

Sub-study of the India country study of the  
international collaborative research project:  
Instruments for sustainable private sector forestry

INDIA  
COUNTRY  
SUB-STUDY

# New hope for private forestry: Policy and practice of *Lok Vaniki* in Madhya Pradesh

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# Acronyms

ACF	Assistant Conservator of Forests
DFO	Divisional Forest Officer
FPC	Forest Protection Committee
FRI	Forest Research Institute
FSI	Forest Survey of India
JFM	Joint Forest Management
NABARD	National Bank for Agriculture and Rural Development
NGO	Non-governmental Organization
NTFP	Non-timber Forest Produce
PCCF	Principal Chief Conservator of Forests
RFO	Range Forest Officer
TP	Transit Pass
VFC	Village Forest Committee
MLA	Member of Legislative Assembly



## Preface

The present study is part of a wider international project entitled ‘Instruments for Sustainable Private Sector Forestry’ which is co-ordinated by the International Institute for Environment and Development (IIED), London. The overall aim of the project is to identify effective market and regulatory instruments that ensure the private sector produces social and environmental benefits from forest management and to promote these instruments.\*

In the first phase of the project, a **Global Review of Private Sector Participation in Sustainable Forest Management** was undertaken. This provided a snapshot of status and trends regarding private sector participation in sustainable forest management in 23 countries from all regions of the world.

In the second phase of the project, detailed country specific studies were carried out in five countries: **Brazil, China, India, Papua New Guinea** and **South Africa**. The present study forms a part of the India Country Study which is being co-ordinated by Ecotech Services India Pvt. Ltd. (ETS), New Delhi. The India Country Study is funded by the Department for International Development (DFID), India.

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\* In this project, the term ‘private sector’ is interpreted broadly such that it includes all those who engage in commercial activity concerning forest goods and services—be they individuals, community groups, informal sector groups or the large-scale corporate sector.

The broad objectives of the India Country Study are to understand the current situation, trends and potentials with respect to private sector participation in sustainable forest management; to review the impact of sectoral and extra-sectoral policies on private sector participation; and to explore strategic options for the private sector to contribute to sustainable forest management in India. The country study is divided into three broad themes: emerging new private sector players; policy provisions for private sector participation in sustainable forest management; and market-based instruments to encourage the private sector's contribution to sustainable forest management (see pages ix–x for a list of the 6 sub-studies).

The present study is part of the theme **Policy provisions for private sector participation**, which analyses various sectoral and extra-sectoral policies that affect private sector participation in sustainable forest management and identifies measures to ensure future sustainable supplies. This study focuses particularly on the process of policy change and makes a case study of the process through which the *Lok Vaniki* policy evolved in Madhya Pradesh. It is hoped that the insights gained from this study would help policy entrepreneurs and policy makers in initiating necessary policy changes to further strengthen sustainable forest management in the country.

The Directors of ETS would like to formally acknowledge the institutional support by IIED, financial support by DFIDI, individual efforts made by our consultants Mr. S. Raghavan and Mr. P. Srivastava in completing this report, Ms. Hema Arora for her efforts in editing it and Mr. Sushil Saigal in assisting CTD for co-ordinating this sub-study.

**R. P. Mattoo**  
**Chief Technical Director**  
**Ecotech Services (India) Pvt. Ltd.**



## Sub-studies under the India Country Study

*The New Foresters: the role of private enterprise in the Indian forestry sector* is the India country study prepared under the project **Instruments for sustainable private sector forestry**. This study derives from a series of sub-studies that were commissioned under the project. The sub-studies are:

1. *Policies affecting private sector participation in sustainable forest management*. Daman Singh. Ecotech Services (India) Pvt. Ltd. 2002.

The private sector's participation in forestry activities is determined by policies at the central and state levels, not only those directly related to forests but also policies and legislation introduced for other sectors e.g. land ceiling on agriculture lands, export-import policies, tax laws etc. This study provides an overview of the policy environment for the private sector participation in forestry activities.

2. *Potential for commercial production from forests under Joint Forest Management*. Hema Arora, Anjali M. Bhatia and Snigdha Chakraborty. Ecotech Services (India) Pvt. Ltd. 2002.

Around 15 per cent of India's forestland is already under joint forest management (JFM). Given the considerable area under JFM, these forests could well be important sources of raw material in future. This study examines the potential for commercial production from JFM forests by analysing the situation in Haryana and West Bengal—two states where the JFM programme first started and has reached a level of maturity.

3. *New hope for private forestry: Policy and practice of Lok Vaniki in Madhya Pradesh*. S. Raghavan and P. Srivastava. Ecotech Services (India) Pvt. Ltd. 2002.

The state of Madhya Pradesh has recently introduced significant policy changes to encourage private sector participation in forestry. This study analyses the process of policy change and attempts to highlight the factors that made positive policy change possible.

4. *The ayurvedic medicine industry: Current status and sustainability*. Niraj Subrat, Meera Iyer and Ram Prasad. Ecotech Services (India) Pvt. Ltd. 2002.

*Ayurvedic* industry is an important forest-based industry, which uses a large quantum of medicinal plants that are mainly procured from the wild. The domestic market for *ayurvedic* formulations is expanding rapidly and the government is planning to substantially increase exports. There is danger of overexploitation of the medicinal plant resources if corrective steps involving the industry are not taken. This study examines the potential of application of certain market-based instruments to promote sustainable utilization of these resources.

5. *Review of company-farmer partnerships for the supply of raw material to wood-based industry.* Sushil Saigal and Divya Kashyap. Ecotech Services (India) Pvt. Ltd. 2002.

The national forest policy clearly indicates that forest-based industry should meet its raw material needs by establishing direct relationships with farmers. This study analyses the experience with partnership schemes started by four companies and provides suggestions for improvement.

6. *The second green revolution: Analysis of farm forestry experience in western Tarai region of Uttar Pradesh and coastal Andhra Pradesh.* Sushil Saigal and Divya Kashyap. Ecotech Services (India) Pvt. Ltd. 2002.

Farm forestry was actively promoted by the government during the 1970s and 1980s, and farmers in several states planted trees on a large scale. Due to a variety of reasons, tree planting by farmers declined by the end of the 1980s. In recent years, farm forestry has again become popular among farmers. This study documents the farm forestry experience in the '70s and '80s and, through detailed case studies of two districts, analyses the reasons behind the popularity of farm forestry among local farmers.

These studies are available from Ecotech Services (India) Pvt. Ltd. and the Forestry and Land Use Programme of IIED (contact details are given behind the title page).



## Executive summary

Inappropriate policies are most commonly cited as the main reason for the degraded condition that our forests are in today. Consequently, policy reform is often seen as an important way to redress the situation. However, the need for policy change is more easily expressed than effected. It was felt that the study of a recent and significant change in forest policy could yield some learning in this direction. This report aims to present the process of forest policy change in Madhya Pradesh. In April 1999 the state initiated a scheme called *Lok Vaniki* or People's Forestry, which seeks to promote scientific management of private forests and tree cultivation on marginal lands presently lying barren. The scheme tries to encourage the involvement of the private sector by providing a suitable legal, institutional and market environment.

The main components of the scheme are (i) increasing production outside the government forests; (ii) creating an institutional framework for managing, supervising and monitoring forestry on non-forest lands; and (iii) developing technologically improved plantation packages. The scheme will not only increase wood production in the state but will also provide income and employment benefits to the people.

It is estimated that about 0.2 million farmers in the state have a total of about 0.4 million hectares of standing forests while another 0.6 million farmers own about .6 million hectare of degraded

forest. The scheme seeks to increase production from these private forests as well as encourage new commercial plantations on private and revenue wastelands. This is a radical change in the policy of the state from its earlier stance of keeping private forests 'locked up' so as to control their degradation, which was perversely leading to their neglect and decline. The management and implementation of the scheme will be done mainly by the people themselves through various associations and elected bodies. The Forest Department will initially help the people build and strengthen various institutions and later act as a partner and facilitator.

While the announcement of *Lok Vaniki* scheme was made in April 1999, the process of policy change leading to the scheme started over a decade ago. The USAID sponsored social forestry programme in the 1980s and the World Bank assisted Madhya Pradesh Forestry Project in the mid 1990s brought in many facilitative policy changes. Rules relating to felling of trees on private holdings and transit of forest produce were liberalized. There was also an increased stress on identifying and eliminating disincentives to tree planting in private areas. It was in this period that *Nistar*, the concessional government supply of forest produce to people for meeting their domestic requirements, was restricted to an area within 5 km from the fringe of forests. Decision to scrap all long-term raw material supply contracts with forest-based industries was yet another step towards rectifying market imbalances and facilitating liaison between forest produce growers and industries.

While the above policy changes were gradually steering forestry in the state towards greater private sector participation, major changes were still required to unlock the existing private forests. This change was triggered off by one individual, the then Principal Chief Conservator of Forests (PCCF) who acted as the policy change catalyst. Convinced about the potential of greater private

sector participation after visiting Sweden and other countries in 1997, where private sector forestry contributes substantially to the national economy, he believed that Madhya Pradesh could also turn around its economy by encouraging private sector involvement in forestry.

Being the head of the state Forest Department, he could initiate action to translate this vision into reality. The first step was to gather data that could establish the potential of the policy change that was being sought. The next step was to get bureaucratic and political support for the proposed policy. While bureaucratic support was garnered through the use of facts and figures, political support was sought by presenting the change process as part of the larger political agenda of the government *viz.*, decentralization of power, liberalization and privatization of the economy. Emphasis was also laid on the low financial implications for the government and the gains through increased tax revenue. The policy was also presented as being in line with the ‘national mood’ of the time, which was in favour of greater participation of the people in forest management. It was thus that the policy change to encourage private sector participation in sustainable forest management could be effected in the state.

But the process has been neither easy nor smooth. There have been many deterrents including the Supreme Court’s ban on all tree felling in the state. The state Forest Department was also not very supportive of the idea in the beginning. Yet, in spite of the many apprehensions within the department, lack of encouragement from the bureaucracy and the uncertainty prevailing due to the Supreme Court’s ban, the programme of implementation moved ahead steadily and was finally adopted in April 1999.

To conclude, the growth of a small idea into a full-fledged popular programme has been a story of ups and downs, but now with the

new institutions, conducive policy environment and a favourable court verdict allowing the Madhya Pradesh state government to implement the scheme, *Lok Vaniki* is all set to provide new dimensions of private forestry in Madhya Pradesh and pave the way for similar developments in other parts of India.

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This study has been made possible with the help of various people and organizations. P. Srivastava would specifically like to thank Mr. D.P. Singh, who helped to clarify the sequence of events through which the policy evolved in the state. Mr. K.C. Bebarta and Mr. Kinhal of the Madhya Pradesh Forest Department spent many hours with S. Raghavan discussing the intricacies of *Lok Vaniki* and the problems being faced in its implementation. Prof. N.B. Majumder, Dr. C.S. Rathore and Dr. R.K. Singh assisted S. Raghavan in many ways during the course of this project. Mr. Nitin Sharma, ex-PFM student, undertook most of the field work of the study. Others included Mr. H.P. Lunghdim, Research Associate, Dr. Jyotsna Tiwari, Project Fellow and Mr. Pralay Halidar. The authors would like to thank all of them for their support. The authors are grateful to the farmers and all other stakeholders who shared their hopes and fears with regard to the scheme with them. We hope that the report helps in devising means to allay some of these fears.

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**Authors**





# 1. Introduction

## 1.1 About the study

This study is part of a wider international project **Instruments for Sustainable Private Sector Forestry** co-ordinated by the London-based International Institute for Environment and Development. The international project aims to understand the current situation, trends and potentials with respect to private sector participation in sustainable forest management; to review the impact of sectoral and extra-sectoral policies on private sector participation; and to explore strategic options for the private sector to contribute to sustainable forest management.

