hills of Meghalaya, the villagers of Mawphlang are building on four hundred year old sacred forest traditions, by ordaining new forests in 18 other villages.

Community-based forest conservation, unfortunately, has generally received little support from government or international organizations. In the past it has not been viewed as an important strategy for biodiversity conservation, despite its immense importance in
regions like Northeast India. This is beginning to change as conservation organizations begin to understand the importance of partnering with forest dependent peoples and including them in the decision-making and implementing process.

Nonetheless, these community-based forest management systems are under growing external pressure from national and state governments and the private sector, as well as being internally undermined by cultural change and commercialization. As traditional institutional authority is diminished, indigenous forest conservation mechanisms weaken, leading to forest fragmentation, degradation, and loss. The privatization of once “communally” held forests and watersheds typically leads to their deforestation and conversion to agriculture. As the landscape of the uplands of the Northeast is denuded of forest cover, much of the unique flora and fauna disappear.

While the Government of India is struggling to maintain the region’s forest cover through the creation of national parks and protected forest areas, under the law the majority of the forests are legally held by indigenous communities, including land inside the Protected Areas. The need for coordination between communities, state forest departments, and the Government of India is clear, yet the reality is that in many areas mistrust and misunderstanding prevail. Without exception, current JFM programs continue to be “top-down,” creating new institutions and by-passing indigenous community forest management institutions and local government organizations. As a result, tens of millions of dollars are being invested in reforestation projects by the Government of India under the national Joint Forest Management (JFM) scheme that are not appropriately designed for local needs and that fail to achieve conservation objectives.

**Conclusion**

While the importance of community involvement in forest management has gained widespread acceptance in the forest sector globally, it is critically important in Northeast India where the vast majority of upland forests are legally owned by rural villages. There are attractive opportunities in Northeast India to create management partnerships that respect the legal authority of communities and work through indigenous institutions drawing on centrally funded schemes as well as international conservation programs. By empowering and enabling traditional institutions and building modern management capacities within them, the forest departments will have viable partners to craft new
landscape management systems that rely on networks of villages. In return, communities will be able to develop new resource management plans that address forest conservation and livelihood issues, and gain formal tenure security for their ancestral domain. Retaining ancestral domain under communal tenure may be one of the most effective strategies to maintain forest cover and protect biodiversity in a manner that respects indigenous rights to natural resources and livelihood needs.
SECTION 2: DEFORESTATION AND DEGRADATION

Throughout human history, rural communities have played a leading role in the management of forestlands. Over the past century, however, the role of communities in resource stewardship has been under pressure due to: 1) a changing social structure and growing inequalities leading to the reduced effectiveness of traditional institutions responsible for managing the resources; 2) the nationalization of forests and the establishment of government forest agencies and laws, 3) the development of silviculture as a dominant forest management system, and 4) the growth of international timber markets and the increasing entry of the private sector in rural resource use practices.

In Northeast India, however, indigenous institutions continue to play an important role in forest protection and management. In some Northeastern states, such as Nagaland and Meghalaya, over 90 percent of the forests are under direct control by traditional village institutions, communities, and private individuals, a sharp contrast from other parts of India where state forest departments retain legal and territorial control of the vast majority of forest areas for decades. Table 5 indicates the extent of forestlands under community control in the seven northeastern states.

<table>
<thead>
<tr>
<th>State</th>
<th>% of Total Forested Area</th>
<th>% of Total Community Control</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arunachal Pradesh</td>
<td>82</td>
<td>62</td>
</tr>
<tr>
<td>Assam</td>
<td>30</td>
<td>33</td>
</tr>
<tr>
<td>Manipur</td>
<td>78</td>
<td>68</td>
</tr>
<tr>
<td>Meghalaya</td>
<td>70</td>
<td>90</td>
</tr>
<tr>
<td>Mizoram</td>
<td>87</td>
<td>33</td>
</tr>
<tr>
<td>Nagaland</td>
<td>85</td>
<td>91</td>
</tr>
<tr>
<td>Tripura</td>
<td>55</td>
<td>41</td>
</tr>
</tbody>
</table>

Indigenous institutions in Meghalaya, Mizoram, Nagaland, and Arunachal Pradesh strengthened their forest management systems by classifying and designating the community forest lands for specified purposes after Independence. Accordingly, in Mizoram, forestlands were classed as “safety” and “supply” reserves and placed under the authority of the village council. Anchal Reserves were created in Arunachal Pradesh.
and were placed under the Anchal Samitees. In Meghalaya, Raid land, Law Kyntang, Law Niam, Law ri Sumer and 10 other community forest types were formally acknowledged operate under different community bodies with varying jurisdictions. Village councils and other community institutions have generally done a good job of protecting their forest resources, based on small, homogenous village societies that support collective needs and interests. Unfortunately, indigenous forest management systems are very poorly documented and have received very little outside support.

While the forest dependent communities of Northeast India may have considerable legal authority over the natural resources of the region, based on the constitutional safeguards provided to them under the Sixth Schedule, as well as Article 371 A-H, at present indigenous community-based systems of forest conservation are threatened by growing government pressure to control them through programs, policies, laws, such as in Arunachal Pradesh and Tripura, while court decisions are impacting all of the seven states. Growing commercial pressure has also reduced the effectiveness of the traditional institutions leading to privatization of common property resources, especially in Meghalaya, Mizoram, and Arunachal Pradesh.

**Community Resource Management under Pressure**

The marginalization of communities as managers of forestland has contributed to deforestation and environmental degradation in many parts of the world. Throughout the 19th and 20th centuries, indigenous institutions came under increased pressure as new government sponsored organizations and agencies were formally empowered to oversee resource management. Cultural change has also disrupted the values, beliefs, leadership patterns, and institutional mechanisms that guided resource use in the past. Economic transitions have played an important role in altering resource use practices, especially as cultures that were once predominantly subsistence-based move towards more cash-oriented economies. The growth of the international, national, and regional marketplace for timber has also created increased demands for sawn and whole logs. Finally, demographic expansion has contributed to increasing pressure on community-based natural resource management systems, both from internal needs for agricultural land, as well as competition from migrant families.
Important institutional changes have included the gradual loss of authority of traditional systems of leadership that have historically held decision-making responsibilities for resource allocation, including forestlands management. This is especially true in societies dependent on complex, landscape-level management with dynamic land use mosaics, such as those found in cultures that practice swidden or *jhum* cultivation. While new agencies, such as forest departments, have formally taken responsibility for many tasks earlier held by communities, they frequently do not have the legal authority, staff capacity, logistical ability, financing, or local knowledge to perform needed management activities.

Case study research conducted by the Community Forestry Working Group for Northeast India (CFWG-NI) supported by Community Forestry International, indicates that community forestry institutions have played a key role in protecting many forests of the Northeast. The Mizoram study notes that “During the regime of the village chieftains the forests were well-protected, as removal of forest produce was restricted to only meeting domestic needs.” Case studies from Nagaland and Arunachal 8 indicate that these traditional resource management mechanisms are still in place and functioning, although in Meghalaya they are losing effectiveness. As Figure 1 illustrates, indigenous community institutions are under pressure from government policies and programs, from private sector activities and broader economic change, and finally from changes taking place within communities and their member households.

**Government**

As this report will document, increasing control of forest use by the central government through national policy and Supreme Court decisions, as well as by state forest department regulations has been growing, especially in the past three decades impinging on management authority that was once the sole domain of indigenous governance systems. Some policy makers at the national and state level advocate expansion of government control over forests through efforts to designate protected areas and extend the Reserve Forest area. National policies and program that are designed for application across peninsular India may not reflect the unique constitutional and cultural context of

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7 C. P. Marak, *Community Forest Management in Mizoram* (unpublished research paper).
Figure 1: Pressures on CFM Systems in Northeast India

**GOVERNMENT FORCES**
- Increasing control and regulation
- Expansion of government owned forests
- Parallel institutions for CFM
- Silviculture models promoted without due regard for NTFPs
- Livelihood issues not addressed effectively

**COMMUNITY FORCES**
- Weakening of institutional structure due to changing values and belief systems, growing inequality, and politics
- Growing need for cash due to integration into market economy

**PRIVATE SECTOR FORCES**
- Proliferation of forest-based industries and commercial crops
- Availability of national & international markets
- Privatization of communal land

COMMUNITY FOREST MANAGEMENT
the Northeast. District Councils, that are designated to oversee community forests, frequently do not have the experience to formulate supportive rules and regulations for village level management, but instead adopt models from other states (ie. Assam Forestry Act) that do not reflect local conditions or traditions. The creation of parallel institutions for CFM, such as those under the JFM program can make more traditional forest management systems redundant and marginal, especially if care is not taken to integrate them within the framework of the indigenous community institutions. Silviculture models promoted under government schemes without reflecting NTFP and community forest management priorities supplant local needs with external priorities, while not addressing critical livelihood issues.

Lack of formal government recognition of community land and the insistence of forest departments to retain community managed forests under the category of “Unclassified State Forests” amplifies local anxieties regarding tenure security leaving communal forest land more vulnerable to privatization, fragmentation, and conversion. As one conservator of forest notes, “The status of USF (Unclassed State Forests) areas also needs to be made clear. The Forest Conservation Act of 1980 needs to be suitably amended to be made in unison with customary law.”

**Private Sector**

The proliferation of forest-based industries and commercial crops in many parts of the Northeast hills has been dramatic, especially over the past decades. Financed by traders from lowland areas, tribal cultivators are being encouraged to plant *jhum* lands with broom grass, pineapple, ginger and other crops that may not be sustainable given the terrain and soil fertility. While such crops generate cash in the short term, the potential collapse of these farming systems could leave upland communities with a disturbed and unproductive land base that is dominated by scrub bamboo and shrubs. Further, diversion of *jhum* land to cash crops reduces the pool of fallowed forests for swidden farming, ultimately shorting the fallow cycle and undermining the sustainability of traditional agricultural systems.

The growth of land markets, despite laws controlling the alienation of tribal lands, is an expanding problem. Privatization of communal land is taking place in many parts of the

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hills, leading to a reduction of the forest/agricultural land pool that is critical for a sustainable *jhum* cycle. At the same time, privatization can lead to increasing inequities among the community. This is apparent in both the case study areas of East Kameng District of Arunachal, as well as in many areas in the East Khasi Hills in Meghalaya and in Senpati District, Manipur. In Northeast Cambodia, indigenous land alienation is taking place so quickly that the majority of local people may be landless within a few decades. While legal protection in the hills of Northeast India has slowed land alienation, the process is clearly taking place despite laws against sales to outside individuals. Retaining communal lands under the authority of indigenous community institutions may be one of the best ways to inhibit privatization and alienation, but it will require greater support and recognition from government.

**Community**

The weakening of indigenous institutions and leadership is taking place in many communities due to changing values and belief systems. The expansion of local government offices and line agencies are gradually displacing traditional systems of civil administration, while the growth of political parties has created new conflicts and factions within traditional communities. The growing need for cash due to an integration into a market-based economy has also placed pressure on families to privatize and sell farm and forest land. The proliferation of Christianity and modern media and Western values has tended to displace more traditional cultural norms. Still, many communities retain strong traditions and those that have seen their cultural systems weaken are now exploring ways to restore them.

Indigenous institutions, while playing a key role in guiding community resource use, have been disempowered in many countries as they have no or little legal authority or identity within most nation states. This makes it difficult for customary organizations to operate in the modern world, including establishing bank accounts, interfacing with government agencies, and making input into the socio-political world. Changing values, whether they result from modern urban cultures, the expansion of world religions, commercialization, or other global trends have tended to undermine indigenous belief systems that frequently include elements that support conservation of natural resources. Politics also introduces new forces that can undermine the solidarity often found in indigenous communities. Economic changes have had major impacts on community
forest management. A major change has been commercialization that has driven the privatization of land resources once held under communal stewardship. As communities are increasingly integrated into market economies, they require increasing amounts of cash in order to meet growing demands for consumer durables, education, health care, and other needs. In response, many farmers in the Northeast are experimenting with techniques to increase the productivity and profitability of their forest and farmlands. Community institutions could play an important role in facilitating production system transition, especially with jhum.

Conclusion

It is difficult to generalize regarding the capacity of local and indigenous resource management institutions in Northeast India. Challenged by alternative values, economic systems, institutional structures, and political power centers, virtually all traditional forest management institutions are under pressure, their authority challenged, and their capacity increasingly inadequate to address newly emerging problems. This pressure and the corresponding strains it places on traditional resource management functions and capacities comes at a time when many village farmers are making substantial changes in their agro-silvicultural systems. The impact of external forces and the rate of system changes varies widely across the region, usually depending on the degree of physical and market isolation.

While many traditional resource managers are under pressure, there are no alternative actors in Northeast India to act as stewards of the agricultural land, water resources, and hill forests. Local governments and state technical agencies have extremely limited technical staff and budgets to take responsibility for day to day management. The private sector, also, has limited interest in landscape level management, especially given the restrictive use policies and court decisions that govern forest utilization. Putting aside the consideration of ancestral domain claims, constitutional rights, political context, and cultural integrity local communities are best positioned to stabilize watersheds, protect biodiversity, and ensure other environmental services will continue to be generated.

