

# *Land & Adivasis*



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## FOREST BASED COMMUNITIES IN CHANGING LANDSCAPES

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### NGOs covered in this publication

- Jana Jagaran, Belgaum, Karnataka
- Centre for Community Development, Gajapati, Orissa
- Seva Mandir, Udaipur, Rajasthan
- Keystone Foundation, Nilgiris, Tamil Nadu

### Supported by

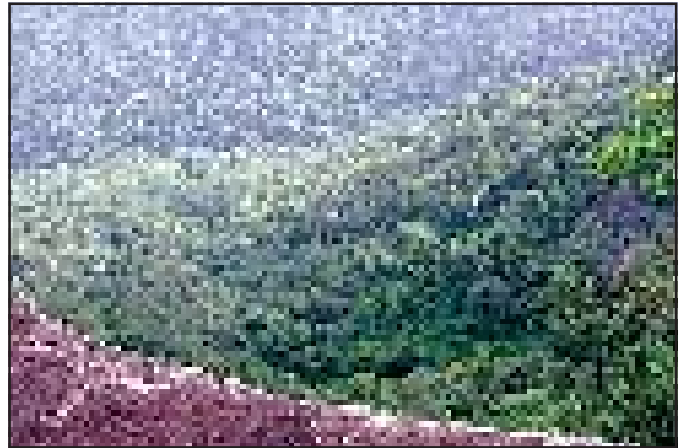
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**Neelima Khetan**  
CEO, Seva Mandir

Centre for Community Development

Jana Jagaran

Seva Mandir

Keystone Foundation



## Why this study?

Traditionally, indigenous communities in India have been dependent on forest and common lands to fulfil their livelihood and cultural demands. However, land use, access and governance have altered dramatically over the last century, often resulting in conflict, degradation and privatisation of such areas.

Yet beyond this generalisation, processes such as colonial rule, population pressure, land tenure patterns and changing access have had different meanings in different regions and cultures of India. In this way, current common land issues faced by each region and community are the consequence of a unique history, demanding that development initiatives must necessarily be context-specific.

This study is an attempt to understand the specificity of common land-based issues across four Indian states. The four participating NGOs (Non-Governmental Organization) have a shared goal of working towards sustainable rural livelihoods and income security in their reference communities, but work in very different environments.

These diverse contexts have shaped the organisations' distinct approaches and strategies to development work. This study has been an opportunity for each NGO to step outside of its field of reference, to share understanding on the different concerns related to commons and forests as well as the diverse approaches required to address these issues.

### The overall objectives -

- To understand issues regarding access and usage of common land especially forests in four diverse Indian contexts.
- To explore the different initiatives adopted by stakeholders and NGOs in such environments.

## The KIT Network

The KIT Network consists of four NGOs:

Seva Mandir (Udaipur, Rajasthan)

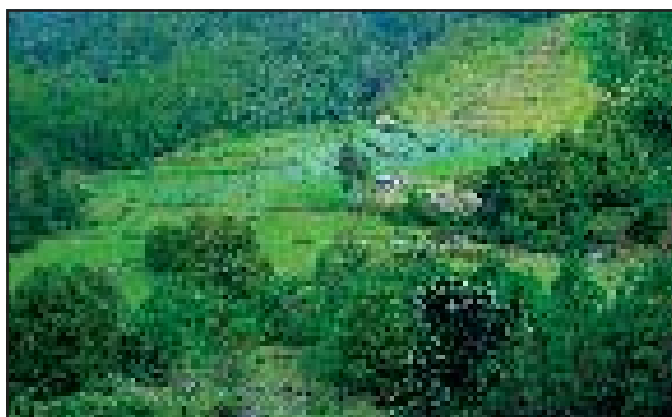
Keystone Foundation (Kotagiri, Tamil Nadu)

Centre for Community Development (Parlekhemundi, Orissa)

Jana Jagaran (Belgaum, Karnataka)

The Intercooperation KIT Network has been operational since 2005. During the partner workshop held in November 2005, a session was held on indigenous people where interventions affecting the livelihood of these people were discussed.

With regard to livelihoods, land-based issues were considered to be the most importance focus. It was proposed that a knowledge-share network be established to exchange experiences on land, livelihoods and institutions. Seva Mandir coordinated the study on land, and this report forms a part of the final output.



## PHYSICAL CONTEXTS

### Nilgiri Biosphere Reserve, The Nilgiris, Tamil Nadu

The Nilgiri Hills are famous both for their distinctive adivasi (indigenous people) communities and for their unique ecological environment. The district currently encompasses 142,577 ha. of forest, which constitutes 57% of the district area. Of this, 137,192 ha. or 92%, are designated as Reserved Forest areas, to which access is tightly controlled. The indigenous people of the hills include the pastoral Toda, the Kota artisans, and a number of hunter-gatherers and shifting cultivators, such as the Irulas and Kurumbas.