One of five country case studies, the India country study, *The New Foresters: the role of private enterprise in the Indian forestry sector*, is organized into three themes: emerging private sector players; policy provisions for private sector participation in sustainable forest management; and market-based instruments to encourage the private sector's contribution to sustainable forest management. The research for this sub-study was undertaken within the second theme of the study. The objective of this sub-study is to document the process of policy change in the forestry sector of Madhya Pradesh. In April 1999 the state initiated a scheme called *Lok Vaniki* or People's Forestry, which seeks to promote scientific management of private forests and tree cultivation on marginal lands presently lying barren. This report is a study of the *Lok Vaniki* scheme.

While it is often easy to visualise policy changes that would trigger development, it is generally difficult to get the policy makers to effect these changes. It is hoped that this study—an example of recently implemented policy change—will be of relevance to those striving to bring about policy change and will help them identify key factors that could trigger the process of policy change.

## 1.2 Methodology

Data and information presented in this study were collected through discussions with key persons in the government, farmers, private plantation groups, banks, non-government organizations (NGOs), traders, industry and media. Information was also collected from secondary sources relating to forestry in Madhya Pradesh, policy formulation and change, various laws and rules etc.

The implementation of the *Lok Vaniki* scheme was studied in four districts: Dewas, Raigarh, Sidhi and Hoshangabad. The perceptions of various stakeholders (farmers, traders, NGOs, media, banks and Forest Department) were gathered through questionnaires, which were administered using a structured interview technique.

## 1.3 Structure of the report

This report is organized into seven sections including the Introduction. Section 2 describes the components of the scheme and its anticipated benefits. Section 3 traces the development of the scheme starting with the policy changes that laid the foundation for greater private sector participation in the forestry sector in the state. It goes on to elaborate on the various steps taken before the policy of *Lok Vaniki* was approved in the state. Section 4 briefly describes the institutional and legal changes introduced as part of the implementation of the scheme. Section 5 presents the implementation of the

scheme in four districts as well as the perceptions and expectations of the various stakeholders. The process of policy change is analysed in Section 6. An attempt is also made to see whether the process followed is in line with any of the existing theoretical models explaining the policy change process. The lessons gained from the *Lok Vaniki* experience are presented in the final section of the report.

## 1.4 People and forests in Madhya Pradesh

Forests in Madhya Pradesh are well distributed throughout the state. The total recorded government forest area is 8.5 million hectares. However, satellite imagery assessment shows that only 84 per cent of the recorded forest area actually has some forest cover (FSI 1997).<sup>1</sup>

Prior to the occupation of India by the British, forests were open to everyone and the people were free to utilise its products and services with the exception of a few trees that were declared ‘royal trees’ by the local rulers. A

### Box 1.1: Madhya Pradesh: some facts

- Madhya Pradesh is India's third largest state with an area of 30.8 million hectares or about 9.3% of the geographical area of the country.
- The total population of the state stood at 66.18 million in 1991<sup>a</sup>, of which 23% were scheduled tribe and 14.5% scheduled caste people.
- Nearly 70% of the population lives in rural areas spread over 51,000 villages.
- The dominant land use in the state is agriculture with about 66% of the land area being cultivated. Nearly 75% of the cultivated area is rainfed.

<sup>a</sup> In 1991, the state of Madhya Pradesh comprised the present day states of Madhya Pradesh and Chhattisgarh.

<sup>1</sup> The forest assessment data refers to the erstwhile state of Madhya Pradesh, which comprised the present day states of Madhya Pradesh and Chhattisgarh. About 45% of the forest area of the erstwhile state of Madhya Pradesh has gone to the state of Chhattisgarh, which came into being in November 2000.

royalty had to be paid for the use of these trees (FRI 1961). Under British rule, the process of forest reservation was started from the year 1865. Madhya Pradesh had four recorded forest types: Reserve forests, Protected forests, *malguzari* forests<sup>2</sup> and the woodlots under the Revenue Department. In addition, there was substantial forest area on private land, which was recorded as *malik-makbuza*<sup>3</sup>. While no rights were recognised in the Reserved forests, domestic requirements of the people known as *nistar* were met from the protected forests and the *malguzari* forests.

In 1951, with the abolition of proprietary rights, the *malguzari* forests were vested with the Revenue Department. As the Revenue Department did not have a field agency for protection of these forests, these areas were largely lost. Between 1951 and 1961 about 1.8 million hectares was diverted to non-forestry uses, while another 2 million hectares were settled by encroachers (Buch 1991).

The Protected and Reserved forests too did not fare well over the years. Just before the division of the state in November 2000, only about 54 per cent of the forest could be classified as dense with a canopy cover of 40 per cent or more. Despite measures taken by the government to curb illegal fellings and encroachments, such as increasing the number of forest officials, intensive patrolling and other such arrangements, satisfactory results could not be obtained and forest degradation continued.<sup>4</sup>

The private forests or forests belonging to *malik-makbuza*, to be-

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<sup>2</sup> *Malguzari* forests were forests on which people had rights since they paid revenue tax.

<sup>3</sup> *Malik-makbuza* forests were forests that were owned by landlords but in which certain concessions had been given to the local people.

<sup>4</sup> In 1976, the government also stopped private sector forestry operations in the forests belonging to it. Instead, these operations were carried out departmentally or through government owned forest corporations. This was done to put a stop to the misdeeds of some unscrupulous contractors, and also to promote the use of scientific techniques and methods in forestry operations.

gin with, contained excellent forests, mainly because the owner of land did not allow theft from his private property. However, as the timber value increased, unscrupulous contractors exploited these forests, often duping innocent villagers. To curb this activity, stringent legal provisions were enacted in the Madhya Pradesh Protection of Aboriginal Tribes (Interest in Trees) Act, 1956, the Indian Forest Act, 1927 and the Madhya Pradesh Land Revenue Code, 1959. These stringent provisions have made the procedures for felling and disposal of trees from private forests cumbersome and time consuming.<sup>5</sup> Due to this factor, the sale value of the land carrying these forests has fallen very low. In fact, it is even lower than that of marginal agricultural land. Thus, forest owners saw trees on their land as a hindrance and preferred to fell them and make use of the land in some other way. This resulted in the neglect and decline of these forests.

In effect, despite strong measures, both government as well as private forests were not faring well. Recognizing this, the state government

### Box 1.2: Extent of private forests in Madhya Pradesh

At present no official record is available regarding the total extent of private forests in the state. As per one estimate, there are about 2 lac<sup>a</sup> owners of private tree clad areas in the state owning forest patches of above 0.4 hectares each (Singh 1998). According to another estimate, 2 lac farmers have a total of about 4 lac hectares of standing forests, while around 6 lac farmers each have about 1 hectare of degraded forest<sup>b</sup>. These forests are usually on scattered holdings with a few big trees.

<sup>a</sup> 1 lac = 100,000

<sup>b</sup> This is an estimate used by the *Lok Vaniki* scheme.

<sup>5</sup> The woodlot owner is forced to deal with both the Revenue and Forest Departments even for the disposal of a few trees. Getting the final permission from the Collector as prescribed in the Land Revenue Code takes not only time but also a lot of effort on the part of the owner of the trees.

resolved in December 1991 that (a) in forest areas sensitive to damage, Forest Protection Committees (FPCs) involving the residents of adjoining villages should be constituted, and (b) for involving villagers in the regeneration of forests degraded due to biotic pressure, Village Forest Committees (VFCs) should be constituted. This was the beginning of Joint Forest Management (JFM) in the state whereby both the government and the people were to be jointly involved in the management of forests. As per latest estimates of the Ministry of Environment and Forests (MoEF), the state has 9,203 committees managing about 4.1 million hectares of forest land (MoEF unpublished data 2002 in Arora, Bhatia and Chakraborty 2002).

Gradual changes in policy were also made to encourage private forestry (see Section 3.1). In April 1999 a scheme called *Lok Vaniki* was launched in the state with the main objectives of promoting scientific management of private forests and promotion of tree cultivation on marginal lands presently lying barren. The components of the scheme are described in the next section.



## 2. The *Lok Vaniki* scheme

### 2.1 Background

While the private forests in the state have been virtually ‘locked up’ due to a restrictive legal and policy framework, the gap between sustainable supply and demand of forest products has been increasing rapidly over the years (see Box 2.1).<sup>6</sup> On one

hand, this has put the government forests under tremendous pressure leading to their degradation, and on the other, a number of forest-based industries have closed down due to raw material shortage.<sup>7</sup>

**Box 2.1: Demand and supply of timber and fuel in Madhya Pradesh.**

	<i>Timber (million cu.m)</i>	<i>Fuelwood (million ton)</i>
Total domestic demand		
1998	9.55	42.7
2001	10.65	46.86
2006	11.85	51.9
Production (1998)	0.5	0.3

Source: Singh 1998

<sup>6</sup> There has been a steep decline in timber production from government forests in Madhya Pradesh from over 6 million cu.m 45 years ago, to the present level of less than 1 million cu.m. Simultaneously, the demand for timber and other forest produce has grown sharply due to the rise in living standards and also doubling of the population in 30 years (66.2 million in 1991 from 32.7 million in 1961).

<sup>7</sup> A large number of forest-based industries were set up in Madhya Pradesh viewing the huge resource base. There are about 4,500 sawmills, large numbers of veneer mills, paper mills, particle board units and other industries based on NTFPs in the state. The 1988 forest policy states that these forest-based industries should become self-reliant and should not be dependent on the government forests for their raw materials. Due to shortfall in procurement of raw materials, most of these units are not running to their installed capacities and it is estimated that 14 forest-based industries in the state have been closed for want of raw material (Singh 1998).

Boosting the production of timber and other forest products from the existing forests and concurrently reducing the demand could reverse this widening gap between demand and sustainable supply of forest products. However, rehabilitation of the degraded government forests will take time and will require huge investments before they become capable of producing increased yields. Also, imports of wood and other forest produce can meet only the urban demand and to some extent the requirements of the wood-based industries. The rural population, which forms the greater part of the population in Madhya Pradesh, does not have the purchasing power to benefit from imports. The poorer folk will continue to depend on the existing government forest. Besides, the money spent on imports could easily go to the farmers of Madhya Pradesh if they could produce the material required by the urban consumers.<sup>8</sup>

Thus it appeared that linking the augmentation of production of forest produce with income generation for the rural poor on private forest and other wastelands would reap multiple benefits in the shape of greening of large barren stretches, improving the environment and substantially assisting in the amelioration of rural poverty.

As stated earlier, the state government recently decided to encourage greater private sector participation in forestry. Accordingly, a scheme called *Lok Vaniki* (people's forestry) was started in April 1999. The scheme contemplates capturing the inter-relationship between economic growth, environmental preservation and poverty alleviation through development of forestry in the private sector. Use of market-based instruments for the sustainable management of private forests in the state forms part of the strategy in this

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<sup>8</sup> Singh (1998) reported that the value of imports of wood and bamboo by just the Orient Paper Mill, Shahdol, CIBP, Itarsi and saw mills in Dewas town is Rs. 428.8 million. The value of total imports to the state would be much higher.



scheme. It seeks to encourage the involvement of the private sector (farmers, traders and entrepreneurs) by providing a suitable legal, institutional and market environment. The major focus of the scheme is on promoting scientific management of neglected and degraded forests on private holdings. It also aims to encourage tree cultivation on areas unsuitable for good and profitable agriculture that are presently lying barren or underutilised. It is planned that through *Lok Vaniki* the wood production on private land will be increased to about 40 million cu.m per year in the first phase. It is envisaged that the management and implementation of *Lok Vaniki* will be done mainly by the people themselves through various associations and elected bodies like the district and block *panchayats* and *gram sabhas*.<sup>9</sup> The Forest Department will initially help the people build and strengthen various institutions and later act as a partner and facilitator.

## 2.2 Components of the *Lok Vaniki* scheme

The main components of the *Lok Vaniki* scheme are (i) increasing production outside the government forests; (ii) creating an institutional framework for managing, supervising and monitoring forestry on non-forest lands; and (iii) developing technologically improved plantation packages. In addition, the scheme will promote energy production through wood gasifiers and the export of forest products.

