

Bamboo rising

2 Comments

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Date: Jan 31, 2013

*Five years after it was implemented, the Forest Rights Act finally takes root. Communities across the country rush to claim rights over forests and their produce, particularly bamboo. But they face a double challenge: the forest bureaucracy refuses to help communities prepare forest management plans, and contractors manipulate the market for their benefit. Is this the new battle in implementation of the Act? **Richard Mahapatra** from Odisha and **Kumar Sambhav Shrivastava** from Maharashtra unfold the plot*



Nobody in Loyendi village keeps track of time. But for its 150-odd residents, December 7, 2012, is a day to remember. "It is our independence day," says village elder Petra Kanhara. On this day, the village in Odisha's Kandhamal district got community right over 20 mountains full of forests under the Forest Rights Act (FRA). "Now, the forests and their produces are rightfully ours," he smiles. Till now, paper mills had exclusive access to the vast bamboo resources the mountains have.

Back in 1967, people of Loyendi, most belonging to the Kondh tribe, became encroachers on their own land when the Odisha government declared the surrounding forest as reserve forest. The government had abandoned them, they felt and wondered why the forest they worshipped so ardently was being snatched away from them.

FRA, introduced in 2006, proved to be the gamechanger. Its two provisions turned the story around. The Act gives communities the right to protect and manage forests under traditional use. It also allows communities to own, manage and sell bamboo, which it calls a minor forest produce. FRA recognises rights for settlement and farming in forest areas, and community rights over minor forest produce. In 2009, all the residents of Loyendi got individual settlement rights.

The turnaround was not easy. The community had to fight an intense battle with the mighty forest bureaucracy, and a paper mill major employed exclusively by the Orissa Forest Development Corporation (OFDC) to procure bamboo from these forests.

Photos: Kumar Sambhav Shrivastava

Loyendi residents worked in these forests as bamboo cutters, earning Rs 30 in a day. The paper mill, on the other hand, was procuring bamboo at throwaway prices—Rs 180 for a tonne, or 2,400 metres, of bamboo. At the local market, one metre fetches Rs 20. The forests sustain the domestic needs of 25 other villages, besides helping close to 1,000 artisans.



People of Loyendi rejoice after the village in Odisha received community rights over customary forests (Photo: Sudhanshu Sekhar Deo)

"Years of bamboo harvesting by the paper mill had depleted the forests. We were looking for an opportunity to protect them while earning from them," says resident Bal-krishna Kanhara.

But even in 2011, five years after FRA was implemented, nobody knew about its provisions. The forest bureaucracy opposed FRA and took no step to popularise it. The campaign by non-profit Vasundhara to sensitise the community on FRA worked to people's benefit. "The first thing we decided to do was stop the paper mill from taking away bamboo from the forests," says Binayak Kanhara, president of the forest rights committee, the nodal body to implement the Act in the village.

New jungle rules

Priedi village in Odisha's Kandhamal district has a new set of rules, says panchayat head Bishnu Charan Malik. Immediately after the village got community right over the surrounding forests, its gram sabha announced that responsibility of dousing forest fires now rests on each resident of the village.

A five-year ban has also been imposed on sale of bamboo shoots. "The paper mill would denude our bamboo forests. We, too, were hampering regeneration by taking away the shoots," says Malik. "This new forest management plan has already been implemented. But we do need to get it officially approved," he says.

For a village that made a large part of its earnings from bamboo shoots, will sustenance not be difficult? To compensate the loss, Malik has pushed for Rs 20 lakh worth of works under the rural employment guarantee programme.

This will ensure Rs 25,000 to each resident per season for the next five years. By this time, the bamboo bushes would have grown enough to sustain the village.



Step into any patch of forest in Kandhamal district and one is sure to find a community that owns and manages it

On January 25, 2011, the gram sabha wrote to the divisional forest officer (DFO), saying it was illegal for the paper mill to cut the bamboo. The DFO shot back, saying there was no official recognition of the village's community right under FRA. A heated exchange of letters ensued. The forest department argued it had the right to allow harvesting in the forest until the community right was claimed and recognised. "The paper mill officials tried to bribe me. When I refused, they threatened me of physical harm," says village sarpanch Bishnu Charan Malik who has been instrumental in getting community rights to many villages in his panchayat.

On January 31, the gram sabha wrote to the state-level monitoring committee of FRA, which is headed by the state chief secretary. After this, the response was smooth: forest officials came to Loyendi. After a four-hour discussion, government ordered the paper mill to stop harvesting bamboo. The paper mill wound up in a hurry, leaving behind some 40,000 clumps of bamboo. In February, the village was drafting its community forest right (CFR) claim. Loyendi became the first village in the state to get its community claim title over customary forests by using the traditional tribal system of forest demarcation called sandhi.

Loyendi's message

The message from this unheard of village now echoes in Kandhamal's forests, covering close to 90 per cent of the district's area. Step into any patch of forest here, one will find a community that owns and manages it. Of the 2,415 villages, 1,907 have got CFR over 57,880 hectares of forests, the highest in the country.

Within months, seven villages near Loyendi managed to stop the paper mill from harvesting bamboo. Another 25 understood the importance of FRA which gives people the right to own, manage and sell bamboo. Bamboo cutting almost stopped in the district. The state's chief conservator of forests rushed to the villages and requested people to allow bamboo harvesting, but the people refused. The paper mill had to withdraw from the district in March 2012.

"The surge in demand for this right is dominantly community-driven," says Jitendra Kumar Sahoo of Vasundhara. "We expect some 10,000 CFR claims the next year," says Santosh Sarangi, commissioner, tribal affairs. "Community right is a great economic and livelihood incentive," he adds. People couldn't agree with him more.

Bamboo is an incentive for local communities. "Whether we sell it or we don't is another matter. That bamboo has become our resource is reason enough for villages to claim community right over forest," says Rabindra Kanhar, resident of Priedi village, the second village in Odisha's Kandhamal to get CFR (see 'New jungle rules').

"Within a year of getting the right, there is significant inflow of money to the community. Remember, we have not abused the forest," says Trinath Patra, president of Kalahandi Jungle Mancha, a district-level federation of forest-dwelling people. Jamguda in Kalahandi was the first village in Odisha to get community rights over 49.7 ha of forests, in 2010. Jamguda came into prominence in June 2012 when forest officials stopped Member of Parliament Bhakta Charan Das from taking away a few pieces of the first harvest of bamboo from the village.

Now as bamboo flowers, Jamguda's gram sabha has taken up selective harvesting. Bamboo is of no use once it flowers. "Within six months, Jamguda has earned Rs 20,000 from selling bamboo locally. The forest department still does not allow transport of bamboo outside the village," says Nilambar Patra, president of forest rights committee.

With the forest under community control, life revolves around it. For the first time the village has its own development fund. "This is how community control over forest will unfold: development without destruction," says Das.