Historically, the hill adivasi communities inhabited the forests in a synergistic and sustainable fashion, making use of forest products, growing subsistence crops and migrating across grasslands with their herds. However, population increase, changing land use, tea plantations and tourism have dramatically altered livelihood opportunities in the hills and combined with restricted access to forest areas has led to widespread deforestation and degradation of the environment.

In this context, the Nilgiri Hills present a combined humanitarian and ecological dilemma - how to protect and rejuvenate the unique biodiversity of the hills whilst ensuring sustainable livelihood opportunities for the adivasi groups who traditionally relied on the forests for survival. Currently, this is not being achieved - in many cases, adivasi communities have been seriously alienated by conservation measures, notably where forest areas have been completely closed, preventing their forest-based livelihoods.<sup>1</sup>

### Primitive Tribal Groups, Gajapati District, Orissa

Orissa is the second poorest state in India with one fifth of the population classed as Scheduled Tribes of which, thirteen tribes have been classed as "Primitive Tribal Groups".<sup>2</sup> Such communities are traditionally reliant on livelihoods derived from forest products, but traditional tenure systems have been dramatically modified by increasing pressure on land,



reservation of forests, imposition of settled tenures, and interaction with markets. In the south of the state, 87% of the scheduled tribe population now live below the poverty line, compared to a state average of 50% for the population overall.<sup>3</sup>

Forests in Orissa are classed under three categories, with different levels of access accorded to each. Reserve Forest accounts for 50% of the forested area, Protected Forest for just over 25%, and Other Forest (including village forests) makes up one quarter. Rights and privileges of local communities vary by the type of forest - restricted in reserved forests and more liberal in protected forests. Village forests are generally treated as open access lands with no investment from government, and are generally extremely degraded except where community protection has started.<sup>4</sup>

Gajapati district is situated in southern Orissa, a district characterised by a low literacy rate and very low standards of living for many of the people. The region is notable for its high population of primitive tribal groups inhabiting an area of undulating terrain, where traditionally they practised shifting cultivation in addition to hunting - gathering practices. Approximately 93% of the rural households in this district have legal title on only 9% of the district's land area. One of the major development issues facing the rural poor of the district relates to unsettled landholdings, which has left many tribal communities classed as encroachers on lands that historically they inhabited.

<sup>1</sup> Tiwari (2006)

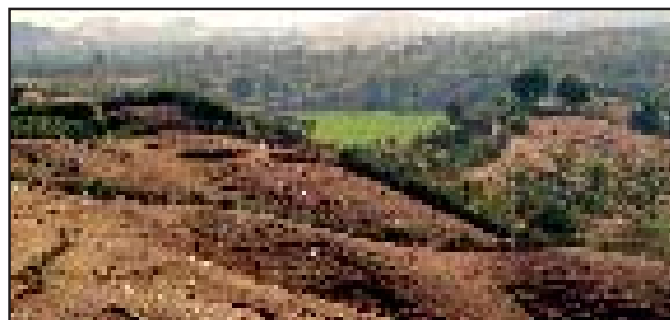
<sup>2</sup> Kumar (1998), <sup>3</sup> World Bank (1998), <sup>4</sup> Saxena, (1996), Singh (1995)

## Pastoralists, Belgaum District, Karnataka

Unusually, in Belgaum, there is very little common land remaining. Commons currently make up only 19.4% of the district area. 14% is forest land, which is concentrated in the southwestern region in the Sahyadri Hills. Belgaum is home to the Kuruba pastoralist community, 80% of whom are landless shepherds or labourers, whilst around 20% own land and keep large ruminants.<sup>5</sup> Pastoralists form an important sub-section of the animal husbandry sector in the district which is predominantly herding sheep and goats. In this area, they tend to migrate for short periods of a few months, combining nomadic animal husbandry with small-scale crop cultivation in their 'base' villages.

The high rainfall and evergreen tree cover make the Sahyadri forest lands unsuitable for the pastoralists' small ruminant herds, yet the few remaining common grazing lands in the district (which are, in any case, highly degraded and poorly managed) are generally reserved for the grazing of cattle and buffalo. Fodder is instead sourced through crop residues - traditionally, pastoralism and crop cultivation have been integrated and synergistic; land owners appreciated the manure provided by herds grazing on their harvested fields and compensated pastoralists in cash or kind.

However, modern agricultural processes have affected the sustainability of this relationship, undermining livelihood security amongst the Kuruba shepherds. The major features of this context then, are the lack of grazing opportunities and how the shepherd communities can sustain themselves in such an environment.