### 2.2.1 Increasing production outside the government forests

The scheme seeks to increase production by removing restrictions over the management of existing private forests and by encouraging new plantations. It is estimated that out of a total of 8.4 million

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<sup>9</sup> *Panchayat* and *gram sabha* are units of local self government.

farmers in the state, 0.2 million farmers have about 0.4 million hectares of standing forests which can be ‘unlocked’ immediately. Further, about 0.6 million farmers own about another 0.6 million hectare of degraded forest, and they can make this productive without much investment.<sup>10</sup> The scheme will also encourage new commercial plantations on private and revenue wastelands through individuals, associations, cooperatives and companies. A recent development is the emphasis on production of non-timber forest produce (NTFPs) like lac, emblica, myrobalans. etc. under the scheme. This is a marked change from the earlier period when it was difficult to envisage that people would be interested in harvesting NTFPs from private tree-clad areas.<sup>11</sup>

### 2.2.2 Creation of an institutional framework

Under the scheme, the management and implementation of *Lok Vaniki* will be done mainly by the people themselves through various associations and elected bodies like the district and block *panchayats*. The Forest Department will initially help the people build and strengthen various institutions and later act as a facilitator. The process of institutional development is not top-down but instead allows the farmers to decide themselves on whether and how to associate together (see Section 4.1.1 for details).

The farmers will be provided help to develop management plans for their lands independent of the Forest Department through Chartered Foresters who will be enrolled by the Forest Department (see Section 4.2 for details).

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<sup>10</sup> These figures refer to the erstwhile state of Madhya Pradesh.

<sup>11</sup> For instance, in Hoshangabad, several hundred acres of private forests are dominated by a tree species Kusum (*Schleichera trijuga*), on which lac insects are reared. Owners of these woodlots are willing to adopt a plan for non-consumptive use of such woodlots. The management objective for such areas are going to be based on cultivation of lac and not harvesting of trees.

The original *Lok Vaniki* concept, which was approved by the state cabinet on 24 April 1999, had planned for the creation of forestry boards at the state, district and block levels. It was subsequently decided that such boards would not be established. Instead, a *Lok Vaniki* Coordination Committee has been instituted at the state level. This Committee is responsible for the development of a suitable policy, and the legal and institutional framework at the state level.

### 2.2.3 Development of technologically improved plantation packages

It is proposed that the Forest Department will co-ordinate with existing research institutes for development of multi-crop plantation packages and production of genetically improved planting stock and arrange for extension of improved forestry techniques to farmers.

### 2.2.4 Energy production through wood gasifiers

It is proposed that the Forest Department, Madhya Pradesh Energy Development Corporation and the Department of Non-conventional Energy will collaborate to promote power production through wood gasifiers. It is also proposed to promote micro-hydel projects in interior areas. Both these proposals are expected to help conserve wood and save more of the wood from the farmer's land for other purposes.

## 2.3 Anticipated benefits of the scheme

### 2.3.1 Wood production

It is expected that with the 'unlocking' of the private standing forests, wood production in the state will go up by 0.1 million cu.m.

By the tenth year, this additional production is projected to be 1 million cu.m. It is also expected that the rehabilitation of the degraded forest and the new plantations will begin to add to this production from the seventh year onwards, contributing substantially to the total wood production in the state.

### 2.3.2 Financial benefits

It is estimated that with the increased wood production from their land, about 0.2 million farmers will begin to get additional income on an average of about Rs. 30,000 annually. Nearly 0.6 million owners of degraded forests will start getting additional income from the seventh year onwards. Another one million farmers will get additional income from tree plantations or agro-forestry operations from the tenth year onwards.

### 2.3.3 Employment generation

Increased production of timber and NTFPs will result in increased employment in both the rural and urban areas. Nursery, plantation activities, thinning, tending, harvesting operations and transportation will give employment to a large number of rural youth. The enhanced wood production will generate value addition activities in the secondary sector like carpentry, seasoning and preservation of wood, furniture making, saw milling and industry. It is estimated that at least 5 million people in rural and urban areas could be involved in these activities. These activities will, in turn, encourage the growth of the tertiary sector.

### 2.3.4 Environmental improvement

Although present in fragmented patches, the additional tree cover will still help moderate the climate of the area, control soil erosion and water erosion. It is thought that the tree cover will also aid in

greater water infiltration into the soil, thereby controlling floods and improving the ground water regime; and that the availability of forest produce from private forests will also reduce pressure on the government forests.

### 3. Evolution of the *Lok Vaniki* scheme



#### 3.1 Policy changes leading to *Lok Vaniki*

Policy change is a complex and slow process. While the announcement of *Lok Vaniki* scheme was made in April 1999, the process of policy change leading to the scheme can be traced back over a decade. An attempt is made here to track some of the important policy changes.

While formulating the strategy for forestry sector development in Madhya Pradesh a few years back, the whole state was divided into four zones for planning and management purposes. Zone-1, with a management objective of biodiversity conservation, included the Protected Areas, i.e. the wildlife sanctuaries and the national parks; zone-2 comprised well-stocked forests and zone-3 comprised degraded forests near human habitations. All these three zones were in government controlled forests i.e. Reserve forests and Protected forests. The fourth zone covered the remaining areas of the state including private and community lands. The emphasis in this zone was on creation of a suitable enabling environment for promoting plantations on private and community lands.

The focus of forestry during this time was on the first three zones. But the state did take some steps towards liberalization of rules that affected tree planting, felling, transport and sale of produce from private forests. Some of the major policy changes effected towards this end are enumerated below. It is to be noted that most

of these changes were targeted at new plantations; and management of private forests was not the central focus.

- Under the USAID sponsored social forestry programme in the 1980s, farmers in the state were encouraged to grow tree crops along with agricultural crops. Four species of trees being planted under this programme, *viz.*, eucalyptus (*Eucalyptus spp.*), subabool (*Leucaena leucocephala*), babool (*Acacia arabica*) and casuarina (*Casuarina equisetifolia*) were exempted from the purview of the Madhya Pradesh Timber Transit rules.
- Through a gazette notification on 2 December 1994, the provisions of the Land Ceiling Act were relaxed to permit plantation on private land, and the leasing out of government non-forest wastelands to private companies, registered societies, institutions and individuals for undertaking plantations. However, inter-cropping on such land was not permitted.
- The *Nistar* policy (concessional government supply of forest produce to people, through forest depots, for meeting their *bona fide* needs) was revised on 26 December 1994 and free/subsidised supply of forest produce was restricted to villagers living within a radius of 5 km from reserve/protected forests. While one of the objectives of this was to link *nistar* with those villages undertaking JFM, which are located within a 5 km radius from the boundary of forests, it also partially removed the disincentive to the private sector to produce forestry goods for the market.
- Under the World Bank Project, 14 Extension and Research Units have been set up in different agro-climatic zones throughout the state since 1995. These centres have helped in creating awareness about clonal forestry and fast growing species and their economics amongst the public. This, in a way, set the platform for encouragement of private participation in forestry activities by use of improved varieties of planting material.

- As an incentive to tree growing on private and community lands, timber transit rules were amended on 28 March 1996. Under these rules, only 16 species of timber required the issue of transit passes. The local *panchayats* were empowered to issue transit passes for 10 of the 16 species; the Forest Department was required to issue transit passes for only 6 nationalized timber species.<sup>12</sup>
- To facilitate the procedures for felling of trees on private property, an amendment was made to Section 240/241 of the Land Revenue Code on 29 July 1997. Prior to this, only the Collector of the district was empowered to grant permission for felling of trees, but after this amendment, Sub-Divisional Magistrates could also issue these orders. Further, to encourage replanting of areas, a procedure was laid down through which, if the farmers registered themselves with the *Tehsildar* (an official of the Revenue Department) and Range Forest Officer (RFO), they did not require any permission at the time of harvest of the trees.<sup>13</sup>
- In December 1998 a decision was taken by the state government to scrap all long-term raw material supply contracts with forest-based industries. This was a step towards rectifying market imbalances and facilitated liaison between forest produce growers and industries. After this, the industries had to look for raw material from areas outside government forests.

<sup>12</sup> These rules have been further amended and new transit rules issued in 2000. Under the new rules, 6 fast growing tree species need no transit pass (TP), another 8 tree species commonly found growing on farmlands get TP from the Panchayat. TP for all other species will be issued by the Divisional Forest Officer (DFO) or a person authorised by him.

<sup>13</sup> The Madhya Pradesh Land Revenue Code was further amended in 2001. In the amended code, the powers given to the Sub-Divisional Magistrate were withdrawn and a Sub-Division level Committee, under the Chairmanship of the President of *Janpada* (Development Block) will now recommend such cases to the Collector. Permission for felling of trees under *Lok Vaniki* will remain outside the purview of these Rules.



## 3.2 The development of *Lok Vaniki*

### 3.2.1 Origin of the idea

The seeds of *Lok Vaniki* were sown during a field visit of the Chief Conservator of Forests (CCF) in Sehore district in 1994. Here he discovered unmanaged luxuriant teak forests in the possession of private people that yielded virtually no income to the owners. In due course he learnt that there are a large number of small patches of forests in private possession in Madhya Pradesh which are getting degraded due to lack of proper management. Subsequently, a high level committee was constituted in July 1996, under the chairmanship of an Additional PCCF, to probe into the issue and explore the possibilities of developing some mechanism to support proper management of such tree-clad private areas and ensure regular income to their owners.

### 3.2.2 Estimation of the extent of private forests

Proper documentation of private forest in the state has never been carried out. The Revenue Department maintains all the land records in the state. While fairly accurate details of agricultural land in villages, blocks and districts are available, the area under private forest is difficult to determine since it has been classified under different categories in different parts of the state. The state government claims that there are 19,488.618 hectares of private forests in the state. This figure, however, includes only patches of forests that are larger than 10 hectares and have 200 or more trees per hectare. There is no reliable information on the extent of small patches of forest (less than 10 hectares size) held by private farmers.

A rough survey conducted by the Forest Department in two forest divisions, Dewas and Hoshangabad, established that there were at least 2,000 farmers who had forests of over 1 hectare on their holdings. Their total holdings amounted to more than 5,000 hectares.

Considering that the major forest divisions are much larger than Dewas or Hoshangabad, this indicated that the number of such farmers in Madhya Pradesh would be in tens of thousands, if not over a hundred thousand, and the area covered by these forest patches would certainly exceed 100,000 hectares.<sup>14</sup> This, in turn, meant that, if sustainably managed, the annual output from these forests could certainly be over 100,000 cu.m. This would be more than 10 per cent of the present production, which is less than 1 million cu.m annually. Preliminary enquiry also revealed a rough estimate of about 200,000 farmers who have private forests of 0.4 hectares and above.

### 3.2.3 Preparation of management plans for private forests

At about the same time that the state government was contemplating means to manage the privately held tree-clad areas, an important development took place at the national level. The Supreme Court of India, while hearing a writ petition (civil) No. 202 of 1995—T.N. Godavarman vs. Union of India—exhibited serious concern over the conservation of forests and gave directions that the Forest Conservation Act 1980, which deters conversion of forest land to other land uses, would be applicable even to privately owned forests. The Supreme Court, in its interim order dated 12 December 1996, gave the ruling that ‘The felling of trees in all forests is to remain suspended except in accordance with the working plans of the State Government as approved by the Central Government.’