As Figure 2 depicts, the challenge ahead is to reverse the trend towards the breakdown of indigenous community institutions in northeast India to facilitate the building of capacity to address new problems. Part of this process will involve empowering traditional
institutions through recognition by district councils and state governments, registration of their management institutions and territories, development of their financial management capacities, and improvement of their planning processes. Recommendations for action to achieve this goal are discussed in Section 6.

Figure 2: Strengthening CFM Systems in Northeast India
This section presents three examples of community forestry systems in Northeast India that illustrate the diverse forms resource stewardship is taking in the cultural and environmental contexts of the region. The case studies also provide a thoughtful assessment of the challenges facing communities as they struggle to manage their forests in a rapidly changing world. The cases provide concrete examples of the strength and resilience of community forestry in Northeast India, as well as their support requirements to respond to emerging challenges including population growth, privatization and commercialization, and changing values and beliefs.

The case study contributors are all members of the Community Forestry Working Group for Northeast India, as well as foresters and researchers with years of experience working in the region. Vishal Gupta focuses his study on the Nishis of East Kameng District in Arunachal Pradesh, where he was the District Forest Officer, documenting the traditional forms of landscape management that have been practiced for generations. He writes with considerable frankness regarding the problems that Joint Forest Management projects have faced due to inappropriate design, and suggests a number of strategies that could build indigenous institutions and strengthen local management practices.

Ibobi Singh’s case study documents a Naga village in Senapati District of Manipur, where community forest management is a long tradition. The Nagas, however, are facing problems as the swidden cycle has shortened, putting additional pressures on their 750 hectare forest. He proposes a variety of actions that could strengthen traditional organizations while linking them to modern programs and institutions.

Vincent Darlong and Saroj K. Barik explore the experiences of the Forest of Hope (Asha Van), a success story from Tripura, where Jamatia tribal women organized to regenerate village forests that had been degraded in the 1970s during the Indo-Pakistan conflict. The case study provides a vivid example of women’s commitment to forest management and the revitalization of earlier cultural traditions of the Jamatia as resource stewards. The cases will also be used to illustrate aspects of forest management that require attention in Sections 4, 5, and 6 of this report.
The forest rich state of Arunachal Pradesh is home to a diverse group of tribes. Due to its isolation and legal protection under Indian law, the region’s biological and cultural diversity is remarkably well-preserved. Nonetheless, indigenous systems of governance and resources management are under pressure. Over 82 percent of the state’s total land area is classified as forest. The region is considered one of the world’s 18 “biodiversity hot spots,” and while Arunachal Pradesh possesses only 2.5 percent of India’s land area, it retains 20 percent of the faunal diversity including 85 species of terrestrial mammals, 500 species of birds, 4,500 species of angiosperms and 500 species of orchids.

Of the state’s 51,540 square kilometers of forest, approximately 60 percent are designated as unclassed reflecting the areas under community control. Even within much of protected area and reserve forests, communities are present and actively engaged in management.

**Indigenous CFM Institutions**

The traditional systems of governance still command respect from indigenous communities and play an active role in resolving disputes, and settling matters related to land use management and access to communally-held water, forests, and land resources. In the mountainous state of Arunachal Pradesh, most tribal communities manage their natural resources through traditional village councils including the Kebang (Adi), Builang (Apatani), Bang-Nyele (Bangni), Mele (Aka), Khapong (Tangsa), Ngothum (Nocte), and Wangsu-Wangsa (Wancho). Other tribes administer their community lands through chieftainship such as the Noctes and the Wanchos.

Over the years, the powers of the traditional institutions have been diluted due to the lack of faith placed in them by the younger generation and by the entry of Panchayati Raj Institutions. The traditional fabric of the society has also been damaged with the increasing monetization of the economy and the commercialization of the resources. The natural resources and the forests have suffered as a result of continuous exploitation and degradation and have been treated as a source of revenue.
Land and Forests

As in other parts of Northeast India, the status of Unclassified State Forests lands (USF) is both unclear and disputed. USF lands are claimed variously as private, clan and communal property and have been traditionally under the control of the community. Though termed as forest and included in the statistics, USF areas are not under the control of the forest department as the land does not vest with the state. No survey and demarcation has been done in these areas as there is no well-defined land revenue regulation. Further, no land settlement has yet been done in the state and the land records are fragmentary. In addition, the beneficiaries are required to obtain a Land Possession Certificate (LPC) to be eligible to get loans and credits for the developing land. Absence of a formal land ownership document also does not encourage the farmers to invest in soil conservation and other important developmental activities on the land. The rural banking systems, consequently, can not make loans to finance tribal farming improvements, as farmers have no legally validated land titles as collateral and thus capital formation in hill agriculture is effectively limited.

The lack of clear land ownership may result in greater conflicts between the government and the villagers, especially in the context of forestry projects such as JFM. ¹⁰ The Forest

¹⁰ Melkania & Bisht, 2000
Conservation Act, 1980 dealing with the diversion of forest land for non-forestry purposes, is often at odds with the traditional laws in the context of cultivation in the hilly areas, especially for tea, coffee, rubber or medicinal plant cultivation in the Jhun areas and non-notified areas.

**Nishis of East Kameng District**

The Nishis are renown in Arunachal as a martial race, who are characterized as polygymous, patriarchal, and clannish. They live in lineally related settlements, often with long houses that may shelter as many as 10 families. Complex systems of beliefs in the spiritual qualities of nature and the concept of a Supreme Being are two important ideas that are fundamental to their belief system.

The community is governed by a traditional village council known as the Bang Nyele that represents the general body of the community, especially the village elders from each household. The village council is responsible for allocating natural resources including deciding when regenerating secondary forests are ready to re-open for jhum farming, fuelwood and timber harvesting, water distribution and other important resource decisions. The village council also determines judicial matters, including both civil and criminal cases.

While the indigenous institutions and traditional knowledge and belief systems have guided the Nishi for generations towards a sustainable use of their natural resources, these systems are under internal and external pressures that undermine their effectiveness. They include demographic expansion, changing values, and monetization and commercialization of the local economy from within, while government schemes and new political structures, private sector interventions, and modern values are being imposed from the outside. A brief summary of forces affecting natural resource management in East Kameng District is presented below:

**Jhun – Swidden Farming**

In the Nishi village of Merbua in East Kameng District, most forest land (*Goye myodi*) is held in common, with some under clan or private ownership. *Jhun* land is individually owned, but under communal control. Since land use in the micro-watersheds can impact all households, land use decisions on privately held *jhum* land must be sanctioned by the
community. Each family has a number of plots, where jhum is rotated on an annual basis. Sometimes, jhum plots are also leased out to other households in need of additional land on a short or long term. Remuneration may be in cash or kind or the land may be loaned without any payment. Increasingly, Nishi families are planting fruit trees and other commercial crops on their jhum land, especially bananas, and citrus.

While jhum land is under the control of the individual families, jungle and bush clearing, burning of slash, weeding, and harvesting are collective efforts for which members of the community generously contributed their labor. The jhum activity begins in the month of December with the selection of plot and clearing of jungle and bushes. The burning of slash and clearing the debris is completed by February. Maize and millets are broadcast by March and is followed a month later by dribbling of paddy seeds with a hand held hoe locally known as chauku. Other crops as cucumber, chillies, beans, ginger, tapioca, yam, cucurbits and leafy vegetables are also raised, making it a multiple cropping system. The major agricultural produce from jhum is thus rice, paddy, millets, tubers, maize, chillies, and a variety of green and leafy vegetables. The produce is, however, seasonal in nature and meets up their subsistence requirements only. This has to be supplemented with wild edible tubers, seeds, fruits and leaves.

A survey of the village and neighboring areas reveals that the land is under heavy pressure to meet the needs of the local populace, with jhum the major land-use. Severe degradation of the entire area is observed for the area under study, as well as for the entire district. There has been no major extraction of the forest resources in the area and this trend of degradation is revealed by the old reports too. Jhum appears to be the major reason for the present poor and degraded conditions of these areas. The cycle of jhum also has come down to 5-7 years, likely from 10 to 15 years a generation or two ago. The land kept fallow after the jhum cycle is now often invaded by a host of weeds, due to opening up of the canopy. The prominent among the weeds are Mikania micarantha, Aegeratum conyzoides, as well as wild ferns. These make the preparation of land for next cycle difficult and also inhibit the growth of seedlings of other plants, especially trees, if the area is to be developed for plantations. The villagers of the study area highlighted the problem the face in land management as a result of unabated spread of Mikania which suffocates tree seedling in their nascent stage and hampers growth.

11 Diwan, 1982 and FSI, 1988
In the interior areas, even if the farmers attempt to transition to horticulture on their *jhum* lands, there are no markets to either sell their cash crops or to buy their subsistence requirements.

Different government departments aimed at providing an alternate source of livelihood to the Jhumias and rehabilitating the degraded *jhum* lands, but the results of many of these programs have been far from satisfactory. Either the schemes were not continued for sufficiently long periods of time to make the *Jhumias* self-reliant and by providing them an assured livelihood or these lacked an adequate technical support. The situation is worsened by the sheer topographic remoteness of the area and the widely scattered villages. A fundamental problem is that efforts to encourage farmers to adopt terraced rice cultivation have not addressed the need of communities for a broad range of products that are generated through *jhumming* and forest collection.

**Forests**

The forests of the case study area are under the traditional control of the community and play a critically important role in meeting the resource need of the community. These communities have an intricate understanding of the natural processes and have evolved their customs and traditions, myths & tales in close proximity of the wilderness. In addition, elaborate controls have been developed over the generations to ensure the
protection of critical water sources and watersheds, as well as areas of high natural beauty and biodiversity. These include:

- **Watershed Areas- Hilltop forests.**
- **Sacred Forests-Sineiak- Lakes in mountain folds, located away from the habitations, taken to be under the spirits of the jungle. Small wood, bamboo and other local material for consumption can be extracted** Myoro tom- In the vicinity of the villages, the abode of the Wiyus, to break them for cultivation is totally prohibited due to the fear of displeasing the Wiyus. Changtam Bote- Bouldery areas in hill folds, are left untouched and there is no removal of material, even for subsistence requirement
- **Sacred Plants & Animals- Especially Fig trees (Ficus), Morus, Snakes, Porcupines, Jackals, Hornbills, and Tigers**

The forests are also regarded as the lands that are reserved for future expansion of *Jhum*. Over the years, there has been a degradation of the resource base of the area, primarily because more and more land has been brought under *jhum*. While some communities feel they have an adequate forest area to support a sustainable pool of *jhum* land, as the population expands, they still require support to review and analyze their resources in terms of long terms needs and develop strategies to address growing pressures.

**Strengths and Weaknesses of the JFM Scheme**

The Joint Forest Management (JFM) is the latest in a series of Government of India schemes, programs, and policies that have affected communities in East Kameng District. The government began issuing tree permits to local “beneficiaries” in USF areas as early as the 1960s, implying an authority over community forest lands. In 1976, the Panachayti Raj Institutions (PRIs) were imposed in the area establishing an alternative structure of local governance with challenged traditional institutions. Soon after, the government began encouraging villages to halt *jhum* cultivation and adopt terraced rice farming. The Apavan Scheme further attempted to wean locals away from *jhum* offering subsidies for farmers will to establish fast growing tree plantations on *jhum* or communal forest lands. The PRIs were abolished in 1997, only to be reconstituted in 2003. In 2002, a JFM authorized the formation of Village Forest Management Committees (VFMCs) under the supervision of a Forest Development Agency (FDA). Like its predecessors,
this top-down structure, based on a target driven national scheme, has frequently failed to address community needs or effectively interface with indigenous institutions and land use needs and practices.

Forest Department efforts to bring community lands under the plantation program encourage farmers to raise Apnavan plantations in their abandoned jhum plots or on common lands. In the latter case, there have been litigations and friction between the department and the communities that had donated land for plantations. In line with the resolution of bringing community areas under JFM, committees have been formed in the division, but no tangible work has been taken up in the project area. However, there are certain general points related to the JFM that can be treated here. JFM in the state is being taken up in the community forest areas. While the 1997 JFM resolution provides a description of the general strategy, functional and execution guidelines remain unclear. The VFMC have been given the powers to frame rules for the protection and management of the forests. They also have the right to impose fines and punish the offenders. Note that such rights and practices are already reside with the traditional village institutions. As a consequence, the process may create conflicting or overlapping authority structures. The questions of whether the state forest department has the authority to vest management rights, since these are legally delegated to the community prior to any national schemes.

Since the Government of India is allocating funds into the scheme, there is also a matter of fiscal responsibility and accountability on the part of government project managers and, hence, a case for stronger government involvement and control. In such cases, regulations applicable to the notified forest (such as Reserve and Protected Forests) are made applicable in community forests (USF). This, in turn, could lead to a more stringent government control into the hitherto community-owned areas, exacerbating land insecurities felt by village households.

