

Research Report
(WSD)

POLICY CHANGES THAT DIDN'T WORK

Forestland in Watershed



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Preface

Frontiers of Policy Influencing

In a paper I wrote in 1998, “Challenges in Influencing Public Policy: The NGO Perspective”¹ I had made the following points:

1. Since influencing public agencies is an arduous and daunting task, NGOs should be ready to devote considerable time and effort when they take up the challenge.
2. The public policy is embodied in a country’s constitution, legislative acts, administrative orders and instructions issued through manuals, guidelines, and orders of the government bodies and offices at different levels. Policy change advocates should know precisely which of these need to be changed to achieve their objective.
3. Those who are authorised to make changes in policy are usually pre-occupied with implementing existing policies. They are also bombarded daily with proposals for change; they are not waiting for good ideas. Their basket is full; their bus is crowded.
4. Development agencies will do well to keep the following in view while engaging in policy advocacy.
 - i. Select only a few advocacy ideas out of the many that emerge in the course of their work, giving priority to those changes that require less processing in government. For example, they could begin with administrative orders, then go on to manuals, then a rule, followed by a legislative act. The constitutional amendment should come last.

¹ *In the Hands of the People: Selected Papers of Anil.C.Shah, 2001, Ahmedabad: Development Support Centre, 2001, pp. 62-65.*

- ii. Build a strong case for the proposed change. Spell out why it is necessary, important and urgent, say whom it will benefit and how much.
- iii. Contact like-minded organizations and individuals likely to join and support in presenting the proposal.
- iv. Formulate the proposal incorporating information about the organisations proposing the change, the reason for advocating the change, problems in the field blocking development, and the precise policy that need change
- v. Work out a strategy for gaining early attention, locate the officer whose acceptance of the proposal is crucial, identify a key officer who is sympathetic to the programme, take his advice how to go about promoting the proposal, arrange a meeting with the decision makers and use media to create a favorable climate for the acceptance of the proposal. These initiatives are necessary since the proposal presented will be one of many.
- vi. Work out a strategy to deal with rejection of the proposal, should that happen.
- vii. The progress of the proposal should be followed from department to department and, if necessary from officer to officer, until the desired order is obtained. A close follow-up is required since policy related decision involves several levels in a government organisation,
- viii. Prepare and implement follow-up plan to include dissemination through media, setting up of pilot projects as learning laboratories, and an action plan indicating responsibilities, authority and tentative targets, etc.
- ix. Finally, independent, reliable feedback on how the changed policy is actually understood and implemented will be useful for the policy-makers in taking corrective measures to keep the changed policy on track.

Inclusion of Forestland in Watershed Development Planning and Implementation

The strategy and plan outlined above were largely followed in one case of policy advocacy. The effort was made to have forestland included in the watershed development programme of the Ministry of Rural Development (MoRD), Government of India. The Ministry of Rural Development issued the Guidelines on watershed development in October 1994, The guidelines could be interpreted in such a way that the forestland falling within the boundaries of watershed project would be excluded from watershed treatment since the forestland was considered to be the responsibility of another Ministry, the Ministry of Environment and Forest (MoEF). Excluding forestland thus would violate one of the basic principles of watershed planning which is ridge-to-valley concept. According to this principle all land that falls within the watershed area, irrespective of ownership, has to be treated.

I along with others worked vigorously for changing the guidelines to make it mandatory to treat forestland when it is part of a watershed. This is important because forestland is usually at a higher level in the watershed and if soil and water conservation measures are not undertaken there, then during the rainfall the water will rush downstream, damaging the watershed structures that might be put up for soil and water conservation. Fortunately, I came across a circular that was issued by the Principal Chief Conservator of Forest (PCCF), Madhya Pradesh, which specifically mentioned the need to include of forestland in watershed development. This was helpful in persuading the Ministry of Rural Development: it agreed to clarify that forestland, when forming part of watershed, should be included in the development plan.

Consequently, the MoRD issued a very positive circular on March 20, 1998 which stated that the forestland should be included in watershed plans. At the same time we were working with the Forest Department of Gujarat. We asked them to consider issuing instructions on the same lines as the order of the PCCF (M. P.) so that funds available with the rural development department for watershed development could be used for development of forestland. The PCCF (Gujarat) appreciated the reasoning and issued a circular right away-- on March 19, 1998. These developments and the outcome of the efforts made in public policy influencing should make the policy advocates quite happy.

However visit to several states where watershed programme was being implemented, brought out that the instructions of MoRD were not being faithfully implemented-in fact, they were not implemented at all. It means that the getting appropriate government orders issued did not produce the expected results. The policy advocacy did not result in its implementation. Therefore there was a need to find out what obstacles prevented implementation of the sensible instructions of the MoRD and the PCCF (Gujarat) and what further measures were needed to ensure that the policy changes became effective on the ground. A study was undertaken by Development Support Centre to address these issues; first as a pilot project by a student of Entrepreneurship Development Institute, Ahmedabad, and then by Development Support Centre's researcher (Joydeep Sen).

The study was conducted in ten watershed projects where forestland was part of the watershed. Five Project Implementing Agencies (PIAs) were implementing these projects in five districts of Gujarat where substantial areas are under forest cover. It was almost four years after the instructions were issued and yet it was found that key instructions have not been translated into practice in any of the ten watershed projects. This is a serious matter because

- All five PIAs are reputed organisations: four are NGOs with the experience of 7-25 years in the area of natural resources management, and one is a government organisation with long experience in wasteland development.
- All ten projects have substantial forestland in the watershed area, ranging from 10% to--as high as--67%.
- Most of the village communities and the PIAs know the importance of treating forestland while developing the watershed area. They also know that not treating forestland would endanger development downstream.
- Not a single PIA had approached the Forest Department for permission to include forestland in their treatment plan for the watershed area.

