



MANAGEMENT OF COMMUNITY FOREST RESOURCES

BACKGROUND & ISSUES

MANAGEMENT RIGHTS & EMPOWERED AUTHORITIES; PROVISIONS UNDER FRA

- Section 3 (1)(i)-right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use.
- Section 5-The holders of any forest right, Gram Sabha and village level institutions in areas where there are holders of any forest right under this Act are empowered to-
 - Protect the wildlife, forest and biodiversity;
 - Ensure that adjoining catchment areas, water sources and other ecologically sensitive areas are adequately protected;
 - Ensure that the habitat of forest dwelling STs and OTFDs is preserved from any form of destructive practices affecting their cultural and natural heritage;
 - Ensure that the decisions taken in the Gram Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.



EXERCISE OF THE EMPOWERED AUTHORITIES; PROVISIONS UNDER THE RULES

- Rule 4. Functions of the Gram Sabha-(1) The Gram Sabha shall-
 - (e) constitute committees for the protection of wildlife, forest and biodiversity, from amongst its members, in order to carry out the provisions of section 5 of the Act.
 - (f) monitor and control the committee constituted under clause (e) which shall **prepare a conservation and management plan for community forest resources** in order to sustainably and equitably manage such community forest resources for the benefit of forest dwelling STs and OTFDs and **integrate** such conservation and management plan with the micro plans or working plans or management plans of the forest department with such modifications as may be considered necessary by the committee.
 - (g) approve all decisions of the committee pertaining to issue of transit permits, use of income from sale of produce, or modification of management plans.




CONTINUES..

○ **Rule 12. Process of verifying claims by Forest Rights Committee.-**

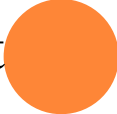
- Explanation: The delineation of community forest resource may include existing legal boundaries such as reserve forest, protected forest, National Parks and Sanctuaries and **such delineation shall formalize and recognize the powers of the community in access, conservation and sustainable use of such community forest resources.**





**STATUS OF IMPLEMENTATION OF THE
PROVISIONS RELATING TO
MANAGEMENT OF CFR AND KEY ISSUES
(*FROM GOVT REPORTS AND
PRESENTATIONS*)**

INFORMATION ASKED FOR ON CFR MANAGEMENT

- Rules-Annexure – V-Format for furnishing quarterly report-(c) Details of Community Forest Resource being managed and by whom
 - Formats for reporting and for presentation have asked for,
 - What are the steps planned to ensure that the GSs constitute the committee to manage forest resources (Rule 4(1) (e))?
 - What are the plans along with time line for training programmes for these committees to prepare conservation and management plans?
 - How will Forest Department plans be modified to bring them into accordance with GS committees' plans for conservation and management of the forest?
 - Have State Rules/policies on transit permits for MFP been modified?
 - What are the plans to link the rights holders with existing development and welfare plans and programmes? Please list the Programmes
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ANDHRA PRADESH

- No report of progress on CFR management.
- However decision taken to assign role for VSSs and the forest department in the process of assessing potential of MFP in the CFR areas and in issuing of transit permit for MFP.
- The issue of CFR claims being the VSS/JFM lands is still persisting though the MoTA has issued clarification on this to the state forest department.



GUJARAT

- Steps being planned to constitute the committee to manage forest resources.
- 3205 JFMCs have already been constituted in the forest villages
- Forest department requested to act proactively for the implementation of management steps to be taken for conservation and management of the forest as per the provisions of FRA to bring them into accordance with GS committees' plans for conservation and management of the forest.
- Formation of CFR management committees (about 103).



JHARKHAND

- Reports that under **Joint Forest Management Village committees** are managing the forest resources.
- Also that in the State for the forest areas micro-plans are being prepared with the active support of Gram Sabha and with bottom-up approach working plans of forest are being prepared. Forest Department is preparing working plan by bottom-up approach and in accordance micro-plan will be prepared by Gram Sabha Committee for conservation & management of the forest.



MADHYA PRADESH

- Reported that in all GSs committee has been constituted to manage the forest resources under Rule 4(1) (e).
- Further that the FD would train and impart awareness to the deed holders for conserving /managing the forest resources
- **The annual action plan of Forest Dept. will incorporate the special component for conservation and management of forest in the villages where FRs have been provided.**
- Another presentation mentions that from 1990 joint Forest management committees are doing the job of managing and conserving the forest in collaboration with Forest Department.....Therefore, community claim for management and conservation of the forest resources are not being received from any forest dwelling community or Gram sabhas.
- The committees have been constituted under recognition of Forest Rights Rule 4(1) (e) in 31556 Gram Sabhas.
- **In 2013 the SLMC has taken decision to constitute JFMCs as CFR management committees.**

संचालनालय, आदिम जाति क्षेत्रीय विकास योजनायें
मध्यप्रदेश

क्रमांक/वन.अधि/530/2014/6349
प्रति,
समस्त कलेक्टर
मध्यप्रदेश

भोपाल, दिनांक 26.03.2014

विषय- वन अधिकार अधिनियम 2006 की धारा 3(1)(ख) में उल्लेखित सामुदायिक वन संसाधनों के संरक्षण एवं प्रबंधन का अधिकार वन अधिकारों की मान्यता नियम 2008 के नियम 4 (ख) में उल्लेखित ग्राम सभा की वन्य जीव, वन और जैव विविधता समिति को सौंपे जाने के संबंध में।

सन्दर्भ- संचालनालय का पत्र क्रमांक वन.अधि/503/2014/6032 दिनांक 10.3.2014.