Till then, the felling of trees in private land holdings was governed exclusively by the Madhya Pradesh Land Revenue Code 1959, under

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<sup>14</sup> This high figure of private forests in Madhya Pradesh is borne out by the fact that in 1944–45 there were approximately 21,578 square miles (5,588,680 hectares) of private forests in Central Province and Berar (Hewetson 1947). Even after the abolition of *Zamindari* a substantial portion remained with the small farmers.

which there was no arrangement for managing a private tree-clad area. Thus, the Supreme Court's order dated 12 December 1996 created an opportunity for debate and some action for scientific management of private forests and other tree-clad areas in the state. Subsequently, the Forest Department, at the request of farmers, prepared management plans for three private areas. These were approved by the state government and the Government of India in May 1997 in accordance with the Supreme Court's directives.<sup>15</sup>

The working plans prepared in the three trial cases showed that farmers could gain substantially by sustainable management of their small forest patches. For instance, it was calculated that the 6.59 hectares of private teak forest in Hoshangabad—for which the working plan was prepared—was capable of yielding returns well above Rs. 50,000 per year. In fact, even a two-hectare patch could yield Rs. 5,000 to 10,000, which would be substantial additional income to a marginal farmer. These farmers are presently not getting regular income from their forest holdings.

Despite state and central government approval of working plans, private owners still had to go through the process of getting permission to fell trees on their plots from the District Collector as required under the Madhya Pradesh Land Revenue code, 1959. Permission for felling was granted in Raigarh district on 12 December 1999, but the Supreme Court banned all tree felling in the state on 17 December 1999. This ban was implemented because of a Public Interest Litigation filed in the Supreme Court regarding the alleged felling and transport of trees from government forests by showing them to be from private lands.<sup>16</sup>

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<sup>15</sup> The three working plans were prepared in Hoshangabad (teak forest, 6.59 hectares), Raigarh (sal forest, 61.56 hectares) and Durg (degraded forest, 83.85 hectares) districts.

<sup>16</sup> This ban was partially lifted in September 2000 (see Section 5.1).

### 3.2.4 Visit abroad

Even as these developments were taking place, the PCCF of Madhya Pradesh in 1997 visited a few countries including Sweden, Finland and Brazil where he observed the role of private forestry in the economy of those nations (see Box 3.1). He was particularly impressed by Sweden, which has geographically almost the same area as Madhya Pradesh. Of the total forest area in Sweden, only 5 per cent is state owned, 50 per cent is individually owned, 37 per cent by forest companies, while municipalities and other organizations own the remaining 8 per cent. Forestry is central to Sweden's national economy, yielding the largest net export value (75 billion SEK in 1997) of all industrial sectors. These statistics reinforced his faith in private forestry and, on returning to India, he proposed the idea of private forestry in Madhya Pradesh, thus initiating an in-house debate with the objective of developing consensus on the issue within the Forest Department. Shortly afterwards the PCCF retired, and little heed was paid to the proposal thereafter.

**Box 3.1: Trade of forest products**

Country	Forest area (Mha.)	Export (million US\$)	Import (million US\$)
Sweden	24.4	7483	1082
Finland	20.1	7411	475
Norway	8.7	1268	642
MP (state)	15.5	NA	NA

Source: FAO Year Book, 1993.

### 3.2.5 Preparation of proposal

A few months later, the retired PCCF was appointed as Forestry Advisor to the Chief Minister of Madhya Pradesh. This was the perfect opportunity to advance the cause of private forestry. A team of young forest officers came forward to assist in developing the

‘*Lok Vaniki* Vision-2020’ and to prepare a scheme. The members of this unofficial team prepared a concept paper titled ‘Socio-Economic Development in Madhya Pradesh through Forestry by the People for the People’ in June 1998. This was discussed with the Chief Minister, who appreciated the concept and expressed unequivocal willingness to pursue it. He also advised that the proposal be scrutinized through the proper official channel.

### 3.2.6 Cabinet approval of the proposal

On 24 April 1999, the Cabinet of the Government of Madhya Pradesh formally approved the scheme to encourage private sector forestry despite a significantly negative opinion of the state Forest Department. This was the birth of *Lok Vaniki*, and since then it has been progressing despite unspoken reservations of departmental authorities. It was decided to implement the scheme on a pilot basis in four districts *viz.* Dewas, Raigarh, Sidhi and Damoh. It was announced that a ‘mission’ approach would be adopted for implementation of the scheme.<sup>17</sup>

### 3.2.7 Creation of *Lok Vaniki* cell

A *Lok Vaniki* cell was created in the office of the PCCF. The *Lok Vaniki* cell was given the task of developing strategies to implement the *Lok Vaniki* concept in the state. In addition to the legal requirements, formats for working plans and institutional requirements for implementing the scheme were to be developed by this cell. Links to research and training institutions were to be developed. The pilot districts were provided with some field staff to assist in the implementation of the scheme.

In June 1999, the General Administration Department announced

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<sup>17</sup> Mission approach means that the scheme will be implemented expeditiously with inter-departmental cooperation and the scheme will continue until its objectives are met. Madhya Pradesh has also adopted mission approach for watershed development, education and health.

the setting up of a high-powered committee under the *Lok Vaniki* Mission leader, comprising senior officials from the *Panchayat*, Tribal, Forest and Revenue Departments to look into the legal requirement of *Lok Vaniki*. The committee was to suggest amendments in the existing Acts and Rules to provide a conducive legal environment for private sector participation in forestry.

A ‘Task Force’ for *Lok Vaniki* was also set up to look into institutional and other arrangements required for successful implementation of *Lok Vaniki*. The Task Force comprised the officials posted to the *Lok Vaniki* mission and a few other officials. The PCCF also set up three sub-committees—one to look into the format of the Working Plan for private forests, another to look into the guidelines for Chartered Foresters and the last one to look into the state, district and block level forestry boards.

## 4. Institutional and legal developments under *Lok Vaniki*



The most significant achievements under *Lok Vaniki* relate to the development of institutional arrangements and enactment of an overarching new law on private forestry.

### 4.1 Institutional development

#### 4.1.1 Development of district and state level farmers' associations

The state government constituted a 'Task Force' in June 1999 to prepare a detailed action plan for *Lok Vaniki* and to oversee its implementation in the selected districts.<sup>18</sup> One of the main activities that the task force undertook was that of encouraging the farmers to evolve appropriate institutions and to network amongst themselves. Exposure visits to Nasik, Pune, Pundetamba and Warna Nagar in Maharashtra were organized for farmers from the four selected districts, to help them understand the dynamics of cooperative efforts in the field of forestry and wasteland development. This study tour was very effective in motivating the farmers to develop some kind of a cooperative institution and ultimately resulted in the formation of the *Lok Vaniki Kisan Sangh* (association of farmers) in Dewas. This was followed by the formation of

<sup>18</sup> Only one of the members of the original Task Force, Mr. P. Srivastava, continues in the same assignment. The others have either been transferred, or have retired.

similar associations in other districts. The objective of these district level *Lok Vaniki Kisan Sanghs* was to bring together small farmers for collective action in the field of private forestry and provide forward and backward linkages to them.

It was soon realized that the four district level farmers associations were dealing with many similar issues and that it needed a central coordinating body to take up these issues for proper follow-up action at the state level. The Chairman of Sidhi district *Lok Vaniki Kisan Sangh* was chosen by the representatives of the four district associations to lead a state level *Lok Vaniki Kisan Samiti*. This committee of farmers now integrates the efforts of the district farmers' associations and expresses their opinion on policy, legal and administrative matters at the highest level. It has also started a dialogue with the paper industry and traders of aromatic and essential oils for developing new market linkages for farmers. It is also networking with subject experts from different fields like horticulture and allied activities. The committee has thus helped the farmers' associations to look beyond government subsidies and explore new possibilities of economic growth by forestry and allied activities on private lands.

*Kisan Sanghs* have been formed in all the ten districts where the programme is being implemented. Their development is facilitated by the government, which is investing in human resource development activities for the members. Farmers are continually being sent to various study tours outside the state. The state level *Kisan Samiti* and the district chapters in Dewas, Sidhi, Hoshangabad and Damoh have been registered under the Madhya Pradesh Societies Act.

#### 4.1.2 Enrolment of Chartered Foresters

Another development that has taken place in Madhya Pradesh due to *Lok Vaniki* is the enrolment of 'Chartered Foresters'. The 'Chartered Foresters' are now the legally recognized technical people



who can prepare management plans for private forests.<sup>19</sup> Such a provision has been made in order to ensure the availability of technical guidance to people on a commercial basis without having to depend on the Forest Department (for details see Section 4.2).

#### 4.1.3 *Lok Vaniki* Coordination Committee

A *Lok Vaniki* Coordination Committee was formed in the state in February 2001. Chaired by the Chief Minister, and with the Forest Minister as the Vice-Chairman, the *Lok Vaniki* Co-ordination Committee comprises the Chief Secretary, Secretaries and senior officers of relevant departments as well as members of farmers' associations (*Kisan Sangh*) and subject specialists from other relevant fields. It is responsible for the development of a suitable policy, and the legal and institutional framework to facilitate scientific management of private forests. The rehabilitation of other private wastelands through plantations is currently under the regular and direct supervision of this state level Coordination Committee. An Executive Committee headed by the Chief Secretary of the state oversees the action on decisions of the Co-ordination Committee.

#### 4.1.4 Forestry extension and research centres

As mentioned in Section 3.1, back-up support regarding technological advances in forestry is made available to farmers through the newly created forestry extension and research centres in different agro-climatic zones of the state.<sup>20</sup> Within the first two years of their formation, a significant increase was registered in the demand for improved seedlings. About 40,000 clonal eucalyptus seedlings and a large number of grafted aonla (*Emblica officinalis*) plants were planted by farmers in Dewas district alone. Similarly, a very

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<sup>19</sup> Provisions for enrolment of Chartered Foresters have been made in the *Lok Vaniki* Act 2001. Details are being worked out to institutionalize these new arrangements.

<sup>20</sup> Most of the centres were set up by the year 2000.

significant rise in demand for improved seedlings was registered in Hoshangabad and Damoh. This was the first time that there had been such an impressive demand for costly seedlings even without any government subsidy. However, a decline in this trend was observed after the ban on tree felling imposed by the Supreme Court.

## 4.2 Legal framework

It was noted by the high-powered committee formed to look into the legal requirements of the *Lok Vaniki* scheme, that to create an enabling legal environment for private forestry in the state, a number of Rules and Acts needed to be amended. The committee brought out a comprehensive list of provisions in different Acts and Rules that would need to be amended to implement the *Lok Vaniki* scheme in the state (see Annex 1).<sup>21</sup> Some of the Acts and Rules are:

1. Madhya Pradesh Land Revenue Code, 1959
2. Madhya Pradesh Protection of Aboriginal Tribes (Interest in Trees) Act, 1956
3. Indian Forest Act, 1927
4. Madhya Pradesh Forest Produce Transit Rules, 1961
5. Madhya Pradesh Forest Produce (Trade Regulation) Act, 1969
6. Madhya Pradesh *Panchayati Raj* Act, 1993
7. Madhya Pradesh Sales Tax Act, 1958

Since it was difficult to amend so many Acts, the committee suggested enactment of new legislation to take care of the requirements of farmers who have private forests. Accordingly, 'Madhya Pradesh *Lok Vaniki* Adhiniyam 2001' (Madhya Pradesh Act No.

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<sup>21</sup> A number of the changes were proposed keeping in mind the formation of forestry boards at the state, district and block levels and how power could be delegated to these boards. However, as mentioned earlier, the proposal for formation of forestry boards has been dropped and the new legislation that has been brought into force has provided other mechanisms to take care of the needs of the farmers with private forests.

10 of 2001) was approved by the State Assembly in 2001 (see Annex 2). The objective of the Act states that it is ‘An Act to regulate and facilitate management of tree-clad private and revenue areas in the state of Madhya Pradesh and matters connected therewith or incidental thereto.’ Some of the most unique and facilitative features of the Act are presented below (Srivastava 2001).