The question is why did this happen. The answer can be found in the perception of the two key stakeholders, the forest officers and the officers of the District Rural Development Agencies (DRDA). Forest officers are fully aware of the provisions of the Forest Conservation Act of 1980 that stipulates that *unless the prior approval of the Central Government is obtained, only government functionaries or organizations under the control of the government can work on forestland and any violation will attract penalty for the forest officers who are responsible for permitting the activity resulting in an offence.*

Whereas the forest officers kept the above stipulation in view, they did not take seriously the instruction of PCCF. It is treated as an “opinion” of the PCCF, a “suggestion”, not an order. The forest officials are expected to obey only orders that are mandatory, derived from the law. It appears that even a senior, seasoned officer like the PCCF was not mindful of the built-in resistance of the field officers to any intrusion by “outsiders” in the forestlands.

If it is not clear, however, why the officers of all the five DRDAs assumed that only the Forest Department can work on the forestland. It is quite possible that most of the officers in -charge of watershed development in DRDAs in Gujarat are drawn from the Forest Department. They are usually of the rank of Divisional Forest

Officers. Therefore their understanding and attitude were similar to the forest officers working in the Forest Department. This explains to some extent why in six out of ten cases DRDA officials have directed the PIA not to include the forestland in the watershed plan.

The PIAs, the NGOs implementing the watershed programme, are all aware of the instructions of the MoRD as well as of the PCCF to include the forestland under watershed planning. None of them has even asked permission let alone ventured to develop forestland despite knowing well the need for treating forestland when it is part of the watershed. The only exception was the encroached land: in as many as seven cases out of ten where the local villagers had made encroachments on the forestland, the PIAs agreed to treat the encroached land as part of the watershed programme, ignoring the ownership of the land-it belongs to the Forest Department.. In a way this shows their “loyalty” to the rationale for ignoring the ownership, but it also discloses their reluctance to approach the Forest Department for removal of encroachment or to ask the villagers to desist from the non-forest use of the forestland.

Most of the PIAs have said that their own experience has convinced them that the Forest Department would not like an intrusion into their territory and since the DRDA does not expect them to include forestland in their plan, the PIAs have ignored the principle of ridge-to-valley and gone ahead with watershed development on the rest of the land.

Naturally villagers are not aware of the Guidelines of the MoRD or the PCCF circular about the need to include the forestland in the watershed plan, although they know its usefulness. However, since encroachment is rampant, they would rather keep the Forest Department out and away from the watershed activities lest the Department notice the encroachment and create problems for them! Even the PIAs have preferred to remain silent so that they do not lose the co-operation of the

village community that they need for participatory management of the land resources.

This is somewhat surprising as at least the foresters are aware of the Joint Forest Management programme that was launched by the MoEF in June 1990 and many of them must have worked for it and given permission to the Joint Forest Management Committees (JFMCs) to work on the forestland. Since I was closely associated with the formulation of the Joint Forest Management Programme and the issuance of the historical circular of June 1, 1990, that circumvented the Forest Conservation Act of 1980 and linked the participatory approach to the National Forest Policy of 1988. Further it would be useful to find out why the foresters in Gujarat have shown reluctance when 1,237 JFMCs have been authorised to work on 1,38,015.19 ha of forestlands. In the country as a whole, significant progress has been reported in JFM (63,000 committees, 14 million hectares, about 19% of the total forestland). Why is there more resistance to conducting similar activities by the forest communities when it is under the aegis of the watershed development? Is it because in JFM the foresters are in complete control of the programme and the associated activities, whereas in watershed programme the initiatives are with the watershed association, the PIAs and the DRDAs? - Is it only a question of territorial jurisdiction and ego?

The lesson policy advocates can learn from this case, is that those who work for policy influencing should not satisfy themselves with the achievement of obtaining the desired government orders. They cannot afford to relax until they make sure that the policy change has been implemented. The failure noted here underlines the importance of the some do's and don'ts for the NGOs listed in the beginning. Those like myself who had worked for change of the present policy of watershed planning were rather naïve; we were satisfied with the issue of instructions by MoRD and the PCCF. It is now clear that if the principles are to be practiced, the policy change has to materialise into action in the field, which is the purpose and intention of influencing policy. Therefore the study *ends* with following four recommendations.

1. Communication: the State Forest Department and the Rural Development Department need to draw attention of the DRDA, Divisional Forest Officers, Regional Forest Officers and PIAs to the objectives and contents of the guidelines of the watershed and the circular of the PCCF enjoining the inclusion of forestland in watershed planning and development. The instructions on inclusion forestland in watershed development should be included in the training of forest officials, rural development officials and the PIAs.
2. Research and dissemination: Case studies should be prepared to bring out consequences of inclusion and exclusion of forestland in watershed development. This material will be useful in training and in motivating the stakeholders.
3. Review of implementation: The Forest Department and Rural development Department may review the progress of implementation till the policy of treating forestland as part of watershed development is assimilated by all stakeholders. In the final analysis it should be routinised, not requiring special attention and effort.

Frontiers of policy influencing have to extend beyond issuance of government orders and instructions, and should include their translation into understanding and action by the stakeholders.

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Forestland in Watershed²

Background

When the Ministry of Rural Development (MoRD) issued Guidelines on watershed development in October'94, it has specifically said that the scheme was for non-forest lands. In the beginning watershed development programme was under the purview of Wasteland Development Board. Subsequently National Wasteland Development was created under MoRD to look after all land other than forestland. Therefore when MoRD issued watershed guidelines in 1994 there was a general perception watershed programme should be done on non-forestland which was against the watershed principle. Since watershed principles required treatment of land from ridge to valley, it would be very inappropriate to exclude any land, particularly forest land which would be usually at the ridge of the watershed. DSC took up this issue with MoRD and pointed out anomaly in the principles of watershed development and the provision of Para 16 in the Guidelines requiring inclusion of forestland.