कृपया संचालनालय के संबंधित ज्ञापन का अवलोकन करें। वन अधिकार अधिनियम के अन्तर्गत मुख्य सचिव महोदय की अध्यक्षता में गठित राज्य स्तरीय निगरानी समिति की बैठक दिनांक 6 फरवरी 2014 में समिति द्वारा दिये गये निर्देश एवं निर्णय के अनुरूप कार्यवाही करने के निर्देश दिये गये हैं।

वन अधिकार अधिनियम 2006 की धारा 3(1)(ख) में उल्लेखित सामुदायिक वन संसाधनों के संरक्षण एवं प्रबंधन का अधिकार 'वन अधिकारों की मान्यता नियम 2008' के नियम 4(ख) में उल्लेखित ग्राम सभा की 'वन्य जीव, वन और जैव विविधता समिति' को सौंपे जाने के बारे में प्रावधान किया गया है। तत्संबंध में मुख्य सचिव महोदय की अध्यक्षता में गठित राज्य स्तरीय निगरानी समिति द्वारा उपरोक्त बैठक में निर्णय लिया गया है कि वनों की सुरक्षा एवं प्रबंधन के लिए वन विभाग के अन्तर्गत कार्यरत ऐसी संयुक्त वन प्रबंधन समितियों को 'वन अधिकारों की मान्यता नियम 2008 के नियम 4 (ख) में उल्लेखित " वन्य जीव, वन और जैव विविधता समिति" के रूप में ग्राम सभा द्वारा विचार कर मान्यता प्रदान की जाए एवं उन्हें "वन्य जीव, वन और जैव विविधता समिति" को प्रदत्त सामुदायिक वन संसाधनों का संरक्षण एवं प्रबंधन का अधिकार प्रदान किया जाना है। इस हेतु वन विभाग की संयुक्त वन प्रबंधन समिति को ग्राम सभा की "वन्य जीव, वन, जैव विविधता समिति के रूप में मान्यता/गठन करने के लिए ग्राम सभा का आयोजन किया जाए।

MAHARASHTRA

- Reported constitution of committees under Rule 4(1)(e) mostly from Gadchiroli district.
- In a consultation organized by MoTA and UNDP in March 2014 officials from the state have raised number of issues on CFR management.
- Official from state have shared concerns regarding parallel institutions/bodies coming up for the management of forests like CFR management committee under FRA and other committees such as JFMCs.
- Concerns regarding Maharashtra village forest rules notified in May 2014 (contradiction with FRA)



ODISHA

- Plan for special drive for constitution of committee under Rule 4(1)(e).
- Suggestions for simplified guidelines for preparation of management and conservation plan and thumb rules/ protocols
- Suggestion for setting up of CFR wings to provide required handholding support to Gram Sabha/ Committee.
- Further, issues raised with regard to the process of CFR management,
 - Institutional Mechanism (Should it be open and left to Gram Sabha to decide or some broad principles would be developed to help GS to constitute their own committee)
 - Defined roles and responsibilities of the line departments with respect to facilitation of institutional mechanism and preparation of CFR management plan.
 - Grievance Redressal Mechanism post rights recognition (Present Grievance redressal mechanism is primarily related to recognition of Forest Rights, but what after recognition? Will SDLC and DLC discharge the same function or any other institution or networks of CFR Committee?)
- Committee constituted under JFM vis a vis Committee to be constituted under Rules (4) (e) Forest Rights Rules, **(it needs to be sorted out at Ministerial level. Two committees for a purpose might lead to conflicting situation]**
- Preparation of the Conservation & Management Plan: Who will facilitate it? Who will bear the cost? What role would be of Tribal Department?



RAJASTHAN

- Collectors directed to ensure that the G.S.s constitute the committee under rule 4(1)(e) in the development of conservation and management of forest resources.
- Plan for the training of these committees for conservation and management of forest resources. IGPRS has been given responsibility to prepare programmes for training.
- It has been made mandatory for forest department nominee to be present at gram sabha meeting. **Beside this as per the clarification given by MoTA, Forest department is coordinating in implementation.**



WEST BENGAL

- The forest villagers are the member of JFMC/EDC and are already taking part in the management of forest resource. For Protected / Reserve Forest areas – Forest Department will prepare and submit plans for conservation and management to the GoI.
- Consolidated action plan for, conservation, management and development of CFRs is being prepared. Preparation of GIS based maps has started in Jalpaiguri.



- **Assam** has reported that steps are being taken in consultation with Forest Dept.
- **Bihar** reported the plan for constitution of committees for conservation of wild life forest and biodiversity by July 2013.
- **Chhattisgarh** has mentioned about constitution of CFR management committee in the state action plan but has not further given any details.



KEY ISSUES

- The reports indicate that the space created in FRA for community forest governance is being appropriated in almost all the states through JFM, village forest rules etc.
- This appropriation has been caused due to absence of any guideline or advisory for implementation of the CFR management provisions.
- In the above context the workshop proposes to,
 - Address the key questions on CFR management
 - Suggest guideline explaining the key principles and approach of CFR management
 - Discuss ways to address the appropriation of community forest governance by FD interventions