- The Act is voluntary in nature and is applicable only to such areas that are brought under scientific management by the owners themselves by preparing a management plan. Section-1 clause (3) of the Act provides that, ‘It shall apply to such private and revenue areas which the *Bhumiswami*, the *Gram Panchayat* or the *Gram Sabha*, as the case may be, intends to manage as tree-clad area’.
- The Act not only recognizes village *Panchayats* and *Gram Sabhas*, but also provides for their active involvement in the process of preparation, implementation and monitoring of management plans prepared for private areas.
- The Act has provided for enrolment of Chartered Foresters to make available technical assistance to the owners of the private forests or people willing to take up forestry on their private holdings. Though quite common in some countries, this arrangement does not exist anywhere else in India. The rules being proposed under the Act provide that any person or group of persons fulfilling certain eligibility criteria including educational and technical qualifications, and professional experience, may apply for enrolment as a Chartered Forester and subsequently provide technical services of forestry to people on demand.<sup>22</sup>

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<sup>22</sup> The persons/category of persons intended to be considered eligible for enrolment as Chartered Forester include certain categories of retired forest officers; persons with bachelor's degree in forestry from a recognised university/institution, or post graduate diploma in forestry management along with field experience of a specified period in planning and management of forests, or a registered cooperative society consisting of foresters having specified qualifications.

In addition, the PCCF, Madhya Pradesh, when he feels necessary, can nominate any in-service forest officer of a specified rank, to deliver the technical services to any private person or organization.

- The Act provides a ‘single window’ to deal with the issue of management of such private holdings for which a management plan is prepared under the provisions of the Act. Such lands shall remain outside the purview of the Madhya Pradesh Land Revenue Code 1959, which currently regulates felling of trees in private areas.

While the Act itself is very progressive and enables willing landholders to take up management of their holdings, the way in which the rules under the Act have been framed is also very participatory. Several joint sessions were attended by both farmers and officials to arrive at a widely accepted framework for developing a ‘people friendly’ set of *Lok Vaniki* Rules. This was a unique event in which farmers were provided an opportunity to directly participate in the process of evolving legislation.

## 5. Experience with *Lok Vaniki*



### 5.1 Implementation in pilot districts

The scheme is currently being implemented in eleven districts of the state, namely Dewas, Damoh, Sidhi, Hoshangabad, Narsinghpur, Seoni, Jabalpur, Mandla, Katni, Raigarh and Dindori. The process of identification of owners of tree-clad areas who are willing to manage their area as per an approved plan is still continuing. Until now 6,171 villages have been surveyed and 1,196 farmers have been identified with roughly 4,211 hectares of land holdings in their possession in five districts. More than 105 management plans have so far been prepared in five districts.

Massive human resource development initiatives have been started and both farmers and foresters have been sent on study tours to Nasik, Punetamba, Warna Nagar, Ahmedabad, Bhadrachalam and other places to help them understand the dynamics of cooperative efforts in the field of forestry and wasteland development. Other training programmes are also being conducted regularly. Efforts for entrepreneurship development have begun with the help of private individuals and government agencies. Funds for preparation of improved planting stock have been made available to Extension and Research Divisions linked to *Lok Vaniki* districts.

Unfortunately, the momentum gained by the programme could not be maintained at the expected level due to a total ban on felling

of trees in Madhya Pradesh imposed by the Supreme Court, in connection with a public interest litigation (PIL).<sup>23</sup> Though this ban, effected from 17 December 1999, had nothing to do with *Lok Vaniki* in particular, the large number of farmers who had got management plans written for their land felt cheated and disappointed. Most of the plans prepared included provision for some initial felling of trees. As a result, the DFOs and RFOs had difficulty in trying to retain the interest of the farmers in this scheme. After waiting for a few months, the *Lok Vaniki Kisan Samiti* submitted an application to the Supreme Court demanding relief for the farmers who had got management plans prepared for their holdings. The Forest Department also, on special instructions of the Chief Minister, filed an application in the Supreme Court requesting relief for the farmers. The matter was under consideration of an Empowered Committee constituted by the Supreme Court. The Empowered Committee, has in its order dated 29 January 2002, appreciated the spirit of *Lok Vaniki* and permitted the Government of Madhya Pradesh to implement the scheme.

Experience from four districts is given below.

### 5.1.1 Dewas

In Dewas, the approach to *Lok Vaniki* implementation has been through the use of the VFCs and FPCs established under the JFM programme.<sup>24</sup> The activities were initiated by holding a two-day workshop for the Presidents of all the committees in the district. Plans of activities to be taken up to the year 2000 were decided.

<sup>23</sup> In a recent order dated 22 September 2000, the Supreme Court allowed the felling and transport of timber from government forest as per approved working plans if prescriptions for ensuring regeneration are carried out and budgetary provisions are made for it.

<sup>24</sup> Started in January 1995, the JFM programme in Dewas District had spread to 82 VFCs managing 43,426 hectares and 56 FPCs protecting 31,220 hectares by the end of 1998.

The district was divided into 10 regional clusters that were homogenous with respect to its people, lifestyle, occupation and agri-climate, with each cluster having a 10 member elected team and a 100-member district body.

Significant progress has been observed in the district where a large number of farmers have come forward enthusiastically for taking up plantations on their private wastelands. More than 39,000 clonal and improved plants have been planted by the farmers on their wastelands. The farmers have organised themselves into a District *Lok Vaniki Kisan Sangh* which presently has a membership of around 529.<sup>25</sup> Already the benefits of the farmers' association are evident, with one farmer setting up an oil extraction plant with financial assistance from the association.

The preparation of management plans for private forests is also going on steadily. A total of 87 plans for different farmers have been written. Of these, 27 have already been approved. However, no felling of any tree in the private forests/tree-clad areas has taken place due to the ban on tree felling imposed by the Supreme Court. This has been a big deterrent to the programme. As one of the villagers in Burut village put it, 'No felling—No planting.' Many

#### **Box 5.1: Dewas district: an introduction**

Dewas district extends over an area of 0.7 million hectares with a population of over 1 million people as per the 1991 census. Of this, 20% is Scheduled Caste and 39% is Scheduled Tribe population (Thukral 1998).

The forest area in this district is about 0.2 million hectares. 92.7% of this is classified as Reserve forest and the rest is Protected forest. As per the 1997 Forest Survey of India assessment, around 54.5% of the forest area of the district is dense while 26.4% is open forest (FSI 1997).

<sup>25</sup> The office of the DFO maintains the records of membership and the membership fees collected.

large farmers have suggested alternatives such as a provisional permission for thinning of the standing tree crop such that the rate of growth of trees can be accelerated and some income can also be obtained from the hitherto 'zero income lands'. One of the farmers also warned of illicit clearing of forests by the owners themselves if the case lies pending in the court for a long time.

Although the ban on felling was a discouragement, the DFO has concentrated his efforts in trying to promote the planting of medicinal plants and other NTFP bearing plants by the people on their marginal agricultural land. In all these endeavours care was taken to get improved varieties of planting material and to set up high tech nurseries.<sup>26</sup> Connections with research and training institutions were also established. The farmers have been extended training and helped in marketing of these products. The success of this endeavour is clearly visible in the case of the sub-group comprising the growers of rosa grass (a grass which yields an aromatic essential oil), where the members have set up a distilling plant and established links with a trader for marketing the oil extracted. The area under rosa grass cultivation has increased significantly during the last two years.

Not only farmers, but the landless have also been influenced by the scheme. The most lucid example of this was seen in Semli village where two groups of eight landless tribal families each have been motivated to take up the cultivation of rosa grass and aonla plantation on 25 acres of revenue wastelands. This land was made available to them on lease by the intervention of the Village Forest Committee and the Forest Department officials.

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<sup>26</sup> The aonla (*Embllica officinalis*) growing sub-group of the Lok Vaniki Farmers' Association, comprising 43 members, has been given genetically improved seedlings. The eucalyptus sub-group, comprising 35 members, has been given clonal seedlings of eucalyptus.





Photo: U.K. Subuddhi

**Kisan Sammelan (Farmers' Meet) at Bamandehi, Seoni.**



Photo: U.K. Subuddhi

**Training of farmers in improved nursery technology at Research and Extension Centre, Seoni.**



Photo: U.K. Subuddhi

Farmers meeting at Samnapur.



Photo: U.K. Subuddhi

Aonla (*Emblica officinalis*) plantation on farmer's private land.



Photo: U.K. Subuddhi

Teak plantation on private land, district Khandwa.



Photo: U.K. Subuddhi

Teak plantation on farmer's private land, Harsud Khandwa.



Photo: U.K. Subuddhi

**Cultivation of Chlorophytum (Safed musli) by a farmer in Seoni.**



Photo: U.K. Subuddhi

**Clonal Eucalyptus plantation in private field, Khandwa.**

**Box 5.2: Raigarh district: an introduction**

Raigarh district extends over an area of 1.3 million hectares with a population of over 1.7 million as per the 1991 census. Of this, 8% is Scheduled Caste and 52% is Scheduled Tribe population (Thukral, 1998).

The forest area in this district is about 0.6 million hectares. As per the 1997 Forest Survey of India assessment, 48% of the forest area of this district is dense while 27.5% has open forest (FSI, 1997). The forests of this district are predominantly sal, with some areas of mixed and bamboo forests. A small patch of teak forest is also found.

### 5.1.2 Raigarh

As in Dewas, a *Lok Vaniki* Farmers' Association has also been started in Raigarh.<sup>27</sup>

Presently the association has 96 members with an elected President, Vice-President and a Secretary. The association is involved in a large variety of works, but its main function is to promote plantations and NTFPs. So far, 345 farmers in the district have shown interest in getting management plans written for the tree-clad areas in

their possession (1,160 hectares).<sup>28</sup> Of the 36 management plans that have been prepared, 12 have been approved while the other 24 await confirmation of the land holdings from the village *patwari*.<sup>29</sup>

A total of 96 farmers have taken up plantations on their land covering an area of 267.9 hectares. Another 276 farmers have show interest in taking up tree plantations on their land extending to about 438.2 hectares. The farmers are interested in eucalyptus, gamhar (*Gmelina arborea*), teak and bamboo, and during the last two years 140,000 seedlings have been planted on private lands.

<sup>27</sup> The district is now a part of the newly constituted Chhattisgarh state.

<sup>28</sup> A survey is being conducted in the district to determine the extent of privately owned tree-clad areas. Out of a total of 2,244 revenue villages, 132 revenue villages were surveyed and it was found that 522 farmers own about 1,526 hectares of tree-clad areas.

<sup>29</sup> A *patwari* is a village level revenue official.

### 5.1.3 Sidhi

Since the inception of the *Lok Vaniki* scheme, the DFOs have given priority to publicising the scheme and at every *panchayat* level meeting, district level meeting and monthly meeting of VFCs and FPCs information has been provided on the scheme. In addition, newspaper articles, banners, flyers and slogans have also been used to spread the message. So far, 16 management/working plans have been prepared for private tree-clad areas in the district and another 16 are in the process of completion.<sup>30</sup>

#### **Box 5.3: Sidhi district: an introduction**

Sidhi district extends over an area of 1.05 million hectares with a population of 1,373,434 people as per the 1991 census. Of this, 8% is Scheduled Caste and 32% is Scheduled Tribe population (Thukral 1998).

The forest area in the district covers about 46% of the geographical area. As per the 1997 Forest Survey of India assessment, around 0.24 million hectares of the forest area of this district is dense while 0.16 million hectares has open forest (FSI 1997).

Farmers from this district were also taken on a study visit to Maharashtra. After their visit, the farmers organised themselves into a District Farmers' Association. The Association has formed four committees for its various functions—an executive body, a committee for plantations and development of new techniques, a value addition and marketing committee and a planning committee. In each development block, regional associations have also formed.

Training in planting of high quality clonal seedlings of eucalyptus (Bhadrachalam clones), poplar (Pantnagar), gamhar and bamboo

<sup>30</sup> The extent of privately owned tree-clad areas in Sidhi is yet to be accurately determined. Of a total of 1,854 villages, 654 villages have been surveyed to determine the extent of tree-clad areas. It was found that 298 farmers own about 1,227 hectares of tree-clad land.

was provided to the farmers. The demonstration plot set up with the improved seedlings showed very high growth rates which motivated farmers to go in for tree plantations on their land. More than 2.5 lakh seedlings were planted on private land in the year 2000. In addition, horticultural seedlings were also planted on homestead land. The potential for bamboo cultivation in the district is very high and steps are being taken to encourage its cultivation.