Fortunately, Madhya Pradesh government ignored the provisions made in the MoRD guidelines and issued instructions to include the forestland in the watershed development scheme of MoRD. Copy of the circular issued by Madhya Pradesh government was sent to MoRD. At the same time DSC started working with the Forest officials of Gujarat and pointed out the instructions issued

² This paper is based on the report titled "MoRD Guidelines And Inclusion of Forest Lands in Watershed Development Programme" authored by Shailesh Majumdar. The report is based on research which he undertook as a student of the Post Graduate Programme in Management of NGOs at the Entrepreneurship Development Institute of India, Ahmedabad, under the guidance of Professor Nabarun Sengupta. The hosting organisation for the research project was Development Support Centre (DSC), Ahmedabad. Fieldwork was carried out between May 13 and June 17, 2002. The paper was extensively edited by Joydeep Sen and Rohini Patel of DSC.

by Madhya Pradesh Forest officials and tried to convince the Forest officials of Gujarat to issue similar instructions that would require inclusion of forest land in the watershed development whether the PIA was an NGO or a Forest officials itself. Even though MoRD had to consult Ministry of Environment & Forest, it was possible for them to get their concurrence and MoRD issued instructions on 20th March'98, which said that " criterion for selection of watershed primarily remains predominance of non-forest wasteland, the forestland forming the part of such watersheds are also to be treated simultaneously in the projects sanctioned under these schemes as per the guidelines". Almost at the same time that is on 19th March'98, Principal Chief Conservator of Forest (PCCF), Gujarat issued instructions which were more positive, exhorting forest officers to work enthusiastically for inclusion of forest land in watershed development.

Though this could be considered as satisfactory outcome of the efforts of an NGO to influence policy at the state and national level that were more consistent with the principles of watershed development. However, When AKF as part of its policy advocacy activities consulted NGOs in Western Indian states of Rajasthan, Madhya Pradesh, Gujarat and Maharashtra regarding inclusion of forestland in watershed, it was found that the problem persisted as PIAs were not including forestland in watershed treatment plan. It was therefore considered necessary to undertake follow up of the instruction of 20th March'98 by MoRD and 19th March'98 of PCCF, Gujarat to find out to what extent instructions were implemented and if not what were the issues.

The present study is a follow up of these developments in which DSC was very intimately involved.

Introduction

Watershed Development Programme (WDP) has now come to be accepted as a programme for sustainable development of resources to address the poverty and backwardness of the rural areas. The watershed approach aims at treating degrading lands with the help of low cost and locally accessed technologies such as *in-situ* soil and water conservation measures. It adopts participatory approach seeking close involvement of user communities.

The guidelines for implementing the WDP were originally formulated in 1994 by the Ministry of Rural Development (MoRD). The guideline specified the Ridge to Valley concept for watershed implementation. The principle of the watershed is to treat the land from the highest point to the lowest point. Thus all types of land falling within the watershed area, irrespective of kind and ownership of land, have to be treated. Since forests are situated on the ridge, inclusion of forestland in the watershed treatment plan becomes an important technical requirement. In the process of implementation and as a result of consultation with the various stakeholders, various suggestions came up. This led to first issue of instruction on March 20 1998, followed by a revision of the guidelines. The revised guidelines were published in 2001 which have included the change for the purpose of the study as contained in Paragraph 16 which states that when forestland forms part of a watershed it may also be treated simultaneously (although the criterion for selection of watershed primarily remains non-forestland). The Divisional Forest Officer should give technical sanction for treatment of forestlands provided the micro-watershed development plan for the forest area is in conformity with Forest Conservation Act, 1980 and the approved working plan of the area.

The five official documents are given as Appendix 1(Relevant paragraph regarding treatment of forestland in watershed), Appendix 2(MoRD's circular on

inclusion of forestland in watershed), Appendix 3 (PCCF Gujarat Circular), Appendix 4(Para 16 of MoRD revised guidelines issued on 2001 and Hariyali watershed guidelines, 2003) and Appendix 5 (Parts of Forest.Conservation.Act, 1980).

The study examines ten microwatershed projects which have forestland in their boundaries to find out what happens on the ground.

The main procedural steps to be taken for treating the forestland are as follows. After being selected by DRDA, the PIA helps watershed association to prepare the micro watershed plan. PIA submits the plan to DRDA for approval. The approved plan includes the forestland, then watershed association has to apply to the FD to obtain its sanction to treat the forestland.

Thus the scientific method to treat degraded land under watershed programme—is to begin at the top and come down the slope. This approach conserves every drop of water starting at the ridge and reduces to a considerable extent both the surface run-off volume and the velocity of water. This, in turn, allows better management of water flowing from the ridge to the valley and ensures efficacy, economical, stability and durability of soil and water conservation structures downstream.

Treating the rest of the watershed area without treating the forest may damage the water harvesting structures and water conserving measures downstream. If the forestlands are not treated in watershed then it results in reduced efficiency of the physical structures. Treatment plan will not give desirable results because of the exclusion of certain portion of land in the natural watershed.

Further, life cycle and capacity of the water recharging and soil conservation structures will be reduced. In upper areas, instead of small and low cost physical barriers like loose boulder check dams, gully plugging strong, permanent

structures like check dams and pitching will be needed in downstream that will raise the project cost.

Ecological restoration is one of major objectives of the MoRD watershed guidelines. However, if the principle of ridge to valley is not followed, there are chances that serious ecological degradation will result. Thus it would be good practice to include forestland in watershed treatment plan.

Forest Department Issues a Circular

To ensure the WDP is implemented according to the guidelines, i.e., a forestland encompassed by a watershed is treated, the Principal Chief Conservator of Forests (PCCF), Gujarat, issued a letter in 19th March 1998 (No.SAVYO/Mon12/B/6891-6/1997-98) which specifically stated that “A PIA other than Forest Department may also undertake the soil and water conservation work on the forestland. ...When it is necessary to include forestland in a watershed scheme, the DFO should give guidance for undertaking soil and water conservation etc. works on the forestlands...and give his/her approval within a month of receipt of such application.” The study tries to find out whether WDPs are implemented according to the revised guidelines and whether the instructions in the PCCF circular are being followed.

Objectives of the study

- To find out whether the stakeholders are aware of the revised Watershed guidelines and the PCCF's circular and their implications, and
- To ascertain whether the instructions on inclusion of forestlands are followed. If they are not, then to find out the reasons why they are not followed and suggest ways to remedy the situation.