## Adivasi Areas, Udaipur District, Rajasthan

The Aravalli Hills are the dominant geographical feature of Udaipur District, and one of the oldest mountain ranges in the world. Common land makes up 73% of the district, with forestland at 42%. Tribals account for 48% of the population, and 74% within the programme area of Seva Mandir. The predominant adivasis are the Bhils and Minas, who are now mostly marginal peasants and landless people.

Small and marginal farmers dominate the agricultural landholdings. Around 50% of the holdings are marginal (less than one hectare) while 25% of the holdings are between one and two hectares. Agriculture is primarily rain fed and less than a quarter of the agricultural land is irrigated. For these communities, the forests and commons make significant contributions to their livelihood; NTFP (Non Timber Forest Produce) and fodder are collected from the forests while other Common Property Resources such as the pasturelands are essential for livestock grazing. Not only do these resources have a direct impact on income security, but indirectly, the health of these commons is of great significance in determining the productivity of agriculture and animal husbandry overall, due to the commons' role in ensuring soil and water security.

Yet in many areas, despite the significance of common land to village livelihoods, people do not ensure the sustainability of the resources, and commons are often degraded and rife with encroachments. The issue of tenure rights on the commons is often a major factor in the strength of the institutions that determine the use of commons in general and forests in particular. One of the major hurdles faced in trying to secure the long-term viability of commons in the area has been encroachment. It has been realized while working with village institutions that if the forests have any trace of private ownership, (in the form of encroachment) the stakes/interests of the other villagers tend to get diluted. This can then become an outlet for old animosities to surface leading to a possible breakdown of village institutions and cohesion.

<sup>5</sup> Vyas (2006)

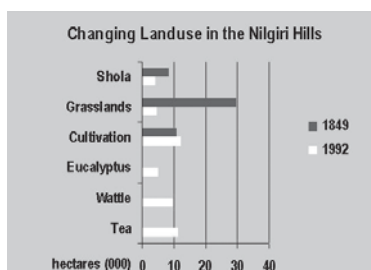
## HISTORICAL LANDSCAPE: CHANGING TENURE AND GOVERNANCE

### Adivasi Livelihoods Constrained by Commercial Plantations and Conservation in the Nilgiri Hills

Before the arrival of the British in the early 19th century, the Nilgiri Plateau was an isolated region and the adivasi groups inhabiting it had little external contact, due to the inhospitable climate and terrain of the area, which featured difficult passes and malarial jungles. The indigenous communities had no monetary economy; instead livelihoods were based on a ritual of exchange centred on the native forests and grasslands. Although initially the British settlers recognised the legitimate proprietorship of the adivasis over the lands they occupied, this did not last. In 1843, it was decreed that the proprietary right over all lands rested with the state, giving the British authorities a free rein to appropriate lands for new purposes.

It was the British who first introduced tea to the area, and rapidly vast areas of indigenous forest and unique grassland habitats were cleared for plantations; by 1950, tea cultivation covered 9000 ha. of the hills.<sup>6</sup> After Independence, tea cultivation continued to soar, and by the 1980s the agricultural economy of Nilgiris became essentially monocultural, much against the advice of environmentalists and soil scientists. Despite a major crash in tea prices in the late 1990s, tea remains the backbone of the district economy, being grown on nearly 70% of the cultivated land.<sup>7</sup>

To prevent further deterioration of valuable natural regions, in 1986, the hills were identified as a biodiversity hotspot and the Nilgiri Biosphere Reserve was established. The protection of this region is essential not just for the conservation of endangered and endemic species of plant and animal life, but for humanitarian reasons as well, particularly with regards to water security since the Nilgiri forests act as a sponge, ensuring water through the year, to the plains below.



### Disputed lands and settlement in Gajapati

The origins to the skewed land ownership apparent in this area lies in the fact that communal landholdings and swidden (shifting cultivation) in Orissa were never settled with respective adivasi communities. During the pre-British period, most tribal areas were comparatively autonomous with high degrees of political and economic independence on the borders and peripheries of kingdoms.<sup>8</sup> The British period led to increased incursion of state and administration in these areas, where it was often resisted violently, and the extension of state power to remote tribal areas was thus an uneven process, based in conflicts and conquests.<sup>9</sup>

Most swiddening tribes broadly cultivated four types of land - valley bottom paddy lands or wetlands, homesteads/ backyards, uplands and swidden or shifting cultivation fields. Some adivasis such as the Saoras also prepared terraced lands. However, the increasing importance of forest- (timber) based revenue led the British rulers as well as the princely estates to classify more and more areas as forests, imposing restrictions upon the adivasis to use their traditional lands. Such restrictions were often instrumental in sparking adivasi unrests since the state takeover of forested lands was based on non-recognition of customary adivasi land rights over these areas. In such a way, land was conceived by the state as either private or state property, rather than in terms of a territory that a village held in common.<sup>10</sup> Most lands were settled either as forest land or as government revenue land, legally leaving many adivasis, landless or marginal landowners. In practice, however, much of the land designated as 'forest' is still under cultivation by adivasi communities and is treated as encroachment by government authorities. The status of many forest areas in Gajapati District is therefore disputed.