Since JFM projects are “fund-driven” the sustainability of new systems, such as tree plantations, may be jeopardized once the external funding ends, generally after five years. In addition, based on JFM experiences from other parts of the country, JFM appears to have been successful in areas where the communities had a shrinking resource base and the forests had already disappeared or were in heavily degraded areas.
In East Kameng District, communities still have rich resources, more or less directly under their ownership and control. The incentive for most communities to work and participate in such afforestation programs is therefore low.

The long gestation of the forest crops as well as concerns by the poor local population that they may not receive any immediate benefits from these management interventions, may lead to a loss interest in this activity, especially once government project subsidies end. There is also no compulsion for village members to participate, since they are already drawing the benefits from the use of their existing forest resources. It is often difficult to convince people about the sustainable management of tree crops and sharing of usufructuary benefits under JFM schemes in the state.\textsuperscript{12} Local people consider the USF areas their own property, and due to easy availability of fuel wood, small timber and other forest produce, they do not consider it as a benefit of the scheme and demand direct benefits in cash.

Many of the subordinate and frontline staff of the department are also not familiar with community extension and facilitation, and typically play only a custodial role. Many divisions are chronically under-staffed and most of the field staff are not trained in the basic works and activities of the department. The departmental staff also needs to be reoriented to shift from a protectionist approach to that of a facilitator. There is a need to shift the strategy from a target-orientation to focus on addressing community forest management problems and needs.

**Summary**

In summary, in East Kameng District, community resource management is under increasing pressure. New JFM schemes, while well intentioned, fail to address fundamental problems facing local villages. There is a need to build on the traditional institutions of the Nishis and other tribal communities. The traditional systems have suffered a setback over the years with the increase in outside contact. The locals, especially the youth, need to be encouraged to spread the traditional values and ethos, especially related to conservation and to rediscover the indigenous resource management systems. The traditional institutions of governance need to be strengthened through

\textsuperscript{12} Melkania & Bisht, 2000
codification of the customary laws and recording of the proceedings with local District Councils and forest departments.

There is a need to carry out an in depth survey and documentation of the traditional conservation strategies, in collaboration with the local societies and organizations. Indigenous technical knowledge needs to be respected and community needs to be incorporated in the management plans of the area.

The institutional arrangement for JFM is already in place with the formation of village-level VFMC under the FDA. There have been instances of informal welfare societies/committees which have been organized informally by the villagers, like the Mebua welfare society. The villagers have now sought recognition of these informal societies as they realize the difficulty in managing the resources on their own owing to commercial and parochial interests as well as the internal and external socio-political dynamics. These village level societies could be given a formal structure of VFMC in areas that are included in JFM programs. The goal is not to increase government control and suppress people’s initiative, but rather to create a uniform institutional mechanism at the village level that can manage funds being channeled into community forestry work by the government. However, the active role of the state should be that of a facilitator and a guide.

Linkages could also be thought of between these formal committees (VFMC) and the age-old traditional village councils that are still respected in much of rural society. In the areas where JFM is not being extended, these informal committees should be supported to function as primary resource management institutions. Given the present scarce resources of the forest department, it may not be possible to play the role of a facilitator in all communities, but it may continue playing the role of an arbitrator whenever there are disputes or differences among the community members.

Projects should be formulated in consonance with the local jhum and resource use norms incorporating indigenous technical knowledge and institutions by understanding local ecosystem linkages, problems, and traditional practices. The community’s stake in the process should be increased and sustained by supporting a local NTFP-based economy that is not environmentally destructive and provides tangible results in a short period of
time. Initially, collection and production could be prioritized. Later on activities related to value addition, processing and marketing of the produce can also be introduced based on the progress shown and interest of the community. The issue of cottage and forest-based industries to help develop the rural economy and create the much-needed employment also deserves serious consideration thought. A comprehensive policy should be in place addressing issues as availability or raw materials, tax benefits, marketing channels, pricing and value addition. Sericulture, medicinal plants, bee keeping, fishery, cane and bamboo craft are high potential options.
This community forestry case study from Manipur is from the Sadar hill areas of Senapati district reflecting an area of 96 km², with a forest territory of approximately 45 km². The site is located at a distance of about 25-33 km from the state capitol of Imphal, on both sides of the National Highway No. 39 (see Map). The forests in the hill areas are under use pressure, not only from the local hill villages, but also to meet the demand of the valley population. The broad land use pattern in the case study site is given below:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dense forests</td>
<td>1778.69 hectares</td>
</tr>
<tr>
<td>Open forests</td>
<td>3501.75 hectares</td>
</tr>
<tr>
<td>Scrub forests</td>
<td>269.56 hectares</td>
</tr>
<tr>
<td>Non-forest areas</td>
<td>4062.87 hectares</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9612.87 hectares</strong></td>
</tr>
</tbody>
</table>

There are 20 villages within the case study site including three Naga, fourteen Kuki and three mixed villages with Naga, Kuki, Nepali and Meetei population. Except for the reserved forest areas, all the villages have their traditional village boundaries that are respected by the surrounding villages and also recognized by the revenue authorities. A more detailed study, presented here is from Makhan village, a Naga settlement (see Figure 5).

Makhan village is situated at a distance of 25 km to the north of Imphal, along Imphal - Dimapur Road (NH-39). The village can be approached by jeep from Kanglatongbi at a distance of 2 km to the west. The location and demography of the village are as under: This old village inhabited by Liangmei Nagas was earlier situated at a higher location. The village which initially comprised only 4 households, started shifting to its present location in 1949. The old site was completely abandoned in 1987. The new village now has 125 families with a total population of 900. The villagers claim that the total area of the village is about 1300 hectares. The village area forms a part of the watershed of Thumkhong stream draining into the Imphal river. About 60% of the village land is degraded.

In the past, when the population was less and soil fertility was high, the area under shifting cultivation was small and the jhum cycle included a 15 year fallow period.
allowing for the restoration of the soil fertility, however, at present the *jhum* cycle fallow period has been reduced to 7 to 8 years. During the mid-eighties, under a pilot project scheme of the Horticulture Department, a 45 ha. area (south of the inhabited area) in the foothills, with gentle slopes, was terraced to provide agricultural land at the rate of 1 acre per family. Due to lack of water, however, only about one-quarter of the terraced land is being cultivated. Each of the 60 households also has about one-half hectare paddy field in the plains outside the traditional boundary of the village. Another 60 households (approximately) depend entirely on shifting cultivation.

**Figure 4: Map of Senapati District, Manipur**

A land use classification of Makhan village is given in the table below. As is evident, the vast majority of village land is forested, however, it is important to note that while 35 percent of the 1300 hectares represents the *jhum* land pool that may be under varying stages of agricultural use and regeneration, another 58 percent is forest land, an area that may have been used for *jhum* in the past, but is no longer consider part of the active
rotation cycle. Other small tracts of forest include the Uyok or village reserve and the forests protecting the water sources.

**Table 6: Land use classification of Makhan Village**

<table>
<thead>
<tr>
<th>Category</th>
<th>Area in Ha.</th>
<th>% to Total Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Habitation</td>
<td>30</td>
<td>2.30</td>
</tr>
<tr>
<td>Terrace</td>
<td>45</td>
<td>3.46</td>
</tr>
<tr>
<td>Village Reserve (Uyok)</td>
<td>10</td>
<td>0.76</td>
</tr>
<tr>
<td>Jhum Area – Jhum Pool</td>
<td>440</td>
<td>33.85</td>
</tr>
<tr>
<td>Forests</td>
<td>750</td>
<td>57.69</td>
</tr>
<tr>
<td>Wasteland (steep &amp; eroded areas)</td>
<td>3</td>
<td>0.23</td>
</tr>
<tr>
<td>Forest Area Protected for Water Source</td>
<td>16</td>
<td>1.23</td>
</tr>
<tr>
<td>Others</td>
<td>6</td>
<td>0.46</td>
</tr>
<tr>
<td>Total:</td>
<td>1300.</td>
<td>100.00</td>
</tr>
</tbody>
</table>

**Traditional System of Forest and Resource Management**

The areas within the traditional boundary of the village are unclassed forests and are owned by the community. The villagers enjoy full rights over these areas. The forest department initiated a social forestry plantation in the area in 1991 and 1995 with pine and Oak as the main species. These plantations, which continue to be protected by the villagers, were located inside the village reserve (uyok). A considerably larger area of about 750 hectares of natural forests is also maintained as community forests, even though the condition of such forests has deteriorated due to unscientific exploitation and fire. The forests in this village may be classified as sub-tropical wet hill forests. The main tree species available in the forests are *Quercus serrata, Q. dealbata, Schima wallichii, Cedrela toona, Phoebe hainesiana, Michelia champaca, Alnus nepalensis, Emblica officinalis, Castanopsis hystrix, Cinamomum spp., Litsaea polyantha*, etc.

The Village Authority (VA) is the traditional resource management institution available with the community. The youth club within the village also assists the VA in protecting the village forests, besides taking care of activities like sports, culture and social service. Thus, the VA, as a traditional resource management institution, supervises use of land and forest within the village.

The jhum pool or open reserve area is utilized for jhum cultivation, terrace making, firewood cutting, hunting, in addition to the collection of leaves, shoots, tubers etc.
freely. The V.A., in association with some elderly persons from within the village, select
the area to be *jhumed* every year and then distribute plots among individual families who
will carry out shifting cultivation. Once the annual shifting cultivation area is earmarked
by the VA, it is divided among the individual households with each household identifies
the natural boundaries of their plot. Individual household are responsible for managing
their plot, however use rights are withdrawn once the area is abandoned when shifting to
a new site.

Similarly, the VA also identifies the area from where fuel wood can be collected by the
villages in the open reserve area. Such areas for collection of firewood keep on shifting at
regular intervals depending upon the condition of the forests. The villagers can fell trees
from the open forests for construction of their own houses. There is no hard and fast rule
for felling trees to be used as timber. A villager wishing to construct a house can cut a
suitable tree from the community forest land. The VA also decides the areas to be leased
out for sale of leaves and thatch grass to outsiders. If anyone from within the village
becomes a bidder, the monopoly right to collect such produce is given to him. The
member of the VA in charge of forest portfolio looks after the collection of revenue from
such sales, physically identifies areas from where removal of such forest produce is to
take place, and ensures that the agreements (mostly verbal) are not violated by the
monopoly right holders. Most leases are given on a seasonal or yearly basis.

Individual households have private rights to all terraced land. If an individual makes a
terraced field with his own effort and investment out of the community land, he becomes
the exclusive right holder. However, there is a rule in the village that any individual
leaving the village permanently has to surrender his land (homestead area and terraced
field) and the trees growing on the area to the VA He cannot sell the land to any other
persons either inside or outside the community. The VA will then decide whom to allot
the terraced land to; either giving priority to young couples who have separated from
their parents, or else the VA will put the land up for auction. No outsider can take part in
the terraced land or homestead land auctions.
Figure 5: Patterns of Forest Land Allocation in Senapati District, Manipur
The community sketch map of Makhan village shows community perception of the different land use and local management categories is given below. The five types of land use are available in the area include: 1) Settlement area including homestead trees / horticulture gardens, 2) Agriculture land under sedentary farming system, 3) Shifting cultivation area, 4) Protected area for watershed/water source and village reserve (uyok), and 5) Community forest area which overlaps with utilization forest for timber /firewood/ NTFP collection.

In case an individual family has to leave the village, it has to surrender this homestead land to the VA, nor is it allowed to sell directly to anyone. The Village Authority either
allocates it to some new family or puts the house up for auction among village members. The revenue earned from the auction goes to the V.A. fund.

The community member retains use rights to the shifting cultivation area during the period of *jhuming*. Once the area is abandoned after 3 years, the area goes back to community ownership. Currently, about 60 families carry out *jhuming* on an average area of 1 hectare per family. The present *jhum* cycle is about 6-7 years. The villagers mostly grow hill paddy in the first year during the kharif (rainy) season. In subsequent years, if the soil still remains good, villagers grow paddy, otherwise, they grow ginger, colocasia, maize, and radish during the kharif season. Villagers also grow cabbage, potato, garlic and onion during the rabi (dry/winter) season. The yield of paddy in *jhum* areas is about 25-30 mds. per hectare. The harvest of ginger is about 4-5 truckloads per hectare and the cultivation of ginger is gaining popularity due to its high economic return and the ease with which it can be cultivated. Market rates vary from year to year. This year it is being sold at Rs.5 per kg. in the village, a price that is attractive to local households. Another important commercial crop is radish, which does very well due to the soil and climate of the area. Thus, there is a shift in the cropping pattern from paddy to high value species like ginger, radish, and banana. This is increasing as the village is well connected to the highway and market places, especially Manipur’s capitol at Imphal.

**Utilization Forests**

Utilization forests represent the largest land use area in the village covering about 750 hectares. The entire area is owned by the community as a whole and is managed by the Village Authority with the Forest Mantri (member of village authority) playing the lead role in identifying areas meant for firewood collection, sale of grass, leaves etc., and collection of revenue from such sale. The villagers are free to collect firewood and timber from such areas for their bonafide use. For collection of firewood, the area is first earmarked and villagers collect firewood from those areas only. The collections area is changed every 2 or 3 years depending upon the condition of forests, though villagers acknowledge that this system is not being followed as strictly as it was in the past.