This report has first explained the genesis of the study. After stating the objectives, it then briefly describes the method of data collection followed by an analysis of the stakeholders and then goes on to describe findings from the field.

This is followed by analysis of data. The note concludes with a set of recommendations.

Stakeholder Analysis

Any party which has influence on the decision—to include forestland in watershed project—or which is affected by the decision is a stakeholder. Thus there are four groups of stakeholders: the villagers, PIAs, the District Rural Development Agency (DRDA) and the Forest Department (FD). Influence and importance of each party are assessed relative to each another.

The importance of the decision—to include forestland in watershed—is the greatest for the villagers—they will be most affected because the durability and efficacy of the structures created by the watershed project and project deliverable will depend on whether the ridge-to-valley principle has been followed or not. However, they have least influence on the decision.

Both the importance and influence would be medium-low for the PIA. The PIA can persuade or convince the DRDA and the FD to give permission to include and treat forestland in a watershed. Thus it can exert influence, but has not power or authority. A well-implemented project will mean satisfied villagers and enhanced reputation of the PIA. Thus the decision is important for the PIA.

The DRDA has the power and authority to approve the watershed development plan prepared by the watershed supported by the PIA. Thus it has considerable influence on the decision. It ranks last with reference to the importance of the decision itself—DRDA is hardly affected directly by the decision.

The provision for the inclusion of forestland for treatment under a WDP programme has made the FD an important stakeholder in the project. As the PCCF circular points out that the FD stands to benefit when the forestland is included in watershed plan and receives the treatment that improve the

productivity. The FD, with its own policies, organisational culture and approach, may add an altogether different dimension to the WDP when a watershed includes forestland. It can give or refuse permission to the PIA to include forestland in its watershed plan. The consequences of the decision are important for the FD as forestland may improve but there may be some risks.

Relative ranking of stakeholders with reference to influence and importance is given in Table 1. The group ranked first on the dimension of importance has most to lose or gain from the decision on including forestland in the watershed, relative to others. The group ranked first on the dimension of influence has highest influence on the same decision.

Table 1: Relative Ranking of Stakeholders

Stakeholder	Importance	Influence
Villagers	1	4
PIA	3	3
DRDA	4	2
FD	2	1

Data Collection:

The study is mainly based on primary data, but secondary data were also used. Four groups of stakeholders: the villagers, including watershed committee members, officials from the DRDAs and the FD and the office bearers of PIAs were the sources of primary data. An analysis of the stakeholders follows. Views, understandings, opinions and interpretations of the situation, which make up the bulk of data, were sought from each group of stakeholders. Primary data were triangulated by interactions with different stakeholders and by examining documents on watershed implementation.

Semi-structured interviews based on checklists and focus group discussions were used for collecting data. PIA records provided secondary data.

Site Selection

Sites were selected from North, South and Central Gujarat where there is a relatively dense forest cover. Five PIAs were selected for the study based on the following considerations:

- Availability of the PIA for interaction and its willingness to provide information;
- Amount of information available with the host organisation (DSC) about the PIA to be selected and its links with it; and
- Proximity of the watershed to the forest area.

Thus it was purposive-cum-convenient sample. And yet, each PIA studied highlights major issues. The unit of analysis is a watershed project. Ten watersheds in five districts covering fifteen villages were selected from those areas where a forestland falls within the watershed boundary. One was a government PIA--Gujarat State Rural Development Corporation (GSRDC), Bharuch--and the remaining four were non-government PIAs--Manav Kalyan Trust in Sabarkantha district, Gujarat Rural Institute for Socio-Economic Reconstruction (GRISERV) (Bharatiya Agro-Industries Foundation) in Narmada district, Prakruti Foundation in Panchmahal district and the Shroff Foundation in Vadodara district. The fieldwork was carried out in May and June of 2002.

Findings

Field findings have been given PIA-wise. They are given in summary form in Table 2. First a brief introduction of the PIA and the project is given. This is followed by views and perceptions of the three sets of stakeholders: the PIA, the FD and the village community.

1. Manav Kalyan Trust

Manav Kalyan Trust is located at Khedbramha in Sabarkatha district of northeast of Gujarat. The organisation has been working in the area since 1985. It has been active in people-centred development with an emphasis on enhancing the socio-economic condition of the tribal population. The three watershed projects studied were Jaswantpura, Kherma and Jamaru watershed.

1.1 Jaswantpura Watershed

Jaswantpura watershed lies in a hilly area having a slope of 18-35 percent. The soil is shallow, stony and reddish brown in colour. Forestland has been properly demarcated. This watershed programme covers two villages.

The PIA has not treated that part of the watershed which falls under the forestland. Nor has it made a formal application to the FD to get the technical approval of the plan for treating the watershed. The Villagers of this area are unaware of the instructions of the revised guidelines regarding inclusion of forestland. Although the villagers from this watershed understand the importance of treating the forestland and if permission is given are prepared to treat it. However, the Forest Officials and the DRDA forbid people to take up any activity within the forest area.

1.2 Kherma Watershed

Kosa Jalstrav Vikas Mandal manages Kherma watershed. The topography of the area is hilly with a slope of 10-6 percent. The soil is of shallow depth with reddish colour. Forestland falls within the watershed.

The total area that falls under the watershed is 945.56 hectares, out of which 500 hectares have been treated under the WDP and the remaining 445.56 hectares have not been treated as they lie within the forest boundary. The PIA has not made any formal application to the FD to obtain technical sanction for treating the forestland.

1.3 Jamaru Watershed

Surya Jalstrav Vikas Mandal manages the Jamaru Watershed. The topography is hilly with an approximate slope of less than 5 percent. The soil is of medium depth, stony and grayish in colour. The area is partly covered under forestland.

The PIA has neither treated the forestland falling within the watershed nor made a formal application to the FD to obtain technical sanction.