<sup>6</sup> p.78 Venugopal (2004), <sup>7</sup> <http://nilgiris.nic.in>

<sup>8</sup> Padel (1995), <sup>9</sup> Pati (1993), <sup>10</sup> Ibid

## Shifting Resource Dependencies in Belgaum

The lack of common lands in Belgaum is a consequence of the diversion of such lands to other uses. In Karnataka state, the first Conservator of Forests was appointed in 1864 and it was from this date that rules regarding felling and preservation were first developed. Initially forests were seen as the main source of State income and therefore forest management was mainly based on a reservation policy of consolidation. Some forest blocks were protected from fires and grazing, closing them from the communities who traditionally relied on such areas. However, common lands were recognised as areas to meet the needs of local people, and occupied nearly twice the area of the forests.

Following Independence, however, much emphasis was laid on developmental activities, which took a heavy toll on the forest wealth of the State. Forestry as a form of land use was not recognized until 1974, when the Karnataka Forest Act was amended. In 1975, the State Government undertook extensive redistribution of lands, with many common lands divided into plots and allocated to landless people. In the 1980s, *samaj parivartna* (social reform) brought further land distribution to landless and marginalized people, further increasing the diversion of common land to private use. Commons now occupy only 19.4% of Belgaum District, and extreme pressure on such tiny resources means they are now severely degraded.



## Access and Management of Forest Resources in Udaipur

The arrival of Rajput communities to the Aravalli Hills gradually displaced the Bhils, pushing them to upland areas. By 1900, the area comprised large villages inhabited by Rajputs and other communities, surrounded by dense forests that were home to adivasi communities. Conventional agriculture was practised in the valleys whilst a variant of slash-and-burn agriculture, termed *walra*, was usual in the forests. Gradually, in the first half of the 20th century, adivasi groups moved towards settled agriculture as they laboured under a feudal system for local *thakurs* (landowners).

Independence in this region saw three powerful processes: the demise of the feudal system, the arrival of the forest department with its revenue mindset and the process of land settlement that created new boundaries. Many lower caste and adivasi cultivators did not possess clear land titles and so lost out to higher castes who appropriated titles to the best arable lands pushing adivasis to the hilly peripheries. After Independence, the value and extent of natural resources available to rural people diminished greatly due to over-exploitation by the state, as well as injustice due to ad hoc surveys and settlements. In the last few decades however, access to commons and especially forests has been dictated more by influential people in the form of privatisation of forest land through encroachments.

Simultaneously, the forest department followed a 'preservation by exclusion' policy, preventing local people from accessing forests. These processes had the dual impact of alienating people from the forests as well as causing resource degradation. Following the National Forest Policy 1988, the central government initiated a new collaborative Joint Forest Management (JFM) initiative between local people and the Forest Department (FD). In return the villages are entitled to the usufruct rights of forest resources, although this has not been without its implementation problems.



## THE ISSUES

### Uniting Conservation with Livelihoods of Indigenous People, Nilgiri Hills

Long-term implications of tea cultivation have been far reaching. For adivasis, it has meant marginalisation from traditional lands, a new monetised economy, enforced systems of land tenureship and restriction to demarcated village areas. Massive immigration to the hills has hugely increased pressures on land resulting in reduced land productivity and food insecurity. The monopolisation of land by estates and plantations has marginalised adivasi groups, who tend to have the least socio-political leverage. Unclear boundaries have left them susceptible to encroachments by larger estates and/or higher caste, more powerful individuals. Toda *patta* lands, in particular, have been subject to encroachment. In many ways, then, the issues faced in this district are not as simplistic as Humans versus Environment, but are more closely related to the conflicting interests of capitalist agricultural production and those of indigenous communities.

Given the close relationship between water security and the native forests as well as the reliance of adivasi groups on forest products, environmental conservation is clearly not a discrete issue from humanitarian development. However, the total protection of biodiversity sites through the creation of reserves can come at the expense of the socio-economic development of those who rely on such habitats for survival, since they may be denied access to the forests and/or their products. Adivasi communities in the Nilgiris thus face two inter-related obstacles; firstly the appropriation of much of the forest area for plantations, which has dramatically increased pressure on remaining resources and compounded environmental degradation, and secondly, new legislation restricting access to the forest and grasslands, which whilst attempting to protect biodiversity has also emphasised conservation at the expense of adivasi livelihoods.