The watershed areas are owned and protected by the entire community. These areas are carefully preserved and no one is allowed to cut any tree from such areas. The youth club also takes the responsibility of protecting these areas. Fines are imposed for illicit felling.
of trees from such areas. However, at present such problems do not exist as the villagers respect the rules prescribed by the V.A. for protection and preservation of such areas.

The village reserve area (uyok) covers about 10 hectares in two patches; one patch is a plantation area of pine, while the other is a natural forest of Oak. The ownership of this area is vested with the community and is managed by the V.A. No felling is allowed in these areas and offenders are made to pay a fine in the form of a live pig. Sometimes, when the village authority needs funds for community purposes these uyoks are put up for sale. The uyoks is meant for various purposes including buffering the village from fire and protection of water sources. The VA can use the products of village reserve forest for the welfare schemes and development. The village headman, with the consent of the villagers, can sell timber or firewood or thatch to an outsider to generate village development funds.

The amount so earned is used for building or repairing the village church, playgrounds, construction of school building or health clinics. No one can exploit this reserve forest without the permission of the VA. If someone needs materials from the village forest reserve, the VA will assess the value, and the buyer must pay that amount. Though the village reserve belongs to the whole village and each member must pay a pay house tax, fixed by the authority per annum, to be allowed to take their share of fuelwood and timber, or buy additional forest products from the village reserve area.

Collection of timber for house construction can be done from any area and there is no restriction on it. Commercial collection of firewood from the community forests for the purpose of selling it to outsiders is generally not allowed, however, if some poor family sells it on a head load basis, the VA normally does not object. There is a lot of pressure and demand for firewood from the nearby villages. The VA sometimes authorizes some outsiders to collect firewood and thatch grass from the earmarked areas on head load basis for a stipulated period, on payment of a certain amount of money fixed by the VA. The firewood is collected mostly from dead, dying and fallen trees, but sometimes from fresh selection felling. Collection of firewood by clear felling of trees is prohibited. Firewood collection is usually done after harvesting of paddy between the months of November/December to March. The requirement for the entire year is normally kept stacked near the homestead. A considerable amount of firewood is also collected from
*jhum* areas after burning. On an average one household needs a stack of firewood measuring 12’x6’x5’ in a year. People understand the need of fuel economy. Collection of thatch grass is mainly carried out during the month of November. Pastures are roughly demarcated and controlled burning of the area is carried out every year to enhance grass production for the village cattle. The village cattle are free to graze in such areas and cowherds are chosen from among the villagers to oversee the livestock and ensure that grazing does not take place in the forest.

**Community Relationships with State FD and Local Government**

At present, the community based resource management is poorly linked with state Government agencies and is not well coordinated. While the services of a District Council UJB school and a PHSC are available from the Government side, other govt. agencies directly responsible for community based resource management are very remotely and loosely connected with the community. The Forest and the Agriculture Departments should be closely linked with the communities for proper management and use of the resources with the communities.

The Manipur Forest Department has taken up a social forestry scheme in the village and the plantations are coming up well. These are well protected and are preserved by the community as village reserves. There is still a lack of coordination between the department and the community in the matter of ensuring proper management of the vast community forest areas. Similarly, proper guidance and technical inputs from agriculture /horticulture/ forest departments in the management of the *jhum* fields could significantly improve the situation by developing alternatives agro-forestry models and introducing scientific ways to conserve soil and moisture. Part of this includes identifying most suitable cash crops, introducing high yielding variety of crops and greater use of fertilizers like farm yard manure and compost to increase the productivity of the crop.

The villagers are largely uniformed regarding government policies and rules affecting them. They are more concerned with the rules and regulations framed by the V.A. They are, however, aware of the Transit Rules under Manipur Forest Rules, 1971. They know that to transport forest produce from the village to outside, permission of the appropriate authority of the Forest Department is required. Further, that a royalty fixed by the government, for such produce, has to be paid to the nearest forest check gate or Beat or
Range office. They are also aware of the fact that Indian Forest Act and Manipur Forest Rules, prohibit the felling of trees and hunting within the reserved forests. The villagers are also aware that a Supreme Court directive that has placed a total ban on the felling of trees, but they believe this does not affect them in any manner, as they fell trees from their village area only as and when required. They justify this because there is no commercial felling in the area and all felling of trees is solely for local consumption.

**Summary**

There is a substantial conflict between customary laws and forest laws and regulations. The villagers of Makhan feel that many of the forest laws and regulations encroach upon the customary laws and as such they are not ready to accept them. Yet, the erosion of indigenous forest management activities and the traditional institutions that have guided them can lead to the acceleration of deforestation. As indigenous institutions lose authority, with no new controls established to replace customary ones, open access use can rapidly increase leading to unsustainable levels of resource exploitation, forest conversion, and privatization.

**Local Management Capacity:** As indigenous resource management systems weaken, pressures on forests are growing both internally and externally. Rather than developing new capacities to handle such pressures as shortened jhum cycles, forest encroachments by migrants, demand for commercial felling, and land privatization, many communities are losing their existing ability to deal with such issues. Traditional mechanisms for rotating and fallowing agricultural land, protecting watershed forests and areas with high biodiversity, and enhancing soil and water conservation are breaking-down as traditional leadership, values, and use regulations are marginalized.

**Social Equity:** Many indigenous institutions attempted to ensure a level of social equity by regulating the allocation of forest and land resource access. Communal lands were given to families for a fixed period of time based on household need and labor availability. Unused or underutilized land was returned to the communal pool, prohibiting any form of non-resident control. The process of privatization, however, can lead to much greater inequities over productive natural resources, especially if control is transferred to individuals outside the community.
**Operational Effectiveness:** Drawing on local knowledge and based on rules and regulations accepted by the community, day-to-day land and forest management followed proven practices that lead to relatively sustainable, long-term use of natural resources. While indigenous systems in some areas are losing operational effectiveness, in most areas there are no field-level management mechanisms available as alternatives. The further erosion of local systems of management could lead to greater open-access use with fewer controls or effective rules and regulations.

**Legal Protection against Land Alienation:** There is a need to amend the MLR &LR Act to extend it to the hill areas taking due care of the sentiments and the interest of the people in the hill areas. In the valley areas, where MLR&LR act is presently in force, and where productivity of the land is high, the land ceiling is 5 hectare. For the hill areas, because of lower productivity, the land ceiling maybe fixed at 20 hectares or so. This will help protect Naga and Kuki communities from land alienation in the future.

**Establish Forest User Groups (FUG):** Providing FUGs with specific management rights over forests under the traditional village authority should strengthen management. There is also a need to provide policy and fund support to strengthen the CFM institutions. There is a need for further democratize village level Institutions. Women should have greater involvement in decision - making. The V.A. should develop adequate capability to manage the resources through skill up-gradation. There also a need to integrate all stake holders i) The forest user groups ii) the government iii) The village authority and iv) The Federation of Forest User Groups at District and state levels in community forestry development.

**Resolve Legal issues relating to the Unclassed Forests:** The status of ownership of forests in Manipur is not clearly defined except for the reserved forests constituting only 9 percent of the total forest area. The hill people claim the ownership of the land and forests other than reserved forests. According to Darbar Resolution No 10A of 1932, the hill villages were given exclusive rights to cut fuel and wood only from reserves constituted within ¼ mile radius of any hill village. In a verdict given by the then President, Manipur State Darbar on a forest miscellaneous case in 1946, it was ordered that Kuki villages should not claim the right over timber and firewood over the vast areas and such areas belong to the state and not to the villagers. After the integration of
Manipur with the Dominion of India in 1949, all rights of the Maharaja got vested with the Government.

**Develop alternatives to jhuming acceptable to the local people:** Suitable site specific, need based agro-forestry practices should be promoted. Introduction of low volume and high value medicinal plants that can have easy and assured market like piper and cardamom could be encouraged. There is also a need to raise plantations of firewood, fodder and timber species under the JFM programs along with protection of the forests. Sustainable management of forests needs to be associated with sustainable livelihood of the people. All possible efforts to should be made to initiate income generating activities based on locally available raw material. Attempts should also be made to develop appropriate mechanisms for ensuring increased flow of benefits to the poor. Poverty elements that can be addressed through community forestry (CF) need to be identified. In suitable areas, CF may also consider commercial exploitation of forests consistent with the environmental and subsistence needs of the people.

**Organize training on different aspects of community forestry:** Raising awareness and developing skills is an important requirement both for the villagers as well as the government staff. A mechanism should also be developed for conflict resolution. There must be interaction and exchange of experiences amongst the villagers involved in community forestry both inside as well as outside the state. There is also a need to develop the capacity of the forest staff as well as the NGOs to enable them to effectively promote community forestry.
Forests of Hope: The Jamatias of Kila District, Tripura
V.T. Darlong & S.K. Barik

Tripura is the home of 19 major tribes each with each own culture, dialects and traditions. The major tribes include the Tripuris, Riangs, Jamatias, Chakmas, Moghs, Noatias, Uchois, Halams, Kukis, Lushais, and Garos. The traditional land holding systems among the communities in Tripura are quite different from the other communities of Northeast India. Until 1949, Tripura was an independent kingdom and the king was considered to be the absolute owner of land and forests, which later became government forests. Despite this regal claim, each tribe demarcated land in their own areas of settlement for shifting cultivation or *jhum*, which they were allowed as a matter of right and concession. The forests around these settlements were loosely called ‘community forests,’ and these were the lands where the communities practiced shifting cultivation. Vestages of such types of forests are what we now observe in the case of the Jamatias of Killa area as ‘Asha Van’ or the ‘Forest of Hope,’ essentially community conservation forests.

Tripura has two broad categories of community forests or community conserved areas. The first type is JFM induced community conserved areas on government forestland, which are of recent origin, largely since the 1990s. Following the Government of India’s notification on JFM, Tripura was the first state in the Northeast to bring out the JFM Resolution on December 20, 1992 and implement the scheme covering all the government forestland, except protected areas. Today, Tripura has at least 157 JFM committees covering about 16,227.30 hectares (Bahuguna, 2002).

The second type is of older origin and include the community-induced forest reserves on village common lands prevalent among the indigenous communities, such as the Jamatias in and around the Killa Development Block under Udaipur Sub-Division in South Tripura, which is the present case study. The legal status of such forestland could also be protected forest (PF), which is in effect Unclassed or Unclassified State Forest (USF). Such practices are also reported among the other tribes such as the Halams (Molsoms),
Kukis and Riangs, which require further survey and investigation for authentication and mapping.

**Forest of Hope - A Case Study from the Jamatia Village of Toirupha, Tripura**

The location of the present study site is a Jamatia village named Toirupha. The village is located under Killa Developmental Block of Udaipur Sub-Division in South Tripura District, about 15 km from Udaipur. Toirupha is inhabited by a tribe known as Jamatia or Jamatiya. The Jamatias are one of the 19 tribes of Tripura and are the third largest tribe in the state. They are also the third largest group among the Kokborok speaking, after the Tripuris and Riangs. The estimated population of the Jamatias for the 2001 census was approximately 100,000. The Jamatias are hard working, mostly agriculturists. They live in permanent villages with settled cultivation. Though shifting cultivation (jhum) was common in the past among them, very few of them are now dependent on jhum. A staunch Hindu tribe in general, the Jamatias also practice their conventional and traditional rites and rituals such as Goriya Puja. With modernisation and education, many of them are now becoming Christians, particularly among the urban educated youth. The Jamatias are one of the most organized among all the tribes of Tripura and the highest body in the traditional institution of the community is called ‘Hoda.’ The head of the Hoda is known as the Hoda Okra, meaning head priest and supreme community leader.

**Settlement History**

Jamatias as a community or tribe is considered to be about 400-500 years old. According to their legends, they were a group of able-bodied warriors selected from the Kokborok speaking community, whom the King of Tripura had gathered together for the purpose of defense, (hence their name ‘jamayet,’ meaning gathering together), and made them settled in one place. In the course of time, this group of people or community came to be known as ‘Jamatia’ or ‘Jamatiya’, forming a separate tribe of Tripura. The practice seemed to have originated sometime during the 16th century with this community serving as the army to the King of Tripura.\(^{13}\)

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\(^{13}\) Bhattacharjee, 1983
Toirupha is considered to be one such settlement of the Jamatias, which is about 300-400 years old. It is probable that the Toirupha settlement began during the same period when Udaipur was the capital of Tripura Kingdom. It is reported that unlike the other tribes of Tripura, the Jamatias were the local rulers of Tripura Kingdom.

Figure 6: Tripura Tribal Autonomous District Council Areas and Case Study Site
the state, the Jamatias practiced settled agriculture and lived in permanent villages for centuries, though slash and burn agriculture was not totally absent. The villagers explain that Toirupha had its own share of slash and burn agriculture during the course of its history and this is aptly reflected in the secondary nature of the forest in and around Toirupha village. The Jamatia settlement at Toirupha was not large in the beginning. It started growing during the period of independence, and more so after the development of Killa as the centre of market and local trade. The Toirupha village always had only the Jamatias as the inhabitants, though other tribes and communities reside in the vicinity of the village.