In all the 3 villages, villagers are unaware of the watershed guidelines. The PIA has left the forestland falling under the watershed untreated in the 3 villages and and not sought formal permission from FD for treating the forestland. In none of the 3 villages DRDA has directed the PIA not to include forestland in watershed plan. However, in all the 3 watersheds PIA has treated the encroached forestland.

Views of the Various Stakeholders:

(1) Project Implementing Agency

The PIA is aware that guidelines specify that no land should be left untreated irrespective of type and ownership; however, they have not treated forest land as it is difficult to get permission from the Forest Department. They add that the Forest Officials fear that by allowing activities in the forestland FD will lose its status as the sole guardian of the forest resources. The DRDA has unofficially directed the PIA that no plan should include the treatment of forestland, and the PIA does not want a confrontation with it.

(2) Forest officials (FO)

The FO cites the Forest Conservation Act, 1980 which states that the FD has the exclusive right to carry out any activity within the forest boundary and no other agency including other government agencies can work in forest area without permission from the FD. Moreover, the FO believes that they understand the forest better and are technically more capable than anyone else of carrying out any activity within the forest area. If the FD receives any application from a PIA for treating the forestland, it will decide the issue; so far it has not received any application.

The officials add that in the near future the FD will become a PIA. They say that Joint Forest Management Committee (JFMC), if found satisfactory, can be entrusted the task of treating forestland within watershed. However, they believe that the JFMC has not taken sufficient interest in forest conservation activities.

(3) Village Community

The villagers would like to treat forestland falling under watershed; however, they understand that no activity is allowed in the forestland without prior permission from the FD. They say that since the FD receives large funds and other resources to carry out soil and water conservation activities within the forest, it does not allow other agencies to work within the forest.

2. Prakruti Foundation

Prakruti Foundation, located in Zalod, Dahod district in southeast Gujarat, has been working in the area for the last than seven years. Its core activities are in natural resource management, particularly watershed and participatory irrigation management. Two watersheds projects were studies, Bichore and Dugra.

2.1 Bhichore Watershed

Bhichore watershed is in a small hilly region with a slope of 12-20 percent. Its soil is reddish brown in and stony, and it has a poor vegetation cover. This watershed covers one village and its total area is 423.62 hectares, out of which 44.05 hectares are forestland. The ridgeline of the watershed is in the forestland.

The PIA has not made a formal application to the FD to get technical approval for treating the forestland in watershed. But some parts of the forestland have been treated without permission from the FD. The FD overlooks the treatment activities. The Forest Officials understands the guidelines, but they have no information about the PCCF circular. The FD has constructed a check dam which is very near to the area of the watershed project which increases the effectiveness of the area and drain treatment.

2.2 Dugra Watershed

Dugra watershed lies in the plains with a maximum slope of 2 percent. Its soil is brownish black with moderate depth, and it is not very fertile. Three villages fall in the watershed. The total area of the watershed is 596 hectares out of which 112.11 hectares are forestland.

The main ridgeline falling within the watershed has not been treated. PIA has not included forestland in watershed treatment plan and neither treated by the PIA. Forestland is considered that cannot be accessed.

In 2 watershed villages, villagers are unaware of the watershed guidelines. In both the villages the PIA has not sought formal permission from FD to treat the forestland. In 1 Watershed village, PIA has not treated the forestland. In 1 watershed village PIA has treated the encroached forestland without taking legal permission from forest officials. In none of the 2 villages DRDA has directed the PIA not to include forestland in watershed plan.

Views of the Various Stakeholders:

(1) Project Implementing Agency:

According to the PIA, the FO neither gives permission to treat the forestland nor does it allow other agencies to work inside the forest. According to the PIA the FO does not give permission for the fear that it will lose power. However, the PIA accepts that the FD is technically capable of carrying out soil and water conservation activities in the forestland without damaging the fragile forest ecological system. However, when the need arose, PIA has treated the encroached forestland unofficially in accordance with the aims and objectives of the watershed guidelines. The PIA does not want to ask for official permission from the FD because the villagers are afraid that if the FD enters the picture, it may take back the encroached upon forestland. This, in turn, will result in reduction of cooperation and participation of the people in watershed programme.

(2) Forest officials

The officials state that the FD has to work according to the forest plan and that it cannot make any changes in the work plan without getting approval from the Chief Conservator of Forest. The FD also takes up treatment activities. However, frequent transfers of the staff members make it difficult to carry out these activities on a regular basis. The Forest Conservation Act, 1980 also binds the Forest Officials which clearly lay down rules and regulations for working within the forestland.

(3) Village Community

Villagers are in favour of treating the forestland within the watershed, but they believe that the Forest Officials will be reluctant to give up its power, they are

worried that involvement of forest officials may lead to detection and removal from encroachment land which they are enjoying.

3. Shroff Foundation

Shroff Foundation is based in Vadodara and works in Vadodara and Kachchh districts. It receives funds and management support from several industrial houses. The foundation has been working in the Rangpur-Sadali, Chhotaudepur subdivision. The focus of its work is on natural resource management.

3.1 Nani Sadali Watershed

Nani Sadali watershed is located in a hilly terrain having a slope up to 6 percent. The soil is stony with a very shallow depth and grayish-black in colour. One village is covered under this watershed. The total area of the watershed is 361 hectares out of which 89 hectares fall within the forestland. The main ridge area falls within the watershed that is very near to the treatment area. One of the main drains travels through the forest into the treated watershed area.

The PIA has treated 270 hectares of the watershed area and another 89 hectares of forestland has been left untreated. In some places encroached forestland has been treated by the PIA. The PIA has not made formal application to get technical sanction for treating the forestland. The FD has constructed soil and water conservation structures within the forestland. The DRDA has directed the PIAs not to include the forestland in their treatment plan, as it believes that forestland cannot be treated by PIAs due to the Forest Conservation Act.

3.2 Koliyadhar Watershed

Koliyadhar watershed covers one village. The total area of the watershed is 331 hectares out of which 104 hectares fall in forestland. The topography of the area is plain with grayish-black soil and a maximum slope of 5 percent.