The following activities are planned under this scheme:

1. Clonal seedling nursery
2. Training of farmers at Jalgaon for medicinal plants cultivation
3. Bamboo plantation
4. Plantation of ratanjot (*Jatropha curcas*)<sup>31</sup>
5. Training in sisal cultivation and rope making
6. Assistance in development of management plans in clusters for groups of 20 farmers utilising unemployed educated youth.

#### 5.1.4 Hoshangabad

The *Lok Vaniki* scheme has met with enthusiastic support from the farmers in Hoshangabad. In fact, Hoshangabad was the first district where a management plan was prepared for a private forest by the Forest Department. The Government of Madhya Pradesh and the Government of India approved the plan in 1997.

The Forest Department organized a series of initial workshops with farmers at different places of the district. The active participation

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<sup>31</sup> *Jatropha curcas* is a drought resistant shrub/tree. Its seeds contain a high percentage of oil used for candles, soap and biodiesel production.



of *panchayat* representatives facilitated the fast spread of the concept in the district. Linkages of the farmers with the industry had already been developed in the district (Srivastava 1997), therefore it is not surprising that *Lok Vaniki* has taken off very rapidly in Hoshangabad. A District Farmers' Association has been formed which is actively promoting plantations amongst its members. The Association has developed market linkages for aromatic oils and other produce.

#### **Box 5.4: Hoshangabad district: an introduction**

Hoshangabad district falls in the Satpura hill ranges and covers a geographical area of 1 million hectares. The population of the district as per the 1991 census is 1,267,211 with a population density of 126 per sq km.

The district has 0.33 million hectares of forest area of which 0.28 million hectares is dense and 0.05 million hectares is open forest (FSI 1997).

The forests of this district primarily consist of moist and dry teak forests with certain areas dominated with dry deciduous mixed forests. There are a large number of private forests in the district that can be brought under scientific management under *Lok Vaniki*.

## 5.2 Perceptions and expectations of *Lok Vaniki*

Discussions with the various stakeholders, including NGOs and the media, revealed their varied expectations, perceptions and concerns about the scheme.

### 5.2.1 Farmers

In the beginning, most of the farmers who joined the scheme did so in the hope that they would be able to fell the trees on their land and put the land to other uses. However, in most of these cases the farmers have been convinced, after discussions with *Lok Vaniki* officials, that the programme promotes management of forests in a sustainable manner. This is reflected in the willingness of many farmers to plant new saplings on their land and also to



try out plantations of different NTFP species. However, the Supreme Court's verdict banning the felling of trees has demotivated many large farmers to plant new trees.

Nevertheless, some farmers remain highly motivated to take up fresh plantations on their fields despite the ban on the felling of standing trees. Lal Patel, a farmer of the Bichkuan village in Dewas, who owns 16 hectares of tree cover/wasteland, wants to plant pomegranate and safed musli (*Chlorophytum spp.*: a medicinal plant) on his farm land. The case of Radhe Shyam of Nimlah village is similar: he owns 250 teak trees spread over 3.2 hectares but he wishes to take up plantation of aonla and rosa grass on another 7.3 hectares of land in his possession which is presently lying fallow. He hopes to obtain additional regular income from the flow of non-timber products.

The experience of farmers who have managed to fell trees on their land after obtaining permission as required under the Madhya Pradesh Land Revenue Code has generally been bitter and most of them are not interested in getting into the business of tree cultivation (see box 5.5). These farmers will probably only participate in *Lok Vaniki* after they see real benefits in tree farming.

**Box 5.5: A farmer's experience with tree felling**

Shri Rameshwar of Pokhar village in the Satwas range of Dewas district felled 200 teak trees standing on his own land after obtaining permission from the District Magistrate under the Madhya Pradesh Land Revenue Code. It took him more than three years to get the final felling permission and he claims to have spent around Rs. 27,000 on various expenses, mainly formal and informal fees at various levels in the administrative and departmental set-up. However, when his timber was finally sold through the auction depot of the Forest Department, it fetched him only Rs. 24,000. Having gone through such an experience the farmer is not interested in planting trees again on his land and wants to use the better portion of his tree cover/wasteland for agriculture after felling all the standing trees.

Farmers who have smaller land holdings under tree cover/wasteland, have generally shown a greater interest in planting of trees that can yield NTFPs. They are also more interested in inter-cropping these lands.

### 5.2.2 Private plantation groups

Private plantation companies also come under the purview of *Lok Vaniki* as they are the holders of the forests/tree-clad areas, although in this case the land may be owned by a company and not by an individual or community. In general, they have a positive opinion of the scheme and feel that it has great potential, as there exists a huge gap between demand and supply of forest products. They would like it to be implemented swiftly throughout the state.

The most important problem as perceived by this group of stakeholders was reflected by the Bhopal based ENBEE group (a plantation company), about the role of the Forest Department in the formulation and the implementation of the programme.<sup>32</sup> The group feels that the Forest Department, which will be greatly guided by silvicultural principles, will set the norms and rules for the management and felling of the trees, while the companies would like to manage the forests from a commercial perspective. *Lok Vaniki*, they feel, should be based on commercial considerations rather than silvicultural principles.

However, the general perception of the private plantation groups *vis-à-vis* the role and scope of the NTFPs, especially medicinal and aromatic plants, under the *Lok Vaniki* scheme is not very positive. They feel that such cultivation cannot be taken up by the farmers as a profitable exercise because the cultivation of aromatic and medicinal plants is extremely capital intensive requiring high initial

<sup>32</sup> Mr. D.K. Verma, personal communication, 2000.

investment which many farmers cannot afford. Secondly, farmers may not be able to get the expected high returns on investment owing to reasons such as poor knowledge of cultivation, poor quality of inputs and a highly unorganized market for such products.

The private planters are of the opinion that while *Lok Vaniki* will surely increase awareness about the economics of tree planting among the masses leading to more enterprises in the sector, it might not lead to reducing pressure on the government forest areas for fuelwood and timber.

### 5.2.3 Non-governmental organizations

Not many NGOs working in the sector of forestry, environment or rural development are aware of this programme. The primary reason for this may be that there is no provision for NGO participation in the scheme.

The Bhopal based Environment Planning and Co-ordination Organization (EPCO)<sup>33</sup> is of the view that while the programme may promote entrepreneurship in the forestry sector, it might also lead to exploitation of the farmers by the Chartered Foresters who are to prepare the management plans for private holdings.<sup>34</sup> It is basically opposed to the idea of the fee for such services being negotiable and suggests that a fixed structure should be laid out. As with other measures to prevent such exploitation, prior to the implementation of the scheme at the state level, the interested farmers should be trained to understand the technicalities involved in the entire exercise. Furthermore, EPCO suggested that ready reckoners of financial returns for different forest products based

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<sup>33</sup> The EPCO mainly assists and advises the government on environmental policy and planning. It also promotes environmental education and awareness. However, it has not been associated with any development related to *Lok Vaniki*.

<sup>34</sup> Dr. Uday Raj Singh, Director (Research), personal communication, 2000.

on different land qualities on the prototype modules should be prepared in the form of tables and disseminated through leaflets and pamphlets for extension purposes.

On the other hand, Consultants India<sup>35</sup> feels that, given time, the system of Chartered Foresters will evolve and take proper shape.<sup>36</sup> They feel that with time equilibrium would be attained as a result of forces such as the quality of services provided by such foresters, the market for the forest produce and entry of more and more Chartered Foresters into the market. However, in the initial years, the government may have to regulate the trade of professional services in this sector and should lay down the criteria and parameters.

Most non-governmental individuals or organisations involved in environment-related work are of the opinion that the *Lok Vaniki* mission could indeed become a people's movement provided the farmer base is broadened to include the small and medium farmers. In their opinion, this will require developing and promoting forestry as a financially viable enterprise and an alternative to agriculture.

NGOs see an important role for themselves in promoting plantations on private lands and motivating farmers to take up such activity by creating awareness amongst the villagers. They can also play an advisory and monitoring role.

#### 5.2.4 Banks and financial institutions

Banks and financial institutions could play an important role in the efficient and effective implementation of the *Lok Vaniki* scheme in the future. The primary reason for this is that most planting

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<sup>35</sup> Consultants India is a private consulting firm that has been associated with the Madhya Pradesh Forest Department in various studies related to the World Bank aided Madhya Pradesh Forestry Project and with the development of the *Lok Vaniki* scheme.

<sup>36</sup> Mr. Akhilesh Bhargava, personal communication, 2000.

activities, whether pertaining to trees, medicinal or aromatic plants, require high initial investment (land development, improved planting material etc.) which farmers might not be able to provide themselves. Hence, there may be need for credit provision to private farmers to initiate activities. Various banks such as the state Land Development Banks and commercial banks as well as micro-credit organizations, to name a few, can play an important role in fulfilling such requirements.

However, the basic problem in the case of forest-based activities, especially planting of trees, is that most banks are reluctant to ‘lock up’ the funds for long periods of time. In such cases, the role of banks such as the National Bank for Agriculture and Rural Development (NABARD), which only takes up the refinance of the projects financed by any of the banks mentioned above, assumes great importance. NABARD can provide refinance to any scheme for a repayment period of up to fifteen years, which can be further extended to twenty-five years in special cases.<sup>37</sup>

When consulted, the regional office of NABARD at Bhopal was found to be unaware of the *Lok Vaniki* mission. The General Manager of the branch, on being told about the programme, was not very enthused by the idea. He felt that the scheme might lead to more rural exploitation due to increased bureaucratic hurdles, especially in the form of the Chartered Foresters who will be preparing

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<sup>37</sup> Important criteria followed by NABARD in judging whether it can provide refinance to any scheme submitted by a financing institution are:

- Technical feasibility of the project and adequate response from prospective beneficiaries.
- Financial viability and adequate incremental income to ultimate borrower to repay the loans within a reasonable period.
- Organizational arrangements to ensure close supervision by the financing banks.

NABARD's refinance ranges from 50% to 95% of the total finance amount being provided by the bank, the balance being met by the financing institution itself. The rate of refinance by the NABARD and the ultimate lending rate by the banks are fixed from time to time. The banks generally get a margin of 3.5% to 5.5%.

the management plans for privately owned areas. NABARD has, in the past, been associated with the Madhya Pradesh Forest Development Corporation, to provide indirect finance for planting on the government forest areas. On the brighter side, NABARD hopes that proposals forthcoming under *Lok Vaniki* will be more financially viable and bankable as the investing individual is directly involved.

### 5.2.5 Media

The *Lok Vaniki* mission has received considerable coverage especially in the print media at the national, state and local levels. Most of this coverage has been during the last one year and a lot of it was influenced by the negative undercurrents prevailing in the Forest Department. The response of the media regarding the programme, in general, has been mixed and newspapers have been viewing the programme both positively and negatively. While the *National Mail*, Bhopal terms it as ‘a scheme to filter the forestry sector to the grass root level of the populace’, the *Hindu* fears that the *Lok Vaniki* programme will only lead to more denudation, degradation and devastation of the forests of Madhya Pradesh. It has expressed an apprehension that the lure of wood will result in large-scale encroachment of forests by the farmers and that the absence of proper demarcation of government forest boundaries in most cases would facilitate such acts. It also warns against the strengthening of the illicit timber mafia due to *Lok Vaniki*. On the other hand, the *Times of India* viewed it favourably as a forestry scheme for the participation of the grassroots level in forestry sector in Madhya Pradesh and highlighted the *Lok Vaniki* Vision 2020.

*Down to Earth*, a national fortnightly magazine on environmental issues, mentions that the *Lok Vaniki* scheme ‘aims at empowering the farmers to manage their degraded forest land so as to derive

maximum benefits by selling its produce, including timber.’ It goes on to say ‘Unlike the JFM scheme where people participate in the management of government forests, in *Lok Vaniki*, the government assists the people in nurturing and utilising their lands.’