The land use systems have always been quite unique among the Jamatia tribes, as they were adept at settled agriculture and wet rice cultivation (WRC) was common practice. Such lands were held by individuals or households. Since their dwellings were constructed on the uplands, kitchen or home gardens were also very common, along with irrigated rice. Such kitchen gardens were used for growing vegetables and fruit trees. Upland forests were held as common village forest where all had equal access. Many of the families who had no flat land (lunga) for rice farming resorted to jhum.

No one in the village could recall whether or not such upland areas for jhum were demarcated in ‘blocks’ and distribution plots for jhum cultivation were allowed on a cyclical basis as were prevalent among other tribes of Tripura. However, there appeared to have been some elements of a check and control system by the traditional village institution in matters of land that could be used for jhum. What appeared certain were the fact that the traditional village institutions made sure that other communities did not intrude within their village forest boundaries, nor unauthorized families from outside the community carried out jhum in such areas. To that extent, the forest boundaries were under the direct control of the traditional village institution, but perhaps not the management of the forests within these boundaries to ensure the maintenance of the forest quality.

**Land and Forests of Toirupha**

Toirupha has a total area of about 1,000 ha. which forms its village boundary. Of these, as much as 74% of the area is under forest cover constituting the community forest, area under JFM, village common forest, and private plantations. Even many of the home
gardens have teak and miscellaneous tree species. However, bamboo dominates the community forest and village common forest. Except for the area under JFM, which is recorded by the Forest Department, all other areas are approximation as per the version of the reliable village elders and also the local forest officials.

<table>
<thead>
<tr>
<th>Type of Area</th>
<th>Area (ha)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area under community forest</td>
<td>300</td>
<td>30.0</td>
</tr>
<tr>
<td>Area under JFM</td>
<td>78</td>
<td>7.8</td>
</tr>
<tr>
<td>Village common forests, including grazing area</td>
<td>262</td>
<td>26.2</td>
</tr>
<tr>
<td>Private plantations</td>
<td>100</td>
<td>10.0</td>
</tr>
<tr>
<td>Area under WRC</td>
<td>50</td>
<td>5.0</td>
</tr>
<tr>
<td>Area under home gardens</td>
<td>90</td>
<td>9.0</td>
</tr>
<tr>
<td>Wetlands (ponds, streams, etc.)</td>
<td>20</td>
<td>2.0</td>
</tr>
<tr>
<td>Area under human settlements (including footpaths, roads, etc.)</td>
<td>100</td>
<td>10.0</td>
</tr>
<tr>
<td><strong>Total area of the village</strong></td>
<td>1000</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Origin of community forest ‘Asha Van’ at Toirupha**

The community forest at Toirupha is about 300 ha. It is a secondary forest, dominated by Muli bamboo (*Melocanna baccifera*). The density of bamboo per ha. is estimated to be 10,000-12,000. Other species of bamboo that occur intermittently include *Bambusabalcooa* (Barak), *Bambusa polymorpha* (Bari), *Bambusa tulda* (Mritinga). Trees are also scattered or occurring sporadically which include *koroi*, *konak*, *garjan*, *kamal*, *jam*, jackfruits, etc. According to the State Forest Department, the legal status of the forests of Toirupha and surrounding areas are designated as protected forests or PF, however, the Forest Department does not interfere in any way in the administrative control and management of the community forest or Asha Van at Toirupha.

Traditionally, the Jamatias, like most of the other indigenous communities of North East India had forests surrounding their villages or settlements. The forests were there because settlements were curved in the midst of the forests. But subsequently such forests were nurtured and protected as defensive measures for the villages from other warring tribes, facilitating for easy escape or shelter from the invading enemies. Such forests also acted as sources of forest produce needed for construction, fuel wood, food, and making household items of daily needs.

It is difficult to describe precisely how and when the concept of *Daikong Bolong* system of community forestry originated among the Jamatias. During the field studies, different versions were explained in terms of the origin, ownership patterns, and management
system of community forest at Toirupha. While, the younger generations interviewed during the study claimed that the practice is of recent introduction, the elders insist that the practice is traditional and was in existence from time immemorial. The present community forest at Toirupha is a secondary forest, dominated by bamboo. From this aspect, it can be said that it is of recent development and probably got revived as ‘Asha Van’ during the ‘70s as was told to this author during an earlier visit to the village as follows.

Following the Indo-Pakistan War of 1970-71, an inflow of hundreds of thousands of refugees migrated to Tripura. There was heavy demand of bamboo and other forest produce for firewood and construction of refugee camps/shelters. Toirupha and other surrounding villages were also sources of these requirements. Consequent to reckless cutting of bamboo and other forest resources during this period as these could be sold at a premium, very soon the villagers experienced the problems and consequences of severe deforestation. It was at this point that the village elders decided to revive the community forestry or Daikong Bolong and renamed it as ‘Asha Van’ (meaning ‘Forest of Hope’). It was felt that the word ‘Asha Van’ had more direct appeal and could be understood by everyone than Daikong Bolong as the Jamatias are heavily influenced by the Bengali culture and language.

**Forest Management Practices**

The unique feature of the management of Asha Van is that it is entirely managed and protected by the women of the village. The management committee, also formed exclusively by the women, is called Daikong Bolong Committee, which has a president, secretary, cashier and executive Members. The term of the Committee is generally 3 years. Approximately ten years ago, the Daikong Bolong Committee along with the responsibility for management and protection of the Asha Van (Forest of Hope) was completely taken over by village women, as the village men were not performing well in their protection work, nor did they demonstrate a commitment to daily management duties. The men interviewed noted that they were busy with other tasks; hence, it was more appropriate that the work had been handed over to the women.

One of the major responsibilities of this Committee is to protect the forest. The committee consists of 14 watch groups, 10-12 members in each group, to patrol the forest
on a daily rotation basis. Anyone who is not available for patrolling on the day of her duty contributes to a day’s labor cost, which is deposited in the community fund. Individual woman may be exempted from patrolling and need not pay the penalty or ‘absence fee’ if the Committee finds they have a legitimate excuse. When asked why protection or daily patrolling is needed when every member of the village is aware of the rules and regulations about the Asha Van, the women replied that since the area is large, they must patrol to prevent entry of any stray domestic animals inside the forest and also to prevent possible intrusion from neighboring villagers.

The major resource being extracted from the community forest is bamboo, both for household requirements and for firewood. The community has a definite pattern of extraction. The period of extraction is usually between November to January. The villagers explained that while the bamboo required for house construction, repair, or making of fencings are generally done in the month of January, the collecting of dry bamboo for firewood is allowed to be collected during the months of November and December as well.

The number of bamboo to be extracted per family or household each year is based either on minimum average requirement of the majority of all households or on consensus. The number of bamboo to be extracted varies every year, but generally their average requirements have been about 200 poles per family. The villagers believe this is a sustainable yield for ensuring continued forest productivity in terms of mature bamboos. The villagers also noted that currently the bamboos extracted from the Asha Van cannot allowed be sold outside the village.

**Community Forests Management issues of Toirupha**

The Asha Van is dominated by bamboo species and requires enrichment planting of other tree species, at least in the peripheral areas. Current management practices are limited to protecting the existing resources only, but not improving them. The community has limited capability to enrich the productivity of the resource and requires technical and financial support. Although the bamboo extracted per year from the community forest meets their household needs either for construction of new house, repair of the old one or making fencing around their home gardens, the community forest generates no additional income for member households. Through proper silvicultural practices and scientific
Interventions it would be possible for greater resource exploitation to improve their economy. Appropriate technical interventions could improve the income of ‘landless’ households.

Intervention is also needed to encourage village youth to value and appreciate their traditions, which are unique to their communities, but are increasingly challenged by new religious or political leaning. Maintaining healthy social fabrics can ensure the sustainable maintenance of their community forests in the form of Asha Van or ‘Forest of Hope’. The traditional village institution is also increasingly influenced by the gram panchayat system of the government. While the gram panchayats are democratic institutions, at times there appears to be tension in balancing between the politically-oriented gram panchayats and non-political traditional institution.

It is apparent that the successful experience of the Asha Van of Toirupha is spreading across the nearby villages, who are demarcating and developing community conserved areas in their respective villages. It is strategically important to document all newly emerging community conserved areas and coordinate their efforts so that such CCA’s could be formulate as continuous patches between the adjacent or adjoining villages. Continuous patches of forests could also benefit the local wild life for their internal migrations, creating biodiversity corridors throughout southern Tripura.

**Communities Relations with Forest Department**

It appears that currently there is very limited productive relationship between the Forest Department and the Asha Van’s management. The villagers say that they have not approached the state forest department for any kind of assistance as yet, either for technical, financial or even for advice. They appear to be content with their own arrangement and current management practices. They have not collected any seedling from the department for enrichment planting. They also have not felt the need to secure assistance from the department in marketing their bamboos nor to enhance its productivity.

One of the possible reasons could be that many of the traditional communities with strong traditional institutions are generally distrustful of the Forest Department and fear they may loose their traditional autonomy over their forestland. In the present case the
community maintained that they have not felt the need to be in touch with the Forest Department, though a beat office is located Killa, just about 2-3 km from the village. It would be most appropriate for the Forest Department to identify such isolated success sites or villages and motivate them further through suitable incentives and rewards. The department must also constantly explore the type of technical interventions it can offer to such communities.

**Summary**

Women are key players, participants and beneficiaries in the management and protection of the *Asha Van* at Toirupha. A decade ago, the traditional institution of Toirupha made a decision to empower the women to manage the 300 hectare *Asha Van*, a task they have undertaken with considerable success. Empowerment of the women took place without outside influence through the recognition of the capacity and commitment of the women and an acknowledgement of the failure of men in the protection of the community forests.

Communities in Toirupha and across Tripura depend on forest resources for an enormous range of vital products and materials, as well as their ecological services. Forests also play a vital role for the community as a place of recreation and leisure, as well as for cultural and religious pursuits. The forests are especially important in the lives of women. Far more women than men among the Jamatias of Toirupha village are farmers, cutters and users of firewood, collectors and sellers of minor forest products, and herders of livestock. Collecting and using the wide variety of forest products commonly found in Tripura demand a great deal of women's time and labour. When these products cannot be grown or collected, hard-earned cash must be used to buy them. Shortages caused by disappearing resources have a severe impact on the lives of women and their children. To realize their full potential as agents of development, women need substantial control over the natural resources they use. They also need access to labor saving technologies that will improve their productivity. They need solutions that will lighten traditional burdens and ensure that women's vital cash income needs can be met. Towards this reality, the experience of *Asha Van* at Toirupha is an important example of women managed community forestry.
SECTION 4: LAND & FOREST RIGHTS - TENURE UNDER LAW AND POLICY

Community members and government officials frequently have very different perspectives regarding forest rights and authority. As the case studies indicated, communities are usually well-informed regarding indigenous rules and regulations governing use and conservation, since these are the functional and operational guidelines for daily access and distribution. Forest department and local government officials, however, refer to state and national regulations as the operating legal framework, while the district councils, which are the agencies with the greatest legal authority over most of the region’s forests, have little expertise or capacity to frame or implement policy. This section reviews the complex legal and policy framework that currently operates in Northeast India and comments regarding how it can impact forest dependent communities.

Forest administration in Northeast India sharply differs from management in the rest of India because vast amounts of forests are under “community control” and “community ownership,” as areas under special administration under the Constitution of India. The unique position that the Northeast states enjoy under the Sixth Schedule of the Constitution results from special policies and legal history that extend extraordinary levels of autonomy, as well as the vigorous persistence of indigenous systems of resource stewardship.

Within the context of the Northeast Indian states (Arunachal, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura), Community Forest Management (CFM) needs to be interpreted quite differently than it is in other parts of India, as it reflects “community ownership” and control over forests, while the Joint Forest Management (JFM) policies and programs of peninsular India operate in a context where communities possess highly limited privileges to protect and manage state forest lands. A recent study entitled Community Forestry and Policy in Northeast India14 comprehensively reviews the legal framework on forests in seven different states of the Northeast premised on the historical backdrop in which the practice of community forestry emerged. The analysis explored the special status enjoyed by the northeastern states under the Constitution of India, the various aspects of empowerment and

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participation of community based institutions, especially in the area of forest management.

The study also examines the response of the executive on the issue of participation of communities in forest management, as reflected in various forms such as the JFM orders for Northeast states. The legal study found that while there is a clear distinction of areas in the form of scheduled and non-scheduled states, there are divergences in the categorization within each of these two broad categories. As a result, the northeast becomes a mosaic of areas under different jurisdictional and legal treatments for forest lands, each with a unique policy history. The manner in which law and policy was developed from the 1840’s on, reveals several assumptions of how the areas and the administration of the areas should be managed. The myriad of laws, rules and practices in the Northeast are a reflection of the geographical inaccessibility, presence of strong tribal community, difficult terrain, and heterogeneous cultural practices.