The PIA has carried out drain treatment in the encroached forestland. It has not applied to the FD for treating the forestland. According to the PIA although the FD has not given permission to any PIA to treat forestland, it has given permission for lime mining and establishing lime crushers within the forest boundary.

In 2 watershed villages, villagers have encroached upon the forestland. In both the villages the PIA has not sought formal permission from FD to treat the forestland, but village PIA has treated the encroached forestland without taking legal permission from forest officials. In 1 watershed village DRDA has directed the PIA not to include forestland in watershed treatment plan.

Views of the Stakeholders:

(1) Project Implementing Agency

The PIA have not applied to the FD since they believe that it takes a long time to get clearance from the FD which delays implementation of the project. The PIA adds that as a rule, the DRDA does not approve projects that include forestland in watershed treatment plan. If the DRDA approves such a plan, the FD is given responsibility for treating the forest area lying within the watershed.

(2) Forest officials

The FO says that under the Forest Conservation Act, 1980, it cannot give permission to other agencies to work in the forest area. The FO also believes that it is technically more competent and understands the forest better than others. The FO adds that the PIA will work in the area for the completion of the project, i.e., for five years and then leave the area. Hence sustainability of the project cannot be ensured. However, FD will always be there to take care of problems. The FD plans to act as a PIA.

(3) Village Community

The villagers favour treating the forestland within the watershed, but feel that forest officials will be reluctant to give permission to carry out any activity on the forestland.

4. Bharatiya Agro-Industries Foundation

Bharatiya Agro-Industries Foundation (BAIF) focuses on Vadodara and nearby districts. For the last six years, it has been working in Rajpipla for natural resource management, dairy and veterinary services. It has received a prestigious award for afforestation from the Government of India.

4.1 Mota Hedwa Watershed

Mota Hedwa Watershed is located in a hilly terrain with a slope of 22 percent. The soil is shallow with grayish colour. Soil erosion is very high. The watershed programme covers one village. The total watershed area is 500 hectares and out of which 150 hectares fall within forestland.

The PIA has treated the entire forestland falling within the watershed. The project was sanctioned by the DRDA. But when the DRDA came to know about the treatment of forestland it deducted the amount spent on treating the forestland when releasing the final installment!

4.2 Moti Bumari Watershed

Moti Bumari watershed covers three villages. The area is hilly. The slope of the ridge is 22 percent and the slope of the watershed area is around 10 percent. The soil is grayish in colour and there is considerable land erosion. The total area of the watershed is 1,042 hectares out of which 442 hectares falls within the forestland.

Forestland falling within the boundary of the natural watershed has not been included in treatment plan by the PIA, and therefore the PIA has not made a formal application to the FD to treat the forestland. However, a few encroached-upon patches of forest have been treated. To check the velocity of water several check dams and gabions have been constructed. However, the structures are being damaged due to the high velocity of water which could have been avoided if the forestland were treated.

In 1 watershed village, PIA has initially treated the forestland but in course of time when DRDA came to know that forestland has been included in the treatment plan it deducted the amount spent on treating the forestland. In both the villages the PIA has not sought formal permission from FD to treat the forestland. In 1 watershed village PIA has treated the encroached forestland without taking legal permission from forest officials

Views of the Stakeholders:

(1) Project Implementing Agency

The PIA says that it has no problem if the FD does not allow any other agency to work within the forest boundaries. It insists, however, that the FD itself must treat the ridgeline and forest area falling within the watershed since untreated forestland causes damage to the watershed structures and thus increases the operation and management cost.

(2) Forest officials

According to the FO, they cannot permit others to work in the forest area as per the Forest Conservation Act 1980. However, FD has not received applications from any PIA either. The FD officials add that they have gone through a few treatment plans submitted by the PIAs to the DRDA, which are quite vague and hence FD could not have given permission based on them.

(3) Village Community

According to the community, the Forest Officials does not care about the forest. Work carried out by the FD is not of good quality. The villagers believe that they can conserve the degrading forest environment much more efficiently if given permission to do so.

5. Gujarat State Rural Development Corporation

A state-owned agency, Gujarat State Rural Development Corporation (GSRDC), implements watershed development projects in many districts of Gujarat. In Bharuch, it has been working in Netrang for the past ten years. It is implementing seventeen participatory watershed projects.

5.1 Asanavi Watershed

The terrain of the area is hilly with a slope of more than 20 percent and in some places it is 5-7 percent. The soil is deep and grayish in colour. The total area of the watershed is 940 hectares, out of which 600 hectares fall within forestland.

Forestland is neither included in the treatment plan nor treated unofficially. Water and soil velocity is very high due to the height of the forestland. Two drains flow from the hills towards the treated area.

Views of the Stakeholders:

(1) Project Implementing Agency

The PIA believes that forestland cannot be treated because of the 1980 Forest Act and therefore, it does not treat even the encroached forestland. It always asks the villagers to produce the ownership document to avoid treating encroached forestland. However, the PIA says that forestland should be included in treatment plan with the permission from the FD. The DRDA insists that the forestland should not be included in the treatment plan. The PIA believes that

whether permission from the FD and the DRDA is granted or not depends upon the person holding the post.

(2) Forest officials

The FO have not received any applications, but they considers themselves bound by the Forest Conservation Act, 1980 and hence would not allow others to work in the forest area. Since the FD is technically more competent, it will be able to treat the forestland in a more effective manner, according to the FO.

(3) Village Community

The village community believes that all land parcels should be treated, irrespective of the ownership, but FD neither works seriously nor does it allow others to work for the fear of losing its power.

Analysis of Field Findings

The study was undertaken with two objectives, namely, to find out whether the stakeholders were aware of MoRD' s Watershed guidelines and the PCCF's circular and their implications and to ascertain whether the guidelines are followed in the field. If they are not, then the reasons for the same needed to be looked into.

How knowledgeable are the stakeholders?