### Inconsistency between Customary Use and Legal Titles to Forest Land, Gajapati

In Gajapati, the fact that much of the land customarily cultivated by adivasis hasn't been settled with them, has had major implications for their livelihoods. Combined with ineffectiveness of laws to prevent transfer of adivasi *patta* land to non-adivasis, this has led to loss of access to land and criminalization of customary landownership systems. Lack of ownership has led to adivasi communities being deprived of livelihood security as well as being denied any chance to benefit from government development schemes. At the same time, the state government has found it very easy to divert customary adivasi lands for development and conservation projects, as legally most of this land is government land. Thus, although 48% of Orissa's land area is categorised as forest, much of these 'forest' areas are actually under cultivation, whether permanent or shifting. However, most of these 'encroachments' have not been deliberate acquisitions by adivasi people of lands but are a result of faulty settlements or implementation of policies.

In 1972, the Government of Orissa established laws and procedures to regularize such cultivation on forestland; however, operational issues have meant the Orissa Government has so far not been able to regularize such lands, even after the FCA (Forest Conservation Act) was enacted in 1980. Thus, almost all cultivation on forestland which should have been regularised is still pending and cultivators are being treated as encroachers on their own lands. The people affected are generally the poorest and most marginalised with little political organisation and are therefore ill equipped to deal with the highly complex sets of rules and formalities related to revenue land and forests. These processes have caused massive alienation from forest-based livelihoods, and continue to be the most important reason behind persistent poverty and unrest in these areas.

## Conflict between Settled Agriculture and Pastoralism in Belgaum

The lack of common lands in the district has presented shepherds with several livelihood choices; these include abandoning pastoralism altogether in favour of rural or urban labour markets, extending migration routes in search of grazing lands, or to utilise fodder available on agricultural lands, such as crop residues and weeds. Many pastoralists have responded by adopting settled livelihoods or working as labourers in other industries in the region.<sup>11</sup> For those that remain nomadic for at least part of the year, agricultural land is increasingly relied upon to meet fodder requirements.

In recent years, the mutually beneficial relationship between pastoralists and farmers has altered. Irrigation projects have increased lands available for cash-crop production, with shorter fallow periods and increased double cropping, thus quickening the process of rural land conversion. In the short term this has been beneficial for pastoralists, presenting an abundance of crop residues and increasing demands for manure. In the long-term however, this relationship may not be sustainable. The partnership between livestock rearers and agriculturists remains an important one for marginal farmers who lack resources and capital, but for the growing number of commercial farmers the removal of crop residue and fertilization can now be met with new technologies, such as mulching and the use of chemical fertilizers.

Thus in the long term, it seems that as agriculture modernises and new technologies are taken up, agro-pastoral relations are likely to decay: on the one hand, shepherds' access to common lands is declining, and on the other, farmers' need of pastoralists' herds is also deteriorating. Many farmers no longer see pastoralism as a contribution to the sedentary farm economy, but rather as a hindrance to new modern agricultural systems.<sup>12</sup>



## Encroachment and Regularisation in Udaipur

The issue of regularising encroachments on state lands has always been contentious in this district. Although the Forest Act of 1927 prohibited encroachments in reserved and protected forests, before and after independence, encroachment occurred on an informal and arbitrary basis. Occasionally, such encroachments would be legally settled, but the procedure was illicit and untransparent. Such arrangements forced people into ties of dependency with host-patrons, undermining social solidarity amongst villagers as they competed to privatise the commons. The problem is now so widespread that a recent survey revealed that in some forest blocks of Udaipur 80-100% of the area was not amenable to any kind of participatory land management due to widespread encroachment.

In this way then, not only has the privatisation of the forests caused over-pressure and degradation on remaining lands, increased soil erosion and left tracts of once dense forests totally barren, it has also undermined village cohesion and induced conflict between villagers. Although relatively rich and influential villagers largely initiated encroachments, often the poor followed suit to supplement their meagre resource endowments. The degradation and privatisation of the forests has dramatically increased livelihood insecurity amongst the marginal and landless as it has reduced access to CPRs such as non-timber forest products and fodder grass.

In Rajasthan, regularisation has been an approach favoured by authorities, but with limited success. Attempts to establish and regularize pre-1970 encroachments, then after the 1980 Forest Conservation Act, all pre-1980 encroachments, have failed for various reasons. Often committees formed for the purpose did not deliver, and many villagers disputed their recommendations. Many cases were left hanging, their fate undecided. Much public interest was generated by campaigns both for and against regularisation, and public interest litigations opposing regularization of encroachments has further delayed the process. The approval of the Forest (Tribal) Rights Bill, 2006 means that regularisation will be extended to include all pre-2006 encroachments, however, this is far from meeting the demands of all parties and the implementation is bound to be fraught and disputed.