Aside from the broader constitutional arrangements guiding governance northeastern hills communities are also affected by state level ordinances regarding resources use. A study entitled Transit Rules for Forest Products in Northeast India\(^\text{15}\) reviews the regulations relating to transit of forest produce in the Northeast, and their impact on the traditional forest management practices on the local communities. Further, the role of the judiciary becomes critical, as it has had significant impact on executive policies and decisions in recent years. Another recent report entitled The Role of the Courts and Implications for Community Forestry in Northeast India\(^\text{16}\) presents and assesses the response of the three arms of democratic institutions including the legislature, the executive, and the judiciary, on community forestry in the northeastern states of India. Both of these assessments suggest that despite the autonomy of many communities in Northeast India and their unique authority over local forests, national and state level governments are imposing legal and judicial decisions that constrain village authority over forest management.


\(^{16}\) Upadhyay Sanjay & Mishra Aporvra; 2004; The Role of the Courts and Implications for Community Forestry in Northeast India, Community Forestry International.
A Brief History of Legislation Supporting Community Forestry

When the British first entered Northeast India in the late 18\textsuperscript{th} and early 19\textsuperscript{th} century a primary concern was revenue generation. The Brahmaputra Plain held rich forest reserves and the lower hill tracks offered opportunities for tea gardens. Tribal communities that protected their ancestral territory with exceptional martial skills and commitment inhabited the more remote hill regions. After initial attempts to subdue the hill tribes, the British determined that it was better to focus their governance and enterprise in the plains and a few hill areas, leaving the rest of the region under indigenous administration. Manipur and Tripura were left under the governance of local kings or maharajas. The territory included in the present states of Arunachal, Nagaland, and Mizoram was designated to be beyond the “Inner Line,” where no outsider was allowed to go without the permission of local communities and traditional governance institutions. In essence, the British set much of the hill regions of the Northeast off-limits to lowland populations, and as a result an influx of migrants did not take place as it did in many other forest regions of India, leaving indigenous tribes in sole possession of their land and forests.

From 1874 when the Scheduled Districts Act was enacted until the India Act of 1935, the autonomy of the scheduled tracts was ensured protecting the communities, indigenous governance structures, and the forest management practices of the tribes. With independence, the region experienced a new period of political reorganization with the establishment of seven states. In the post-Independence era, based-on the recommendations of the Bardoloi Committee, a unique system of governance was evolved in the sixth schedule states, where District/Regional Councils were given powers to legislate on issues such as forest management\textsuperscript{17} as \textit{jhum} cultivation, allotment, occupation, and use of land. The intention of this action was to ensure community empowerment and the strengthening community-based institutions. According to V. Darlong, “The autonomous councils were created to protect and promote customary traditional laws, including rights and privileges over the forests and its resources, and overall forest management in the council areas.”\textsuperscript{18}

\textsuperscript{17} Except in government reserve forests.

Certain forest legislation in the northeastern states provides a supportive policy environment, one that promotes community forestry. For instance, United Khasi Jaintia Hills Autonomous District Act, 1958, gives recognition to the customary patterns of land holding,\(^{19}\) however, the management and control of these forests remains subject to the rules made by the District Council. In Mizoram, the Mizoram Forest Act of 1955 has provisions for village forest reserves & protected forest reserves, constituted for the benefit of the village community. Acts such as the Mikir Hills District (Transfer of Land) Act of 1959, and the Meghalaya transfer of land (Regulation) Act of 1971, ensure continuity of communal title within a tribal community. The Arunachal Pradesh Anchal and Village Forest Reserve (Constitution & Maintenance) Act, 1984 mandates sharing of revenue from lands at the disposal of the government,\(^{20}\) between the Government and the villagers in equal proportion.

**Government Efforts to Regulate Forestry (1980-2005)**

Despite a historic legal regime that supports community management and control there is a clear trend towards an increasing role of the state in regulating forestry, irrespective of the ownership and land pattern in the states. The Act regulating removal of timber in the scheduled state of Meghalaya and in the Non-scheduled state of Arunachal through the *Meghalaya Forest (Removal of Timber) (Regulation) Act, 1981* and *Arunachal Pradesh Forest (Removal of Timber) Regulation Act 1983* respectively, restrict the removal of timber from the states without permission from the competent authority and are two good examples of this pattern.

Further, the constitution of forest authority such as those under the *Assam Forest Authority Act of 1991*, where the forest authority is represented by no less than the Chief Minister, is a clear indicator of the intention to assume the power to control forestry irrespective of traditional practices, land tenure, and ownership patterns in the forest. The creation of forest protection forces such as those under the *Assam Forest Protection Act of 1986*, where supervisory officers of the forest department have been equated as police officers, is another extension of the trend of centralizing forestry management in the state.

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\(^{19}\) Ri-Kynti, Law-Ri-sumar, Law-Lyndoh, Law Adong, Green Blocks, Raid forests etc.  
\(^{20}\) Declared as Anchal & village forest reserves.
Legal and Policy Issues Impacting Community Forestry in Northeast India

A review of national law and court decisions, as well as state and local government laws and regulations raise a number of issues concerning the extent to which the broader legal and policy framework operating in the Northeast is supportive of community forest management. As mentioned above, there has been a trend over the past few decades for an increasing pattern of state control over forests that undermines the rights of indigenous institutions, diminishes their authority, and constrains their capacity to effectively manage these natural resources. Such challenges include the following:

**District Councils Forest Laws:** The laws and rules on forestry that have been framed by the district councils are based on the model of the Indian Forest Act of 1927 or Assam Forest Regulation with similar categorization of forests. The sole reason why the district council administration system was established in the Northeast was to protect the traditional customary practices of the people living in these areas. However, under the present scheme, the body that was created to protect the practices has adapted the same model that it was going to replace. This raises critical questions on the role of District/Regional Councils as true community based institutions.

**Jhum Cultivation:** The practice of Jhum is a significant and contentious issue in forestry management in the Northeast. It is important to note, however, that the practice of Jhum cultivation “in all cases be deemed to be a privilege subject to control, restriction and abolition by the State government and not to be a right under the primary legislation” (i.e. AFR). At the same time, the laws enacted by District Council consider it a right held by communities. Conflicting laws and policies affecting land and forests are numerous in the Northeast due to its complex legal history and there is a need to bring greater consistency to the legal framework operating in the region. This lack of consensus is reflected in the case study from East Kameng District where the local Nishis are committed to continuing swidden farming, while the state forest department continues to attempt to implement conventional reforestation projects.

**Transit Rules & Community Forestry:** Many of the commercial transit and trade rules governing forest products that were designed for private sector and industrial operators are being applied to community forestry groups. This imposes high transaction costs and constraints, especially given the capacity of remote rural populations. There is a need to
review transit rules and adapt them specifically for community managers to enhance opportunities for sustainable production and local livelihood generation. There are some special provisions with respect to the local communities, as the subsistence requirements of local inhabitants are exempted from transit rules. They can remove certain classes of forest produce free of cost, without obtaining any transit pass or permit as long as it is for personal use. Similarly the small cultivators are not required to get their property marks registered for trade and transportation of forest produce within the local limits.

 Nonetheless, if a small producer desires to market his timber he is subject to many of the regulations established for larger traders and producers. Though certain special provisions have been made for the bonafide domestic use of forest products by the local community, it is not clear if the community desires to transport forest produce for trade, specially transporting forest produce from one district to another, whether it will have to abide by official transit rules for forest products. It would thus be useful to distinguish between traders who engage in purely commercial activities, and who may even be from outside the states and local communities who may organize themselves to enter into trade for increasing income from trade in forest based products.

Change in Geographical Boundaries Necessitating Amendments in Legal Regime: The geographical boundaries of the States, especially Assam, have changed, however the rules under Assam Forest Regulation still mention certain districts that are now part of new states. As a result, what was earlier transit within the State has now become import or export to and from the state and in some cases import and export from one state to another country. Thus, there is a need to make suitable modifications in the rules to address the problems arising from change of geographical boundaries.

Variations in the Definition of Forest Produce in Different States: There are also variations in the way forest produce has been defined in different northeastern states. While surface oil, minerals, rocks are considered forest produce in Assam, Arunachal Pradesh, Manipur, they are not forest produce in Meghalaya, which means export of these items from these states, say Assam is export of forest produce, however when it reaches the boundaries of Meghalaya, it is not an import of “forest produce.” Such deviations in

21 Transport to Sylhet, Bhutan or parts of Myanmar would certainly come under this category.
definitions create ambiguities if the forest produce is taken beyond the boundaries of a State.

**Scheduled Tribes Bill, 2005:** The draft Scheduled Tribes Bill would provide new legislation that is intended to strengthen the rights of India’s tribal people to sustainably manage state forestlands. While this is one of the most supportive pieces of legislation proposed in a number of decades to secure tribal forest access in India, the impact of its application in the Northeast region is unclear. Since the inhabitants of Scheduled areas already retain strong rights to their forests, the Scheduled Tribes Bill may actually diminish or confuse their current status. While much of the language in the draft bill is consistent with existing rights, there are clauses that could be problematic including Chapter II – Forest Rights Number 4.5 (1) – Forest rights “in no case exceed an area of two and one-half hectares per nuclear family.” Many hill tribes in Northeast India have ancestral claim to thousands of hectares of forest far exceeding the 2.5 ha/household limit proposed in the bill. Further, the bill is oriented towards the “titling” of plots for households, while in the Northeast, community forests are usually held under communal management. While the bill is supportive for most tribal communities in Peninsular India, it presents major problems if applied in the Northeast.

**The Role of the Courts**

It is increasingly clear that judicial interpretations are playing a major role in shaping policies and actions of states, especially in the forestry sector. There has been a sea change in the traditional role of courts approach in recent times, especially in relation to forestry issues. The courts, especially the Supreme Court of India, have transcended their role as arbiter, to become a catalyst for the enforcement of laws and from a monitoring authority to a conflict resolution body. Some of the relevant findings are mentioned here:

**Court Appointed Committees and Their Role:** The courts have attempted to facilitate local conflict resolutions by appointing local commissioners and special commissioners to influence policy making in the country. After formation of these committees, however, the problems persist and it is now evident that the solution may not lie in formation of committees, but more effort needs to be made on executive action, which is the actual implementing body.
**Interpretation of Courts Order:** Convenient interpretation of court orders as per the convenience of the government has become as a major impediment in the implementation of court orders and the realization of their ultimate objective. This is quite evident in the case of working plans where managers of the community-owned forest were used as an excuse by state government for non-implementation of court order in the ongoing Godavarman case. Another key problem is the onus placed on petitioners who approach the Court to spend considerable time in working out alternatives as the courts neither have the time nor the expertise to get involved in evolving alternatives on its own.

**Inadequate and Unclear Representation before the Courts:** In most of the cases relating to forests brought before the courts, state representation before the court has either been silent on the issue of community participation or has presented a negative picture of the community. This approach appears to have been adopted in order to enhance state control over the natural resources. In ongoing forest related cases, the community has not been represented or has been very inadequately represented. Here the role of Amicus Curiae (friend of the court) becomes critical. It is through the Amicus that the interventions are routed and thus a lot depends on the bias of the Amicus. Neither the Supreme Court nor the High Court of Guwahati and its benches in the northeastern states have not taken any cognizance of cases relating to community participation in forest management or community rights over natural resources. An important reason for this may be the presence of a strong conservationist lobby on one hand and a relatively weak representation from community leadership or communities themselves on the other.

**Conclusion**

A close look at the executive actions of both the Union and the State Government, in respect to the northeastern states in the recent past, shows that the aspects of community participation are not adequately addressed by the State in its legislative action. District and regional council need guidance in developing forest policies that support community forestry, rather than basing their policies on national forest policies that do not reflect the needs and legal rights of local communities. District councils need to develop forest policies that blend and balance national legislation with customary rules and regulations that indigenous communities use to guide forest utilization.
There is a need for different transit mechanisms for forests under different forms of management including reserve forests, community forests, and private forests. Community-based trade in forest products should be free of transit requirements to promote forest-based livelihoods of local populations. Given the unique authority of communities over local forests, JFM orders that reflect the status of forest-dependent communities in other parts of India are not appropriate and need to be drafted in such a way that the rights of communities for their forests are reflected and not diminished by the forest department through JFM programs.

The rights of communities have not been well-represented in judicial hearings or decisions pertaining to forests and need greater representation if their legal rights are to be reflected in court decisions. There is a need for legal support to prepare briefs that reflect community resource rights, needs, and development aspirations that can be presented during court hearings regarding decisions pertaining to the forests of northeastern India.
Accurate, comprehensive economic data on forest production and revenues in Northeast India is difficult to obtain. Since the Godavaran Decision of the Indian Supreme Court, the commercial timber sector has been substantially reduced, while illegal logging continues in some areas, estimates on the values of trade in sawn or whole logs is hard to ascertain. The benefits and costs of forests in the Northeast can be better assessed in terms of their values to local communities for fuel, NTFPs, domestic timber, and as a part of the agricultural system, rather than from the standpoint of industrial timber values. At the national level, supported by the Supreme Court decision, priority is being placed on managing forests to ensure environmental services, especially hydrological function and biodiversity conservation.