### 5.2.6 Traders

Traders who deal in forest produce, especially NTFPs and medicinal and aromatic plants, are a vital force in the market as they provide a crucial link to the end users of such produce. They generally procure raw or semi-processed material directly from the villagers, and sell to another market intermediary or directly to the consumers of such produce after value addition. Such traders will play an important role, more so in the initial stages in *Lok Vaniki* when it will be necessary to establish proper and firm market linkages so that the farmers can get a reasonable and competitive price for their produce.

One of the traders met during the course of the study, Mr. Moin Khan, a Bhopal-based cultivator of aromatic plants who deals in the trade of aromatic oil, sees great potential for the cultivation of medicinal plants such as lemon grass, rosa grass etc. under *Lok Vaniki*. According to him, there is a huge difference between the demand and supply of such aromatic oils that would not be bridged even if the entire agricultural area in Madhya Pradesh is replaced by such cultivation. Also, these oils fetch good prices, for instance, rosa oil might sell for up to Rs. 800 a litre, while oil extracted from lemon grass would fetch up to Rs. 450 a litre. These prices have been rising gradually in the last few years and there are no signs of a decline in the near future.

However, the fact that the cultivation of such plants, especially on a large scale, would require high initial investment for the planting material, irrigation facilities and other expenses, is the major

deterrent in promoting their cultivation. This is the primary reason why most cultivators are usually large farmers. Mr Khan feels that the effort being made under *Lok Vaniki*, especially in Dewas district, is the first major attempt to promote cultivation of aromatic plants even by the small landowners.

### 5.2.7 Forest Officials

The state Forest Department is the only government wing involved directly in the implementation of the *Lok Vaniki* mission at present. While talking to the Forest Department officials who have been implementing the scheme in the districts of Dewas, Sidhi, Raigarh and Hoshangabad, it was seen that all of them believed that tree cultivation and management outside notified forest areas has great scope as there were large tracts of land owned by the farmers or the community in their respective areas. Also, since these areas have been lying as 'zero income lands' for years and cannot be used for agriculture either because of the dense growth of trees on them or because of the extremely degraded soil and moisture conditions, the farmers initially received the *Lok Vaniki* scheme with much enthusiasm. The forest officials feel that the scheme received a major setback due to the Supreme Court's verdict of 17 December 1999, banning the felling and transit of timber in the state. To minimise the effect of the said verdict and to maintain the high morale of the farmers, efforts have been made by DFOs in their respective divisions to shift the focus from timber to other species.

Some forest officers expressed their apprehension regarding the change of land use from forestry to agriculture after the felling of trees under *Lok Vaniki*. They feel that stringent rules should be framed and implemented to check such a possibility. Deviations from approved working plans should be dealt with firmly and any attempt at changing land use patterns by the farmers from forestry/tree clad areas to agriculture should be resisted.



### 5.3 Some concerns regarding *Lok Vaniki*

Discussions with the stakeholders, as presented in the previous section, highlight a few dominant concerns that need to be tackled if the scheme is to be implemented successfully. Some of the major concerns raised are presented here.

- The scheme may result in the further degradation of government forest lands as felling and transportation of timber from these lands could be undertaken under the guise of felling from private lands. This could also be a shot in the arm for the timber mafia. It is important to devise some checks to ensure that this can be averted. The *Lok Vaniki* Act 2001 also recognizes this danger and says in Section 5 ‘where the felling of trees in revenue or private tree-clad areas adjacent to Government Forest is permitted under the approved Management Plan, the competent authority shall prescribe necessary safeguards to protect Government Forests from illicit felling.’
- The scheme may result in the clear felling of private forests and the farmer may then change the land use from forests to agriculture. Appropriate rules need to be put in place to ensure that this does not happen. As mentioned earlier, deviations from approved working plans should be dealt with firmly and any attempt at changing land use patterns by the farmers from forestry/tree-clad areas to agriculture should be resisted. The *Lok Vaniki* Act 2001 recognises this concern also and addresses it in Section 8, which prescribes punishment for contravention of the Act (see Annex 2).
- With the open fee structure proposed for the chartered foresters, the farmers may be exploited/harassed by them. The working of the chartered foresters needs to be regulated, at least in the initial period, to avoid any exploitation.
- Farmers might not be able to get the projected returns from

the cultivation of medicinal and aromatic plants due to lack of knowledge/information/inputs and might end up making losses instead. This would be a huge setback to the scheme. Farmers should be given sufficient technical support concerning cultivation, and proper financial and market linkages should be developed, to ensure that their enterprise is commercially viable. There is also a need for the wood based and forest based industries to actively support the farmers, as this would be in their own interest. In all the districts they need to get in touch with the farmers' associations and apprise them of their requirements—species, size and quantity. Planting material, credit or buy-back arrangements may need to be offered to the farmers. There is great need to link the producers with the consumers for mutual benefit. Marketing of the forest produce of the farmers at remunerative prices will be vital for the farmers in the time to come.

## 6. Analysis of the process of policy change



The process of development of the *Lok Vaniki* policy in Madhya Pradesh serves as an illustration of how policy to support private sector forestry may emerge. Whilst the particular circumstances and conditions (and hence policy responses) will vary greatly in each state, some analysis of the ‘how and why’ of the process of policy change in Madhya Pradesh may provide useful pointers to other states.

Various theoretical models have been developed over the years to explain how public policy changes. This example is a good illustration of the model developed by Kingdon (Kingdon 1995). In addition, the stepwise incremental changes taking place towards the encouragement of the private sector in forestry, before the initiation of the *Lok Vaniki* policy, serves to illustrate elements of the incremental model of Lindblom (Lindblom 1959) and Wildavsky (Wildavsky 1992). The incremental model describes how, rather than considering each programme afresh, decision makers make small, marginal adjustments and policy changes very gradually in small steps. The rest of this section attempts to analyse development of the *Lok Vaniki* initiative with reference to Kingdon’s model.

According to Kingdon, public policy making can be considered a set of processes including the setting of the agenda, the specification of alternatives from which a choice is to be made, an authoritative

selection by the Chief Executive amongst those specified alternatives and the implementation of the decision.

Kingdon suggested that setting the agenda for policy development is based on the flow of three streams of processes: problems, policies and politics. Coupling of the three streams may take place when a policy window opens and advocates of the new policy or entrepreneurs push forward with their package of problems and solutions (see box 6.1).

As mentioned earlier in this report, the key policy change catalyst in the state has been the former PCCF of Madhya Pradesh. Inspired after a visit to Sweden and some other European countries, where private sector forestry contributes substantially to the national economy, he felt that Madhya Pradesh could also turn around its economy by encouraging private sector involvement in forestry.

First of all, he determined the extent of existing private forests in the state. Using this data, he was able to convince a core group of officers in the Forest Department about the merits of private forestry. However, before this idea could assume some concrete shape, the PCCF retired from office, and the idea would have receded if it were not for his re-appointment as Forestry Advisor to the Chief Minister. In this position and with the help of other dedicated officers, he prepared a concept paper on *Lok Vaniki*.

One of the streams of processes in Kingdon's model is that of the problem, defined as such when it becomes apparent that something should be done about the condition. Problems catch the attention of decision-makers when there are visible indicators. Constructing an indicator that others accept becomes a major activity for those pressing for change.

In the proposal for *Lok Vaniki*, 'visible indicators' were used to define the conditions of the forestry sector in the state and the possibilities

### **Box 6.1: Kingdon's model of agenda setting, alternative specification and policy formation**

The agenda is the list of subjects, issues or problems that the government is paying serious attention to at any given time. There are three families of process in agenda setting: problems, policies and politics. Certain conditions become defined as problems when we come to believe that something should be done about that condition. Problems catch the attention of decision-makers when there are visible indicators. Constructing an indicator (especially quantitative indicators) and getting others to agree to its worth becomes a major activity of those pressing for policy change.

Independent of the problem processes, specialists, researchers, planners, academicians, consultants etc. are constantly trying to evolve new ideas and concepts and generating alternatives. These proposals or ideas may not be focussed on any problem but at an alternative way of doing something and may be further refined or rejected after discussions. Flowing independent of the policy and problem stream is the political stream composed of national mood, election results, partisan party politics and changes in the administration. The national mood is something that the people in and around the government sense. National mood changes in discernible ways and these have impact on policy agendas and outcomes.

A policy window is an opportunity for advocates of proposals to push their pet solution. The three streams mentioned come together at critical times. A problem is recognised, a solution is developed and a political change makes it the right time for policy change. A window opens mainly because of change in the political stream, a change in national mood or new administration.

Policy entrepreneurs are people willing to invest their time, energy, reputation and money to promote a position in return for anticipated future gain. Such people are found in many locations. The key entrepreneur may be a bureaucrat, a politician, a lobbyist, researcher or academic. But they are central in moving the subject up the agenda and into a policy change. The entrepreneurs develop their ideas, expertise and proposals and wait for the policy window to open. The entrepreneurs perform the function of coupling the previously separate streams. They hook solutions to problems, proposals to political momentum and political events to policy problems.

of a major contribution from the private sector if certain changes are made in the legal and policy environment. Comparisons were made with various developed countries showing the contribution of private forestry to their economies. The proposal also emphasised the need to address the crisis in the forest-based industries of the state, with a large number of these closing down and others barely surviving with imported raw materials.

A second stream in Kingdon's model is that of policies. The proposal took into account that there would be need for changes in existing policies. The proposal clearly indicated that there were no financial implications for the government, and that, in fact, it would stand to gain through increased tax revenue. The proposal was also atuned with the government's priorities in other sectors like *panchayati raj*, liberalization and privatization of the economy. This can be seen as an illustration of the third stream in Kingdon's model—that of politics, which may encompass the national 'mood', election results, partisan party politics and changes in the administration.

The policy window opened with the re-election of the Chief Minister in 1998. Decentralization in the forestry sector through formation of JFM and watershed committees was believed to have played an important role in the Chief Minister's re-election. Consequently, the *Lok Vaniki* proposal was viewed favourably. The ideas of decentralization, liberalization and privatization suggested in the proposal were also in tune with the current national thinking on these issues.

Kingdon also refers to 'policy entrepreneurs'—people who are willing to invest their time, energy, reputation and money to promote a position in return for anticipated future gain. An illustration of the role played by policy entrepreneurs is also provided by the *Lok Vaniki* development process. After the proposal was submitted

and under consideration, a presentation was made to the Madhya Pradesh State Forest Department by the Director of the Institute of International Forestry, Technische University, Dresden. He elaborated on the contribution of the private sector to forestry in Germany and some other European countries. A similar role was played by a champion of cooperative efforts in the field of forestry in Nasik district of Maharashtra.

Finally, Kingdon says, 'Nobody has a monopoly of ideas. They come from a plethora of different sources. Thus the key to understanding policy change is not where the idea came from but what made it take hold and grow.' It was just so with *Lok Vaniki*. The mission was approved and adopted despite apprehensions within the department and the ban imposed by the Supreme Court, mainly because the Chief Minister believed in it implicitly. By the end of the year 2000, it was not only included in the mandate of the political leadership in the state but regular monitoring by the Chief Minister helped to streamline the various processes and people.

Thus the process of policy change to encourage private sector participation in sustainable forest management in Madhya Pradesh proceeded. The growth of a small idea into a full-fledged popular programme has been a story of ups and downs. Whilst some of the steps in the process could be determined, others relied more on unexpected opportunities and fortunate timing. Unanticipated constraints or obstacles have occurred, such as the December 1999 ruling of the Supreme Court that banned all tree felling in the state. But the *Lok Vaniki* process has acquired sufficient momentum to seek solutions to these obstacles. The Supreme Court has now given permission to the Government of Madhya Pradesh to implement the scheme. *Lok Vaniki* seems all set to prove new dimensions of private forestry in Madhya Pradesh and pave the way for similar developments in other parts of India.