<sup>11</sup> Vyas, <sup>12</sup> p.10 Dhas et al (2006)

## THE RESPONSE OF NGOS

### Keystone Foundation, Kotagiri

Keystone Foundation has completed ten years in the Nilgiris, working with indigenous communities on eco-development initiatives. The Foundation's work has been concentrated in the areas of apiculture, micro-enterprise development, non-timber forest produce, land and water management, revival of traditional agriculture, and other issues concerning indigenous communities.

In the face of the alienation of adivasi communities from their forest-based livelihoods, Keystone Foundation is working with such communities to develop viable alternatives. Given the enclosure of many forest communities and their total prevention from accessing forest areas, subsistence livelihoods based forest resources are no longer possible.

In the changing landscape of the Nilgiris, Keystone works to diversify livelihood opportunities through income generation activities as well as capacity building, which in the long term will help to provide sustainable alternatives for communities. Such activities include processing and value addition to non-timber forest products such as honey, gooseberry, soapnut and silk cotton in villages with some limited access forest resources, and alternative income generation through activities such as beekeeping and cultivation of alternative crops in villages that have now been closed off from their forest areas.



### Centre for Community Development, Gajapati

Gajapati-based NGO, Centre for Community Development (CCD) has been working with adivasi communities since 1991. With the objective of self-reliance through sustainable livelihoods and self-governance, CCD programmes encompass community health, education, women's empowerment initiatives, natural resource management interventions, income generation activities, capacity building and a legal/humanitarian service.

CCD promotes awareness of legal rights and works with adivasi communities regarding issues such as unsettled land tenureship and forest access. The organisation takes up claims, working with claimants who are often illiterate and have minimal knowledge of the legalities of such situations, making them vulnerable to exploitation. CCD also undertakes research and has collected data regarding the issues faced by villages who are cultivating land designated as forest, and their findings reflect the state-wide trends of unsuitable survey and settlement methods, poor settlement rights, non-regularisation of forest land under cultivation and disputed claims.



## Jana Jagaran, Belgaum

Over the last two decades, Jan Jagaran has been working among the nomadic shepherds in twelve districts of North Karnataka. Jana Jagaran is half way through its new project phase concerned with empowerment and organization building processes amongst traditional shepherding communities. Towards this, eighty-three women's SHGs and forty-one male SHGs have been mobilised.

The shepherds are well informed about markets, diseases, fodder and water scarcity. There is a consensus approach to sharing common grazing lands. Through their participation in initiatives such as migration heads and SHGs, the overall development of the community has increased. They are now much better prepared to accept scientific methods of sheep rearing and management of their resources.

Decrease of fodder options available has led Jana Jagaran to promote an alternative amongst those pastoralists with some lands of their own. With access to a few acres of irrigated land, shepherds can grow fodder crops such as maize and cowpea for their own herds, and this can have much higher economic returns than sugarcane cash crop cultivation. This is, however, an option available only to a minority of the pastoralist population, being reliant on sufficient capital for investment as well as individual land ownership. To boost the income security of those who do not have access to such resources, Jana Jagaran promotes processing and value addition activities for wool and other animal produce as well as livestock improvement through sheep breeding programmes and veterinary care services.



## Seva Mandir, Udaipur

Seva Mandir has been working in the adivasi belt of Udaipur District since the 1970s. Initially aimed at adult education, the organisation quickly realised the significance of natural resource-based interventions to promoting rural livelihoods. Since the mid 1990s, Seva Mandir has divided its work into three core programmes, focussing on sustainable improvements in livelihoods, enhancing people's capabilities and strengthening village institutions. The livelihoods programme seeks to enhance the productivity of commons, forests and private land through programmes such as afforestation on private lands and pasturelands, rehabilitating wastelands, promoting sustainable agricultural methods and enhancing collective sustainable management of CPRs through schemes like the Joint Forest Management.

Working on complex and contested resources, the livelihoods programme has become an instrument not only to reverse ecological degradation but also to build social capital and leadership capabilities. Efforts have been made to develop these common lands as an incentive for people to vacate their occupation of common lands through a process of negotiation and prospect of enhanced biomass and fodder from the developed lands.

In response to the problems faced in liaisoning with the government agencies such as the Forest Department as well as dealing with the issue of privatisation of the commons, a federation of 91 forest protection committees has been established with the help of Seva Mandir. Named Van Utthan Sansthan (VUS), it has been active since 1998 spreading awareness in the region regarding forest protection, prevention of encroachments and conservation through people's participation.

## FIELD OBSERVATIONS

### Nilgiri Hills

During interactions with the communities, the alienation of adivasis from forestland was clearly apparent in villages adjacent to the Mudumalai Wildlife Sanctuary (part of the Nilgiri Biosphere Reserve) where adivasi people have no rights or access to the forestland. In such a context, subsistence livelihoods based on shifting cultivation and migratory herding are clearly no longer sustainable; with few accessible forest areas, such practices can only lead to widespread exhaustion of the natural resource base.