It was found that the villagers had only limited Information about various provisions in watershed guidelines. An important reason for this could be that the PIAs work to accomplish physical targets rather than work in “softer” areas such as awareness raising and training. The knowledge of the PIAs was somewhat better. All the 5 PIAs were aware of the revised watershed guidelines and they agree that forestland should be treated. Neither the DRDA nor even the FD officials had full information about the situation. DRDAs in 6 watershed have directed the PIA not to treat the forestland as DRDA officials seem to believe that

only forest officials has legal authority to treat the forest land. Forest officials is more or less unaware of the revised watershed guidelines and PCCFs circular on treatment of forestland in watershed.

Are the guidelines followed?

It was found that all the 5 studied PIAs did not treat the forestland falling in the watershed area, thus violating the condition laid down in Paragraph 16 of the revised watershed guidelines. Not treating the complete area flouts the ridge-to-valley principle. What needs to be looked into why this is the case?

Why Is a Forestland Not Treated?

A forestland in a watershed may be treated by a PIA only after it has obtained permission from two authorities: the DRDA which approves the watershed plan and the FD which grants permission to treat forestland.

The DRDA

The DRDA, the funding and monitoring agency, does not readily approve project proposals that include forestland for treatment within the watershed. In 6 Watershed, out of the 10-studied Watershed, DRDA has specifically instructed the PIA to exclude the forestland falling in the watershed area from its plan. And the PIAs, keen to take up a watershed project, sometimes prepare their watershed map excluding the forestland. The DRDA takes this stand because it believes that the FD alone is the competent authority to treat forestland. Thus DRDA unaware of the enabling provisions in the revised watershed guidelines and the PCCF's circular.

The PIAs

4 out of 5 PIAs state that they do not treat the forestland falling within the watershed because they believe that the FD will not give technical approval to the treatment plan. On this assumption, the PIAs do not even apply. They believe applying will delay the project implementation.

Only 1 PIA which is GSRDC believes that forestland cannot be treated because it believes that Forest officials has got exclusive right to treat the forestland and therefore it does not even treat the forest land.

One PIA has observed that although the FD has not given a technical approval to any treatment plan, it has given permission for activities like limestone mining, stone crushing, putting up electric poles and building canals in a few places.

Encroachments:

The study has highlighted that in 7 out of 10 studied watershed, PIAs has treated encroached forestland. In the 7 watersheds it has been found that villagers encroach upon the forestland and cultivate it. If the micro watershed includes the encroached forestland, the PIA is in dilemma. If it seeks permission of the FD to treat forestland, encroachments will be highlighted. The FD may repossess the land which will antagonise the villagers. The latter may refuse to participate in the WDP. Thus, the PIA Often are compelled to treat the encroached upon forestland without informing the FD.

The Forest Officials

There appear to be several reasons why the FO would not grant permission. First, the FO considers itself bound by the provisions in Forest Conservation Act of 1980 and therefore disregards both the revised guidelines and PCCF's circular. The FO says that the circular issued by the PCCF is just a suggestion, an option and not an order.

Secondly, the FO has the apprehension that the forest will be damaged if the PIAs are allowed to treat forestland since they do not have the wherewithal—long-term commitment, understanding, expertise and experience—to treat forestland as it should be treated.

Thirdly, the FO carries out activities according to the forest development plan. Applications received from the PIAs via DRDAs are vague and do not furnish detailed information about site selection, dimension of physical structures, etc. FO believes that it cannot give technical approval to such plans.

Finally, the FO may be afraid that its power will diminish if a PIA is allowed to operate in the forest area; thus they are “protecting their turf”.

Suggestions

In conclusion, the following four suggestions are offered. If they are followed, there is much greater likelihood that the forestland in watershed will be treated.

1. Communication: The State Forest Department and Rural Development Department need to draw attention of the DRDA, DFOs/ RFOs and PIAs to the objectives and contents of the guidelines on watershed and circular of PCCF for inclusion of forest law in watershed planning and development.
2. Training: The instruction on inclusion of forest land in watershed development be included in the training of forest officials, rural development officials and PIAs.
3. Prepare case studies that bring out consequences of inclusion and exclusion of forestland in watershed development. This material will be useful in training to convince the ‘stakeholders’. The desirability of implementing the instructions of inclusion of forestland in watershed development.
4. Review of implementation: Forest Department and Rural Development Department may review the progress of implementation till the policy of treating forestland as part of watershed development becomes part of the culture of the watershed development ‘stakeholders’ and is routinised.

Table 2: A Summary of Field Findings

PIAs	Manav Kalyan Trust			Prakruti		Shroff		BAIF		GSRDC
Details	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10
Are the PIAs aware of watershed guidelines?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Has the PIA treated forestland?	No	No	No	No	No	No	No	Yes	No	No
Has the PIA sought formal approval of the FD for the technical plan?	No	No	No	No	No	No	No	No	No	No
Has the PIA treated encroached forestland without FD's permission?	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	No
Has the DRDA directed the PIA not to include forestland in the watershed plan?	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes

P1: Jaswantpura (area, slope- 18-35 %), P2: Kherma (area- 445.56 Ha, slope- 10-16%), P3: Jamaru (slope- < 5%), P4: Bhichore (area-44.05 Ha, slope- 12-20%), P5: Dugra (area-112.11 Ha, slope- < 2%) P6: Nani Sadali (area-89 Ha, slope- < 6%), P7: Koliyadhar (area-104 Ha, slope- < 5%), P8: Mota Hedwa (area-150 Ha, slope- 22 %), P9: Moti Bumari (area-442 Ha , slope- 10-22 %), P10: Asanavi (area-600 Ha, slope- > 20% and 5-7% in some places)

Note: Area denotes the extent of forestland in watershed.

Appendix-1

Reference of treatment of forestland in watershed in MoRD guidelines, 1994

PARA 25 (III) (b)

Selection of Villages

Where village community has already been successfully organised into homogenous groups for thrift and credit activity, Development of Women and Children in Rural Areas (DWACRA), Social Forestry, joint forest management committees, Community based convergence of services (CBCS) groups, etc.