The government has historically viewed forests and agriculture as separate entities. The linkages and interdependence of forests and agriculture in much of northeastern India has seldom been recognized. As a result, forest managers regarded jhum as unsustainable land use, while agriculture extension workers and scientists may regard forests as jungle growth on agricultural land. This was at least partly because the policies were developed centrally, and senior personnel were trained for a management approach in which people were considered encroachers and outsiders. Over the years, the planners and policies have continued to separate forestry and agricultural projects. This is evident in the programs being implemented by various government line agencies.

For example, the National Afforestation Program of MoEF, GOI and National Mission on Horticulture are presently targeting jhum lands and are apportioning the jhum lands for nonagricultural uses. There is a general understanding among policy planners and managers that jhum is bad and needs to be eradicated. However, new thinking is developing that acknowledges that ‘undistorted’ jhum is a viable land use, one that supports the conservation of natural resources.

Hill regions of northeastern India are predominantly inhabited by tribal societies whose livelihood is primarily dependent on agriculture, forest products and limited horticulture and cash crops. Unlike the rest of India, in this region there is often no clear-cut demarcation of forest and agricultural lands. In shifting cultivation areas the same piece
of land can be under agriculture at one time and under regenerating forest at another point of time. Some planners and managers consider this as “agriculture on forest land” while others refer to “forest on agricultural land.”

As Table 6 indicates from 1987 to 1997 alone, nearly 13 percent of all forests were under Jhum cultivation. Further in the hill states of Manipur, Meghalaya, Mizoram and Nagaland the proportion of forests under Jhum varied from 19 to 45 percent. Other forest areas may also be a part of an older Jhum cycle. It is therefore important to avoid a reliance on classical land use categories when attempting to understand land use patterns in swidden farming regions. Rather, it is helpful to view land use in terms of landscape level patterns and to study and understand the changing mosaics of land use over time.

Growing population and the needs of rural communities for a better livelihood has put increasing pressure on the community lands thus an increasing proportion of forest lands on hill slopes are being brought into agriculture making the soil and water systems prone to degradation. As a result, the following land use and socio-economic changes are taking place in the region as shown in Table 7:

Table 6: Forest Area and Shifting Cultivation in the Northeast India

<table>
<thead>
<tr>
<th>State</th>
<th>Total Forest Area (km²)</th>
<th>Area under Jhum 1987-97 (km²)</th>
<th>Percent of Forest Area under Jhum 1987-97</th>
</tr>
</thead>
<tbody>
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<td>Arunachal Pradesh</td>
<td>51,500</td>
<td>2300</td>
<td>4.5</td>
</tr>
<tr>
<td>Assam</td>
<td>27,000</td>
<td>1300</td>
<td>4.8</td>
</tr>
<tr>
<td>Manipur</td>
<td>17,400</td>
<td>3,600</td>
<td>20.7</td>
</tr>
<tr>
<td>Meghalaya</td>
<td>9,500</td>
<td>1800</td>
<td>18.9</td>
</tr>
<tr>
<td>Mizoram</td>
<td>15,900</td>
<td>3800</td>
<td>23.9</td>
</tr>
<tr>
<td>Nagaland</td>
<td>8,600</td>
<td>3900</td>
<td>45.3</td>
</tr>
<tr>
<td>Tripura</td>
<td>7,000</td>
<td>600</td>
<td>8.6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>136,900</strong></td>
<td><strong>17,300</strong></td>
<td><strong>12.6</strong></td>
</tr>
</tbody>
</table>

[Source: State of Forest Report, 1999, FSI, Dehradun]

Table 7: Land Use Trends in Northeast India

1. Total area affected by jhum has been increasing
2. Fallow period of jhum is shortening resulting into poor forest regeneration
3. Soil fertility is declining resulting in reduced or stagnant agricultural productivity
4. Availability of forest products and services is declining
5. NRM systems are becoming increasingly unstable
Soil analyses before clearing and after burning in a jhum field show that the flush release of phosphorus and potash from the ashes improves the soil fertility several-fold. The fire pushes up the pH level of acidic soils, thus improving nutrient availability, destroys seeds of weeds, and controls pests. Research by a number of international agricultural research organizations demonstrates that fire allows a steady release of nitrogen throughout the cropping season (IFAD, IDRC, CIIFAD, ICRAF and IIRR, 2001). In tropical hill areas, shifting cultivation proves to be more viable and economical than any other farming system. Several studies have indicated that the output-input ratio in both monetary and energy terms is considerably higher in shifting cultivation than in settled cultivation.

The ratio tends to improve with the increase in duration of fallow. The difficulties emerge as the fallow period is reduced, as is taking place in the case study sites in East Kameng District of Arunachal Pradesh and Senapati District, Manipur, as well as many other parts of the hills. It is common for agricultural production to fall as the number of fallow years declines, as soil fertility is not able to recover. Further the longer duration of exposure to erosive rain also results in greater loss of topsoil. As a result, the benefits accruing from swidden fall, while the costs to labor and materials either remain the same or increase. Communities are challenged to find ways to compensate by adding fertilizer, developing better soil and water conservation measures, and attempting to stabilize or increase the land pool to allow for a longer fallow.

Swidden communities are also facing a need to shift their traditional subsistence farming strategies to accommodate cash crops that can generate income for the households. As was mentioned earlier in the case studies, this often takes the form of broom grass, ginger, and pineapple. In many hill communities, farmers are planting cash crops continuously, allowing no time for a fallow period and thereby accelerating declines in soil fertility and exacerbating erosion problems. While the benefits from an increase in
household cash flow are attractive to low income rural households, and compelling, they are likely to be short-lived. The prospect is that after 3 to 5 years, these lands will no longer be able to sustain cash crops and will be abandoned, only to be occupied by aggressive shrubs and weeds such as Mikania micrantha, Ageratum conyzoides, ferns, and scrub bamboos, all of which have little domestic or commercial value. The loss of the land from the jhum pool further decreases that total available in the agricultural cycle rotation, and thereby further shortens the fallow period.

Given the scenario described above, many farmers, technical extension specialists, and researchers agree that agroforestry offers the best prospects for generating household income while protecting hill watersheds. In Umden, a town at 700 meters located between the cities of Guwahati, Assam and Shillong, Meghalaya, a Khasi retired schoolteacher has been developing commercial forest gardens that produce cardamom, pepper, vanilla, and other spices and herbs. He felt the only way to prevent villagers from felling all the forest for broom grass was to find more productive uses of the forest. Other villages are also experimenting with their own agroforestry systems, but isolation from markets, lack of adequate extension and technical support, under capitalization, and forest trade regulations and transaction costs all constrain the spread of this land use system. Wet rice farming is also being promoted in some northeast hill communities and offers opportunities to intensify land productivity. Still, most land is not suitable for terracing and irrigation, a costly process, and even where it is possible, swidden farming systems are still required to produce other important crops.

In order to optimize benefits and minimize costs to production in rural parts of the northeast, communities need to be engaged in a landscape planning process that allows them to assess their resources, explore a variety of land use options, and decide how to sustainably manage their natural resources. Once the community reaches a consensus on their landuse goals and strategies it will be easier for government and international organizations to provide the necessary support.

In developing strategies to support a “people-oriented” approach to the forest sector in Northeast India, it is helpful to examine needs and opportunities in a variety of major contexts. This report proposes dividing the region into three broad categories including:

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22 Discussion with Dolon Malai, Umden, Ri Bhoi District, Meghalaya, December 2004.
1) Lowland Plains, 2) Central and Eastern Hill Regions, an 3) the Greater Himalaya. As Table 8 indicates, each region has a dramatically different system of forest tenure, per capita forest land ratio, and forest land use pattern. As a consequence, strategies for supporting more sustainable, equitable and productive stewardship will necessarily vary.

### Table 8: Major Forest Management Contexts in NE India

<table>
<thead>
<tr>
<th>Forest Contexts (Forest ha./Capita)</th>
<th>State</th>
<th>Dominant Forest Authority</th>
<th>Primary Forest land Use</th>
<th>Future Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowland Plains (0.14-0.23)</td>
<td>Assam and Tripura</td>
<td>Forest Department</td>
<td>Traditional institutions with little control, except in district council areas, otherwise forest management largely government driven</td>
<td>Mixed forests for timber production</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>joint protection in Protected areas</td>
</tr>
<tr>
<td>Central and Eastern Hills (0.54-2.32)</td>
<td>Assam hill areas, Manipur, Meghalaya, Mizoram, and Nagaland</td>
<td>Communities</td>
<td>Traditional, strong control and effective</td>
<td>Swidden/Jhum land pool, NTFP and domestic and local markets Sacred and Watershed forests</td>
</tr>
<tr>
<td>Greater Himalaya (6.0)</td>
<td>Arunachal</td>
<td>FD and Communities</td>
<td>Traditional, loose control and partially effective</td>
<td>Formal Silviculture and traditional Jhum – forest gathering systems -Formal and indigenous conservation</td>
</tr>
</tbody>
</table>

### Executive Policies and National and International Programs

There is much to build upon in creating community-based protected areas networks including strong indigenous traditions of nature conservation and forest protection. Community forest management systems have existed in diverse forms throughout Northeast India for centuries and continue to be the primary mode of forest conservation and protection in that region. Community forest protection has been a key mechanism in guarding the region’s immense biodiversity. Yet, these community-based forest management systems are under growing external pressure from national and state governments and the private sector, as well as being internally undermined by cultural change and commercialization. If traditional institutional authority is diminished, indigenous forest conservation mechanisms are weakened leading to forest
fragmentation, degradation, and loss. The privatization of once “communally” held forests and watershed typically leads to their deforestation and conversion to agriculture. As the landscape of the uplands of the Northeast is denuded of forest cover, much of the unique flora and fauna disappear.

Three program strategies that have attempted to support community-based forest management and enhance local livelihoods over the past five years have been the National Government Scheme under the Joint Forest Management (JFM) program, the participatory natural resource management project being funded by the International Fund for Agricultural Development (IFAD), and the Community Forestry Alliance for Northeast India supported by CFI. The following discusses both strengths and weaknesses of these initiatives.

**Joint Forest Management**

Over the past five years, the Government of India has been investing tens of millions of dollars in participatory reforestation projects in Northeast India under the national Joint Forest Management (JFM) scheme. Support for community-based forestry activities is clearly needed. In a number of cases, state forest department staff are finding ways to adapt national JFM scheme resources ways to allow them to support indigenous forms of management and priorities. Given the different characteristics between indigenous forest management systems and state management systems, it is difficult to interface them. For example, as illustrated in Table 11 the management institutions, planning and decision-making processes, activities, and objectives are strikingly different. Not surprisingly many JFM projects are poorly designed and fail to respond to community needs and priorities. With few exceptions, current JFM programs are top-down, and create new institutions by by-passing indigenous community forest management institutions, while having limited interaction with local government organizations.

A preliminary review of recent JFM orders suggests that both in scheduled and non-scheduled states of the Northeast, these implementation guidelines do not reflect the complex policy history and social context of forestry in the region. For example, a number of JFM orders issued for sixth schedule areas provide no linkage between District Councils and the JFM committees. The powers of the Forest Department to revoke or cancel the individual membership to JFMCs, or dissolution of the committee, raises
questions regarding authority and responsibility over JFM as a means of facilitating community forestry management in Northeast. Rights and responsibilities invested in many northeastern communities over the past century are often not reflected in new JFM orders and programs. There is a need to reassess the “rights,” “concessions,” or “privileges” vested with the local community. It is apparent that several of historic concessions and privileges have either been revoked or have not been granted to the present forest dependent communities in the Northeast based on the JFM orders.

As one Forest Conservator notes based on his experience in Arunachal Pradesh “…the present approach for formulating a top-down macro-plan for the Village Forest Management Committees (VFMCs) under a Forest Development Agency (FDA), broadly based on ocular assessments, needs to be replaced with a detailed bottom-up micro-plan in consultation and with full participation of the communities.” He further notes that “The present target based approach makes it more a forced program where sufficient time is not given to the department and the communities... More often than not such a rigid target driven push has resulted in failures.”

The dilemma with the National JFM scheme is to find ways to access the resources so that they can be used flexibly to respond to community resource management problems and priorities. Given that this program was developed as an India wide strategy, it was not planned to respond to the socio-political, legal and cultural conditions of the Northeast. While the incentives to participate are attractive to forest-dependent peoples in much of India, given that they extend formal use rights and territorial responsibilities, by contrast northeastern hill communities are often required to share their rights with government to obtain assistance with tree planting projects.

**IFAD NRM Project**

Another strategy being introduced in Northeast India is the participatory natural resources management project funded by IFAD and being implemented in Meghalaya, Manipur, and Assam. This project draws on IFAD strategies from other parts of India, but appears to have somewhat greater flexibility than the JFM scheme. Several innovations that have helped this project to achieve impressive results has been the engagement of NGOs in

training and extension, the reliance on the formation of micro-finance Self Help Groups (SHGs) to create a fiscal management capacity within the community, and the use of participatory assessment, mapping and planning methodologies. The challenge for the IFAD funded initiatives is to find ways to sustain support after the project terminates.