Elsewhere, such as in Banglapadigai, there has been considerable conflict between local villagers and large corporations seeking to appropriate land for plantations. Although villagers have been cultivating the area for generations, absence of legal tenure documentation has left them vulnerable to the encroachment of the more powerful estates.



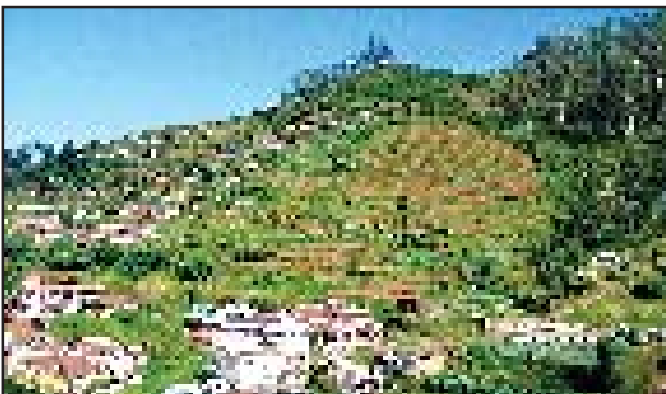
### Gajapati

Although shifting cultivation has been the traditional method of livelihood for many adivasi people, it has become increasingly clear that this is not sustainable in the long term. There have been attempts by the state in the past to move such communities towards a more settled form of agriculture, and this is becoming more of a necessity as due to population pressure and the creation of closed forest reserves, remaining forestlands can no longer support shifting cultivation and the practice is causing severe ecological degradation.

With the approval of the recent 'Tribal Rights Bill' in Parliament, there is now the potential for all pending cases to be regularised, and traditional lands to be returned to their historic occupants. Yet this presents further complications in that so great a proportion of forest areas are cultivated that regularising claims would leave negligible forests remaining, undermining landless people's livelihoods as well as threatening biodiversity. Whatever the outcome, it is crucial that steps be taken to prevent any further environmental degradation and for sustainable agricultural techniques to be adopted in this region if the adivasi communities are to continue to rely on their lands for their livelihoods.

In the villages of the Sigur plateau, local agriculture and animal husbandry systems were intricately dependent on access to forests. Since the declaration of the Mudumalai Wildlife Sanctuary, however, villagers have experienced total loss of these livelihoods. Inhabitants are compelled to live within a fenced area and have no access to the forest.

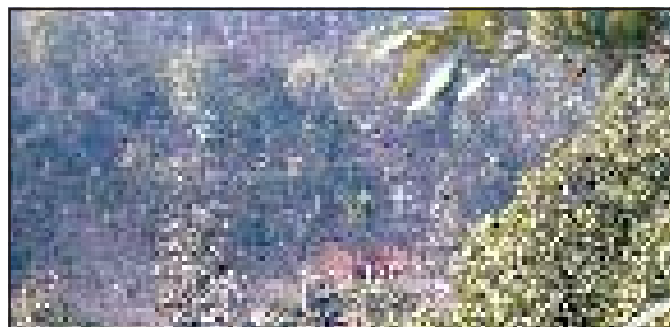
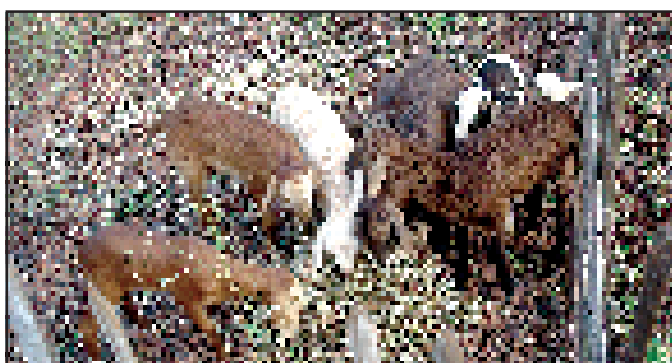
Before the creation of the sanctuary, forest grazing meant that dairying was a viable source of income and the cooperative milk-marketing network flourished. However, with the sanctuary came the prohibition of grazing. Consequently, people can no longer sustain their cattle and the dairy cooperatives have collapsed. Keystone is now promoting alternative income generation through beekeeping in these villages.