PARA 34

Government Departments/Institutions as PIAs

Government Departments such as Agriculture, Forestry, Horticulture, Animal Husbandary etc. or other government institutions may act as Project Implementing Agencies for a specific number of villages/watersheds on par with any other PIA. They will also be expected to constitute Watershed Development Teams and be subject to overall supervision and guidance of the DRDA/ZP as any other PIA and shall also be similarly entitled to receive the administrative costs prescribed in these guidelines.

Appendix-1(continued)

PARA 42

Watershed Treatment/ Development Works

Watershed Treatment/ Development Plan should be prepared for all the aerable and non-aerable lands and the drainage lands. All degraded forestlands, government and community lands and private lands can be taken up for development activities.

PARA 76

Formation of User Groups

In the case of forestlands, the user groups should be organised in consultation with the forest department and designated as Joint Forest Management Commitees. These user groups could also be usefully utilised for the actual execution of construction works or implkementation of developmental activity. The constitution of most of the user groups should be completed within 6-8 months of the begining of project.

Appendix 2: PCCF Circular

No.SAVYO/Mon12/B/6891-6/1997-98

Office of the Principal Chief Conservator of Forests

Dr Jivraj Mehta Bhavan, Block 14
Old Sachivalaya, Gandhinagar 382 010
Dt. 19.3.1998

C I R C U L A R

Sub: Inclusion of of forestland in the micro watershed under the scheme of Watershed Development

Ministry of Rural Development is implementing watershed development scheme through District Rural Development Agencies. Under the scheme a micro watershed consists approximately of 500 hectares which corresponds to the area of a typical village. The watershed scheme is being implemented in selected villages through watershed development associations, which are promoted and supported by Project Implementing Agencies (PIAs). Based on the principle of people's participation, the scheme has to be implemented through local institutions of people such as watershed committee, users' groups etc. Since an important principle of watershed is to start from the highest level and to undertake watershed treatment up to the lowest level, it is essential to undertake development through soil conservation, water harvesting and vegetation development on all the lands within the watershed area whether they are forestlands, government lands, village common lands or private

agriculture lands. This is because the basic feature of the scheme is integrated development which requires employment of various disciplines. Thus inclusion of forestland in the micro watershed is the technical requirement of the scheme. Moreover since watershed programme is primarily being implemented in rainfed areas watershed work on forest areas is conducive to development of forestlands. These matters are clarified in details as under:

1. According to Para 34 of the Guidelines of the Watershed, Government agencies can work as Project Implementing Agencies. On account of shortage of funds with the Department the degraded forestlands are becoming more degraded for want of soil and moisture conservation activities. In these circumstances wherever there is possibility, Deputy/Assistant Conservators of Forest are hereby instructed to take up enthusiastically, consistent with overall policy of the Department, watershed scheme of Rural Development Department to ensure benefit for the development of forestland along with other lands covered in the micro watershed.

Whenever the Divisional Forest officer agrees to work as Project Implementing Agency for the watershed scheme in accordance with Para 35 of the Guidelines, he/she should appoint full time and working exclusively for watershed programme, a Watershed Development Team (WDT) representing disciplines of agriculture, life sciences, animal husbandry, engineering and social sciences. Forest officers like RFO can take care of discipline of life sciences. For other disciplines knowledgeable persons can be appointed locally on contract basis, the expenditure of which should be debited to the grant being made available by District Rural Development Agency. No expenditure should be incurred from grant of the Department.

Appendix 2 (Continued): PCCF Circular

2. A PIA other than Forest Department may undertake the soil and water conservation work on the forestlands, keeping in view the following:
 - a) The ownership of such forestlands will remain with the Forest Department. After completion of the development work the organizers of the scheme will not have any rights other than the prevailing rights and privileges.
 - b) Soil and water conservation works should be such as would support the forest development on the forestlands. Forest Protection Committee / Van Vikas Samiti will be working as users groups according to the scheme of Joint Forest Management sanctioned by Gujarat Government under their resolution No.FAC/1090/125/C-Part III dated 27 June 1994 (in place of earlier resolution of 31.3.91).
 - c) The Planning for treatment of forestland will have to be done in consultation with concerned Deputy Conservator of Forest and the DFO will give technical sanction keeping in view the provisions of approved working plan and the DFO will supervise the implementation. The administrative and financial approval of the plans of forest development, as part of the watershed scheme, will be accorded by local watershed committee and by District Rural Development Agency.

- d)** When it is necessary to include forestland in a watershed scheme, the DFO should give guidance for undertaking soil and water conservation etc works on the forestlands according to the arrangement envisaged in para 2(b) and give his/her approval within a month of receipt of such application.

Sd/-

D P S Varma

Principal Chief Conservator of Forest

Government of Gujarat

Gandhinagar

Appendix 3:

Paragraph 16 of Revised Watershed Guidelines, 2001 and Para 6 of Hariyali Watershed Guidelines, 2003.

Development of Forest Lands in Watershed Areas

Some watershed may encompass, in addition to arable land under private ownership, forest land under the ownership of state department, since nature does not recognize the artificial boundaries of the forest and non-forestlands in any watershed, the entire watershed is to be treated in an integrated manner.

However, the criterion for selection of the watershed preliminary remains predominance of non-forestland; the forestland forming part of such watersheds may also be treated simultaneously as detailed below:

- The Divisional Forest Officer (DFO) concerned should give technical sanctions of the technical plan.
- The programme should as far as possible be implemented by village forest committee existing in that area. If no committee exists formation should be encouraged, or forest activities should take the project activities in such watersheds
- Village Committee should be treated as per with the watershed committee. Since the village forest committees are registered in with the forest department of the respective state, there would not be any need of getting them registered under the Societies Registration Act.
- The micro watershed development plan should be in conformity with the Forest Conservation Act and approved working plans of the areas.

- Where a relatively larger proportion of the watershed is covered by the forestland, forest department at different level should be encouraged to take up the work of the Project Implementing Agency (PIA).
- A forest official should invariably be included as a member of the watershed team wherever watershed falls within the watershed.