**Community Forestry Alliance for Northeast India**

A third project is the Community Forestry Alliance for Northeast India (CFANE) that is being funded by Community Forestry International. This relatively modest initiative began with the formation of a multi-stakeholder working group to review the problems and opportunities confronting community resource stewardship. In 2005, the program initiated pilot activities in Meghalaya and Manipur to assist communities, forest departments, NGOs, and local government to collaborate in supporting CFM. The program is currently supporting the formation of Sacred Forest Networks, community – district council dialogues, multi-stakeholder workshops, and other innovative activities that seek to create novel approaches for CFM support. Drawing on the IFAD experience, CFANE partners are supporting community-based landscape level planning activities as well as the formation of SHGs to manage community assets. In 2006-2007, the program plans to initiate an environmental service payment program with community partners for biodiversity conservation and carbon capture, though replication of these pilots will depend on other agencies.

**Table 9: Comparison of Indigenous and State Forest Management Systems in NE India**

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Indigenous Forest Management</th>
<th>State Forest Management And JFM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Institutions</td>
<td>Indigenous organizations</td>
<td>State Forest Departments</td>
</tr>
<tr>
<td></td>
<td>Traditional leaders – District Councils</td>
<td>With VFMC and FDA</td>
</tr>
<tr>
<td>Planning and Decision Making</td>
<td>Consensus decisions based on local knowledge and community needs</td>
<td>FD authority with Top Down planning decisions – Target-driven schemes and policies</td>
</tr>
<tr>
<td>Activities</td>
<td>Rotation and allocation of forest blocks for jhuming</td>
<td>Tree Plantations</td>
</tr>
<tr>
<td></td>
<td>Protection of watershed and sacred forests</td>
<td>Soil and Water Conservation Projects</td>
</tr>
<tr>
<td></td>
<td>Equitable distribution of forest products</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Resolution of disputes</td>
<td></td>
</tr>
<tr>
<td>Outputs and Goals</td>
<td>Manage timber and NTFP production, Restore soil fertility for Jhum through regeneration, Maintain hydrological functions of watershed</td>
<td>- Implement Schemes according to guidelines</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Achieve Targets – Spend budgets on schedule</td>
</tr>
</tbody>
</table>
Conclusion

There is ample evidence that the Northeast’s farmers are eager to improve the productivity and management of their forests and farmlands. Production systems and technologies are emerging that can respond to the dual challenges of raising income levels while ensuring sustainable natural resource use. Field level projects are finding that it is important to address the need for resource and livelihood security. Part of this approach involves identifying rural development investments strategies that have a long term impact on target populations and environments. IFAD has found that it is important to empower tribal women through the formation and capitalization of Self-Help Groups and to assist them to secure rights over their assets through registration and the establishment of bank accounts.

Community federations can also serve a variety of supportive functions including providing training support to SHGs, representing SHGs with local government, rural banks, line agencies and other organizations, addressing social issues (e.g. mass weddings, etc.), and resolving conflicts. Learning from Andhra and emerging experiences from the IFAD project clearly demonstrate that creating financial management capacity at the village level can be a strategic component of improved forest management strategies, as it builds a basis for undertaking productive enterprises. The community, rather than technical agencies or outside contractors, should manage small development projects. This empowers the community in decision making ensuring that activities reflect community needs, instills a motivation for ongoing operation and maintenance of infrastructure and assets created, and contributes to the development of capital within village funds.

Hill communities in Northeast India can also draw on experience from Southeast Asia. Sharing many of the agro-climatic features of that region, and given the growing interest of northeastern farmers in agroforestry and commercial tree crops, learning from Thailand, Indonesia, Malaysia and other neighbors to the East has considerable relevance. For example, in Krui District in South Sumatra, community networks have developed extensive forest gardens that produce millions of dollars in resin (form the Shorea javanica tree) with an understory that is a complex mix of climbers, herbs and shrubs used for spices, medicinal materials, fruit, fiber and other products. This system operates under customary (adat) laws and institutions. Krui’s 50,000 hectares of
community-managed agroforests also provide a buffer zone for the Bukit Barisan Selatan National Park. Biodiversity studies show that the agroforests support much of the flora and fauna existing within the protected area, creating an expanded wildlife area.

CFANE has found community forest network building can help guide decision-making regarding strategic investments in development activities. Networks can also promote environmental service payment strategies and goals by linking community institution building, livelihoods, and natural resource projects. IFAD’s experience in Andhra Pradesh demonstrates the effectiveness of direct contracting of small projects through community-based institutions.

Unfortunately, ongoing resource use transitions are often constrained by government policies and programs that are unsupportive, conflicting, or fail to address key needs. The private sector may also create problems by promoting land use practices that are profitable in the short term, but have serious long-term consequences. There is a need for a consistent and enabling policy framework that supports indigenous institutions, extends resource security, and provides technical and financial support in a strategic manner. Incentives need to be created that encourage communities to sustainably manage their forests and farmlands and allows them to gradually integrate new production activities into their ongoing resource management systems. Such strategies will need to be adapted to different contexts within the Northeast, both in terms of their legal history and status, as well as their cultural and ecological characteristics.

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Forests represent one of the most valuable resources in Northeast India. In recent decades, the condition of the region’s forests has deteriorated steadily. A number of strategic actions are required on a variety of levels to address the underlying causes of forest degradation and to ensure that important environmental services are sustained and the livelihoods of 35 million Northeastern families are not undermined. A major challenge for external efforts is to find ways to support indigenous communities that hold legal responsibility for resource management in much of the hills and mountains of Northeast India. They key will be to facilitate and respond to local concerns and needs, building on local knowledge and leadership. As Jawaharlal Nehru wrote over fifty years ago:

*People (tribes) should develop along the lines of their own genius and we should avoid imposing anything on them. We should try to encourage in every way their own traditional arts and culture.*

The following recommendations are suggested as necessary steps to promote forest management in the Northeast:

1) **Indigenous Community Institutions (ICIS)**

**Problem:** Throughout northeast India Indigenous Community Institutions (ICIs) continue to play a vital role in managing village society and natural resource use. Yet, these ICIs are under growing pressure and receive little external support or recognition. ICIs frequently have weak linkages with government line departments and agencies and financial institutions, in part due to their diversity, complexity, and their varied constitutions, composition, and functions. These factors constrain the inflow of financial and technical assistance.

**Actions Required:** There is a need to strengthen ICIs to allow them to function effectively and interact with outside actors. Appropriate policy reforms are required to include ICIs in government programs and schemes, and provide support for capacity building within the ICIs to enable them to function in a democratic and transparent manner, ensuring social and gender equity. It is necessary to identify common parameters among different ICIs and develop guiding principles, processes, and
mechanisms that allow better interface between the local government, technical agencies and the ICIs.

2) Formal Recognition of CF Areas

Problem: While recent legal reviews clearly indicate that communities hold management rights and authority for much of the upland forests in northeast India, there is little formal acknowledgement or documentation of community forestry areas. The absence of a systematic inventory of community forest lands has undermined their formal stature and constrained forest department capacity to support them.

Actions Required: State Forest Departments in Northeast India should review all Unclassified State Forest (USF) lands and reclassify those under community and local government jurisdiction as community forest lands. Communities should be assisted to map and demarcate their forest areas, using participatory mapping, cadastral surveys, or 3D mapping depending on their preference. The mapping process should be supported by the Autonomous District Councils, Forest Departments, local NGOs and community support networks existing in the concerning areas. Community and clan forests should be registered by ADCs.

3) Strengthen Community Forest Management Rules

Problem: ICIs function on the basis of traditional and customary laws while the government agencies operate through national and state policies and laws without any coordination or convergence. Traditional rules and regulations for natural resource use are often un-written and un-registered making it difficult for government or other external agencies to recognize them and develop supportive interventions. As a consequence, there are two parallel systems of law functioning with virtually no interface. The minimal recognition by the formal legal institutions of customary law, in part, has led to the erosion of many ICI’s authority within the village.

Actions Required: Traditional community resource management rules and regulations require review and updating to respond to changing land, forest and water needs. Documentation, combined with community awareness building, will help to formalize regulatory frameworks and re-assert their effectiveness in arbitrating forest protection and management. ICI’s need to give more consideration to gender balance as women are
major stakeholders in NRM. ICI resource management institutions need to be encouraged to include women and low-income members as active participants in guiding village policies and practices.

4) Develop Community-based Landscape Level Management Plan

**Problem:** Northeast cultural communities have managed resources at a landscape level for generations. Expanding settlements, privatization, and diversion of *jhum* lands for cash crops has taken land out of the communal “*jhum* land pool” resulting in a shortened *jhum* cycle, as well as disrupting traditional resource use practices.

**Actions Required:** Communities need support to review their land, forest, and water requirements to formulate forward-looking resource management strategies. Communities resource planning capacity should be strengthened through trainings, cross-visits, and workshops to allow members to identify and demarcate areas suitable for *jhum* and maintain and enforce a sustainable *jhum* cycle (ideal being 20-30 years, with a minimum of 10 years). As part of a resource planning activities, communities also need to identify develop alternate land use systems for areas not suitable for *jhum*, as well as to enhance soil and water conservation and adopt improved technology to enhance productivity of *jhum* systems and ‘home gardens.’

5) Policy, Legal, and Judicial Change to Create an Enabling Environment for Community Forest Management

**Problem:** The Forest Conservation Act, the Supreme Court orders on tree felling, some centralized state forest acts, and restrictive state level forest transit regulations all combine to create barriers to community-based forest production. Such government actions have placed major impediments to livelihood generation in Northeast India, a region where rural communities are heavily dependent on forests for income. While legislation and court decisions are well-intentioned attempts to foster sustainable forest management certain laws and policies have had a perverse impact creating disincentives for sustainable forest management.

**Actions Required:** The rights of rural communities in northeast India have generally not been well represented in judicial hearings or decisions pertaining to forests in past decades. Community perspectives need greater representation and expression if their
legal rights and needs are to be reflected in court decisions. District and regional councils need guidance in developing forest policies that support community forestry rather than basing their policies on national forest policies that do not reflect the needs and legal rights of local communities. To encourage sustainably productive forest management by communities, there is a need to eliminate harvesting and transport permitting requirements where possible and create “free forest trade zones for community enterprises” in upland areas of the northeast. Community networks should be established or strengthened to “self-monitor” environmental impacts of small-scale forestry enterprises.

6) Forest Department Priorities, Attitudes and Operational Practices

Problem: While many state forest departments in Northeast India possess staff with experience and understanding of cultural communities, the formal orientation of the region’s FDs operational systems are very similar to forest departments in Peninsular India. This has undermined the effectiveness of FD efforts in the northeast as the policy, legal, and cultural conditions are far different than in other parts of India.

Actions Required: Forest department staff need additional orientation regarding indigenous resource management institutions, traditional rules and regulations, and territorial authority. FDs should respect and support the boundaries of CF areas and assist them in establishing communal titles, while coordinating with Autonomous District Councils (ADCs) and assisting them to formulate effective forest policies, laws, and working plans for their areas.

7) Joint Forest Management Scheme

Problem: Joint Forest Management Schemes were designed for areas designated as reserve and protected forests in peninsular India in order to provide rural communities with benefits in return for assistance with protection and regeneration. In the uplands of Northeast India communities already hold management rights for forests and face different management problems. The JFM Scheme needs to be reoriented at both the policy and field project level to reflect these differences, support ICIs, and create incentives for sustainable forest management.
Actions Required: State Forest Departments in the Northeast should update their JFM resolution after consultation with communities and local government. Involve Autonomous District Council representatives in Forest Development Agency and Joint Forest Management Committees. Switch from a plantation emphasis to the assisted natural regeneration of degraded forests and stabilize jhum areas through participatory landscape planning activities including innovative fallow land management. Help establish financial viability of community management organizations through revolving funds capitalized by JFM project activities. Assist communities to secure and demarcate forest lands in coordination with Autonomous District Council, setting aside watershed conservation areas and sufficient forest lands for long rotation farming and reclassifying relevant USF as Community Forest Areas (CFAs). JFM programs should provide small grants to indigenous resource management institutions to hold meetings and conduct planning and monitoring exercises, for capacity building activities.

8) Privatization of Communal Lands

Problem: Throughout northeast India, much of the forest land has been legally held by communities and clans. In recent decades there has been growing privatization of these communal lands, often resulting in their alienation from the community and their possession by absentee landlords. This process has reduced the amount of land available for jhum cultivation, shortening the fallow period and has put increased economic pressure on low-income families. Privatization of communal lands also frequently results in the clearing of forest cover.

Actions Required: All community and clan forests need to be mapped, demarcated, and registered with Autonomous District Councils (ADCs) and concerned governments departments. Forest departments should provide technical support to the ADCs and communities to assist them with technical aspects of forest mapping and boundary demarcation, and registration of communal lands. Forest department and ADC should work collaboratively to support community forestry areas and assist them to develop management plans and activities. Where privatization is already taking place as part of ongoing agricultural transitions, communities should attempt to agree on land ceilings and ensure that privatized land remains with community residents.
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