## Belgaum

In a world of increasingly modernized agriculture, pastoralists in India are facing difficult choices. It is clear that as available common lands shrink and settled agriculturists' need for pastoralists decline, pastoralists must adjust their livelihoods to cope with the increased risk of fodder shortage. Given recent changes in Belgaum District, the solutions being implemented by Jana Jagaran seem to be appropriate in making use of the increasingly limited options available for pastoralist people. With regards to fodder cultivation, it is essential, however, to establish how far this practice can be adopted amongst the beneficiaries of Jana Jagaran. In addition to this, remaining common lands need to stay as a focus for intervention; their sustainable management and development is crucial.

Yet with institutional rules and regulations all geared towards facilitating a fixed settlement pattern and rights and resources being allocated on this basis, it is essential to explore the future of pastoralism. At the moment, the declining need for pastoralists' herds combined with limited and degraded grazing lands means that sedentary farmers can clearly obtain the economic 'upper hand' over pastoralists in the process of rural land conversion.



## Udaipur

In the past, state Forest Departments have taken steps to overcome the issue of encroachment on forests, with comprehensive surveys conducted to map pre and post 1980 encroachments by the Forest Department as well as by civil society agencies like Jangal Jameen Andolan. These surveys are intended to report the extent of encroachments to the policy makers, but discrepancies exist between the government and NGO figures. In the Forest (Tribal) Rights Bill 2006, the government has proposed a new framework. It intends to empower the Gram Sabhas to determine encroachments eligible for regularization and to forward such cases for approval. However, it has not been tested whether the village level committee can take up this responsibility.

Seva Mandir attempted a pilot test of the bill in a village context. The study showed that establishing the period of encroachment was extremely difficult based on the site condition and assets created. At the time of the study, the Forest Protection Committee (FPC) assessment stated the total number of encroachments as 48, covering an area of 27 ha. whereas the FD recorded only four cases over an area of 3.19 ha. Due to fragmentation, although the total encroached area is about 27 ha., the area affected is closer to 100 ha. Forestland has been degraded and is unfit for development, and it is likely that more encroachments will ensue, restricting communal access to the forest produce.

A profile of the encroachers showed that landlessness amongst encroaching households was minimal, and reasons for encroachment varied, such as the need for additional agricultural and grazing land and access to NTFPs. Unclear and outdated forest boundaries make establishing encroachment difficult, and improper legal action by the authorities means that people are often not aware of the legal status of their actions. The villagers supported the regularisation of the original encroachers and their descendants, but wanted to protect the remaining areas through a JFM programme. However, ultimately the regularisation of encroachment is not a lasting solution as there is only limited land available and fragmentation affects a much larger area than merely that which is occupied.

## Conclusions

Diverse environments, cultures and histories of India are reflected in the current development issues facing the country's most marginalized communities. This study has enabled the participating organisations to look beyond the immediate concerns of their field of reference and understand common land-based issues in a broader context. The opportunity to share experiences, knowledge and approaches has provided the partner NGOs with new insights to common land issues with which they can enhance their programmes and improve services to the local people. The specificity of circumstances surrounding access and usage of forests and commons has also highlighted the importance of developing context-specific policy decisions - it is not possible to homogeneously impose one development model across an expanse as diverse as rural India.

Although the fieldwork visits to the four states revealed very different permutations of commons and forest land, nevertheless some common themes did emerge. Firstly, the problematic circumstances in all four sites can in part be traced to a lack of participation by the affected communities; alienated from their historical lands by land diversion, new restrictions and forest protection they have been offered little chance to participate in the decision-making and management affecting the lands of their ancestors. In principle, the process of survey and settlement after Independence was to be participatory with rights and concessions granted to the people, but lack of awareness amongst many adivasi communities meant that in practice this was not carried out and much injustice was done. It is also apparent that given the current context of restricted

land access and population increase, the natural resource base available is no longer sufficient to support traditional practices such as shifting cultivation. The environmental degradation that this can cause not only undermines biodiversity but the whole future of rural livelihoods - insufficient acreage means that forests and common lands have no chance to rejuvenate, resulting in soil and water insecurity, intensifying the impact of drought and increasing further threatening rural subsistence.

In such circumstances, it is crucial to promote sustainable agricultural methods as well as to diversify livelihood options, as undertaken by all the NGOs. Value addition and processing of forest products, livestock improvement programmes, alternative cropping strategies and income generation activities such as beekeeping are all helping to provide income security in reference communities, whilst activities such as Joint Forest Management, watershed development and soil and moisture conservation are quickening the reversal of land degradation.

A key point reinforced through this study is that although commons may have different meanings and uses amongst different communities, nevertheless they are a crucial resource across India and government policy should reflect this. There is some duality in the present land policies - on the one hand, it is demanded that forest cover be increased and yet on the other, encroachment is in some ways condoned through regularisation. This duality means that the people themselves become complicit in the privatisation of the commons. We need to ensure that the commons, including forests, are safeguarded not just by communities and NGOs, but by the government as well, with provision made in land policies for their sustainable management.



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