## 7. Lessons from the *Lok Vaniki* experience



Policy change is a complicated process that involves a number of players. The recent experience of policy change process in Madhya Pradesh highlights the following points:

- *Role of projects:* The initiation of a large number of projects in the forestry sector in recent years has helped to introduce facilitative policy changes. While these changes were in no way planned as lead-ins to the *Lok Vaniki* policy, they did unwittingly act as such, highlighting the role that projects can play in bringing about incremental changes in policy.
- *Bureaucratic and political support:* Both bureaucratic as well as political support are essential for effecting policy change. However, whilst bureaucratic support may be obtained through collection, analysis and presentation of appropriate data and information, political support is likely to be more forthcoming if the change process is presented as part of a larger political agenda such as decentralization of power, liberalization etc. Further, at the state level, no other single actor in the political system has quite the ability of the Chief Minister to bring about policy change. Hence, convincing the political leadership at the highest level can greatly ease the process of policy change.
- *Role of exposure visits:* While the role of exposure visits for promoting learning at the level of programme implementation



is well recognized, the case study of Madhya Pradesh clearly brings out their potential as a means for influencing policy change. Obviously, the impact would be greatest if the individual motivated through exposure visit is in a position to influence policy change. In the case of Madhya Pradesh, the concerned individual was the head of the state Forest Department and could subsequently initiate the process of policy change.

- *Inter-state learning at farmer level:* The *Lok Vaniki* initiative illustrates how inter-state learning can act as a catalyst for developing new activities: the study visit to Maharashtra by local forest officers and farmers contributed directly to the formation of *Lok Vaniki* Farmers' and Entrepreneurs' Associations in the pilot districts.
- *Inter-state learning by government departments:* There are currently very few opportunities for cross learning among different states. This has led to a situation in which innovative solutions to certain common problems found in one state are not shared with other states grappling with the same issues. For example, other states could also consider setting up special cells on the lines of *Lok Vaniki* Task Force in Madhya Pradesh. The Ministry of Environment and Forests should take the lead in promoting cross learning among states.

# Annex 1: Acts and Rules needing amendment

The following provisions of different rules needed to be amended so as to bring about a proper legal framework for private forestry in Madhya Pradesh:

## 1. MP Land Revenue Code, 1959

- |         |   |
|---------|---|
| Sec 2   | Defining the district and block forestry board and defining the management plan   |
| Sec 9a  | Laying out the structure, functioning and responsibilities of the district and block forestry boards regarding the felling and management of private forests  |
| Sec 253 | Empowering the village <i>Panchayat</i> to penalise defaulters and to make provisions for appeal to the Boards  |
| Sec 240 | (i) If the management plan is approved then the owner of the forest land does not have to take any permission from any authority<br>(ii) Regarding the management of forest on non-forest government land as per approved management plan<br>(iii) In case the felling is not done as per the management plan then such timber will be seized by the <i>Panchayat</i> and charges would be framed against the offender. |
| Sec 241 | (i) Authorising the boards to give permission for felling wherever regular management plan has been prepared.<br>(ii) Laying down procedures for registering of plantations taken up  |

## 2. M.P Schedule tribes (Protection of Tree) Act, 1956

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|-------|--|
| Sec 2 | Inclusion of the definition of 'Management plan' as defined in Sec 2 of MP Land Revenue code |
|-------|--|

- Sec 3 (1) (i) In case management plan has been approved then there is no need for prior permission for felling from the District Magistrate. Empowering the forestry boards in this regard  
(ii) If needed, the forest department can take up felling of the trees on private property
- Sec3 (2) The limit of Rs. 5,000 (revised to Rs. 20,000) would not be applicable to cases where there are approved management plans

### 3. Indian Forest Act, 1927

- Sec 2 (2) Definition of State Forestry Boards to be included
- Sec 28 State Forestry boards empowered to declare Protected forest area and unclassed forest as village forest
- Sec 79 Laying out the structure, functioning and responsibilities of the State Forestry Boards

### 4. MP Forest Produce Transit Rules, 1961

- Sec Laying down procedures to authorise *Panchayats*, Village Forest Committees, Forest Protection Committee and Eco-development committees to issue transit passes in specific cases. In case of violation, penalising procedures to be prescribed

### 5. MP Forest Produce Trade Regulation Act, 1969

- Sec 4 Appointment of VFCs, FPCs and EDCs as agents
- Sec 5 Appointment of agents to issue transit pass in specific cases
- Sec 12 and 12 (a) Authorising agents to collect transfer fee and tax before issuing permission of selling of tree from an approved management plan area

### 6. MP Panchyati Raj Act, 1993

- Sec 43 Recognize the boards constituted under the MP Land Revenue Code, 1959 as permanent forest committees and defining their structure, functioning and responsibilities

- Sec 54 Empower the *panchayat* in the management of revenue forests  
To ensure adherence to the approved management plans for private forest areas
- Sec 47 To make provisions for permanent forest committees constituted under the *MP Panchayati Raj Act* to work under the Block Forestry Boards
- Sec 50 and 52 To include the powers of the Block and District *Panchayats* under *Lok Vaniki Act* and powers to redressing appeals and the powers of sanctioning management plans
7. *MP Sales Tax Act*
- Sec Power to collect sales tax for forest produce and to retain whole or part of the tax so collected by the village *panchayats*.

# Annex 2: The Madhya Pradesh *Lok Vaniki* Act, 2001

MADHYA PRADESH ACT  
No. 10 of 2001

THE MADHYA PRADESH LOK VANIKI ADHINIYAM  
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11. Power to make Rules.
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MADHYA PRADESH ACT  
No. 10 of 2001

THE MADHYA PRADESH LOK VANIKI ADHINIYAM, 2001

[Received the assent of the Governor on 9<sup>th</sup> April 2001, assent first published in the 'Madhya Pradesh Gazette (Extraordinary)' dated the 12<sup>th</sup> April 2001.]

An Act to regulate and facilitate management of tree-clad private and revenue areas in the state of Madhya Pradesh and for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh Legislature in the Fifty First year of the Republic of India as follows:-

Sort title, commencement and application

1. (1) This Act may be called the Madhya Pradesh Lok Vaniki Adhiniyam, 2001.
- (2) It shall come into force on such date as the State Government may, by notification, appoint and different dates may be appointed for different areas of the districts.
- (3) It shall apply to such private and revenue areas which the Bhumiswami, the Gram Panchayat or the Gram Sabha, as the case may be, intends to manage as tree-clad area.

Definitions

2. In this Act, unless the context otherwise requires:
  - (a) 'Appellate Authority' means any authority notified by the State Government under Section 9;
  - (b) 'Code' means the Madhya Pradesh Land Revenue Code, 1959 (20 of 1959);
  - (c) 'Chartered Forester' means any person who is enrolled as Chartered Forester under Section 7;
  - (d) 'Competent authority' means the authority notified by the State Government under section 4;
  - (e) 'Forest Officer' means such officer as defined in the Indian Forest Act, 1927 (16 of 1927), but who shall not be below the rank of Divisional Forest Officer;
  - (f) 'Holding' and 'Bhumiswami' shall have

the same meaning as assigned to them in the Code;

- (g) 'Revenue Officer' means such revenue officer as specified in the Code, but who shall not be below the rank of Sub-Divisional Officer;
- (h) 'Trees' shall have the same meaning as assigned to it in the Indian Forest Act, 1927 (16 of 1927), but shall not include bamboos, palms, brushwood and canes;
- (i) 'Tree-clad areas' means the areas where there is tree growth and for which a management plan has been prepared under Section 3.

Preparation of  
Management Plan

- 3. The Management Plan for the scientific management of the tree-clad area shall be prepared by Chartered Forester containing such particulars as may be prescribed.

Approval of  
Management Plan

- 4. The Management Plan prepared under Section 3 shall be submitted to the competent authority as may be notified by the State Government from time to time. The Competent Authority may approve the Management Plan in such manner as may be prescribed. After having approved the Management Plan, the competent authority shall intimate to the revenue officer, the details of land and trees for the purpose of entry into the land record under sub-section (2) of Section 114-A of the Code.

Implementation of  
Management Plan

- 5. (1) Every Bhumiswami or Gram Panchayat or Gram Sabha as the case may be, after having received the approved Management Plan from the competent authority, shall implement the said plan according to the prescribed time schedule as mentioned in the said plan.

- (2) The Bhumiswami or the Gram Panchayat or the Gram Sabha, as the case may be, shall not require any permission under any other Act or the rules except the Madhya Pradesh Protection of Aboriginal Tribes (Interest in Trees) Act, 1999 (No. 12 of 1999), for the time being in force for felling of trees in the revenue or private tree-clad areas, where such felling has been permitted under the approved Management Plan.
- (3) Where the felling of trees in revenue or private tree-clad areas adjacent to Government Forest is permitted under the approved Management Plan, the competent authority shall prescribe necessary safeguards to protect Government Forests from illicit felling.
- Monitoring of Management Plan
- Enrolment of Chartered Forester
- Punishment for contravention
6. The State Government shall monitor the implementation of approved Management Plan in such manner and by such authority as may be prescribed.
  7. (1) The State Government shall prepare an enrolment register of Chartered Forester in such form as may be prescribed.  
(2) The eligibility criteria and procedure for enrolment of Chartered Forester shall be such as may be prescribed.
  8. Any person who acts in contravention of the provisions of this Act or Rules made thereunder or who after having approved Management Plan for tree-clad areas, fells trees or removes trees or any logs of the trees from the holding included in the approved Management Plan shall be liable to such penalty which may extend to twice the



value of the trees involved but not exceeding one lakh Rupees, as the Sub-Divisional Officer (Revenue) may after giving such person an opportunity to be heard, deem fit and the Sub-Divisional Officer (Revenue) may further order confiscation of felled trees or logs according to the procedure prescribed in the Code.

## Appeal

9. (1) Any person aggrieved by any order of the Sub-Divisional Officer (Revenue), may within thirty days of the order or decision, or if fact of such order or decision has not been communicated to him, within thirty days of knowledge of such order or decision, prefer an appeal in writing, in such manner accompanied by such fees as may be prescribed, to the Appellate Authority as may be notified by the State Government.
  - (2) On the date fixed for hearing of appeal, the Appellate Authority shall hear the parties to the appeal in person or through any agent duly authorised in writing and shall thereafter proceed to pass an order of confirmation, reversal or modification of order or the decision.
  - (3) Copies of the order passed by Appellate Authority, shall be sent to competent authority for compliance, or for passing such further order, as may be directed by Appellate Authority.
10. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer or authority for anything which is in good faith done or intended to be done in pursuance of this Act or rules made thereunder.

## Protection of action taken in good faith

Power to make rules

- 11.** (1) The State Government may, by notification, make rules for carrying out the purposes of this Act;
- (2) In particular and without prejudice to the generality of the foregoing power such Rules may provide for all or any of the following matters, namely:
- (a) the particulars which the management plan shall contain under Section 3;
  - (b) the time within which management plan shall be implemented;
  - (c) the manner in which the management plan shall be approved under Section 4;
  - (d) the manner in which and the authority by which the management plan shall be monitored under Section 6.
  - (e) the form in which enrolment register shall be prepared and the criteria and procedure by which Chartered Forester shall be enrolled under Section 7;
  - (f) the manner in which and the fees on payment of which the appeal shall be preferred under Section 9;
  - (g) any other matter which has to be or may be prescribed.
- (3) All rules made under this Act shall be laid on the table of the Legislative Assembly.

Other Act not to apply

- 12.** Nothing contained in the Code shall apply to management of tree-clad areas in respect of matters for which provisions are contained in this Act.

Power to remove difficulty

- 13.** If any difficulty arises in giving effect to the provision of this Act, the State Government may do anything not inconsistent with such provisions which appears to it to be necessary or expedient for the purposes of removing the difficulty;

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

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