

Good Practice Note

Securing Community Tenure over Common Lands



REGION : South Asia
COUNTRY : India
STATE : Madhya Pradesh
DISTRICT : Shajapur

SOUTH ASIA
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Securing Community Tenure over Common Lands

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I. Basic Information

Introduction

The project area in Agar tehsil lies in the uplands of Lakhunder that is a tributary of the Choti Kali Sindh, the main perennial stream in the region. It falls in the semi-arid zone within the Malwa plateau and is characterised by deep medium black soils and an average annual rainfall in the range of 800-1200 mm. Agriculture and animal husbandry are the predominant livelihoods. The region falls in the Cotton-Jowar crop zone and used to be the seat of the textile industry producing cotton and yarn. However, area under cotton cultivation has been on the decline and soyabean is now the main kharif crop. The other important crops include sarghum (jowar), maize, wheat and gram. The majority of land holdings are small with about 65% of all land holdings less than 2 ha.

Animal husbandry is an important source of livelihood although livestock holdings are small. The Malvi breed of cattle is an indigenous breed known for its suitability for draught in black soil conditions. With the spread of mechanisation in the region, the numbers of cattle kept for draught is decreasing. Buffaloes are now the preferred livestock supported by both the spread of irrigation and the opportunity to encash milk surpluses. However, weak market linkages and high input costs pose serious constraints for the spread of buffalo keeping. The overall livestock population in the district is on the decline with a 5% decline being reported between 1997 and 2003. In the project district the largest decline is that of indigenous cattle (9%) followed by that of goats and then buffaloes. Animal husbandry initially practiced as part of extensive systems has moved towards consolidation as part of mixed farming systems with good crop-livestock linkages in the irrigated areas. Small ruminants are largely dependent on the common lands, the extent of which is variable in the project villages. Comprising mainly of revenue wastelands, the range is between 21% in the irrigated tracts to 60% of the village geographical area in the drier areas. Largely under open access regimes, these lands have been severely degraded over the years and in many parts are subject to widespread encroachments.

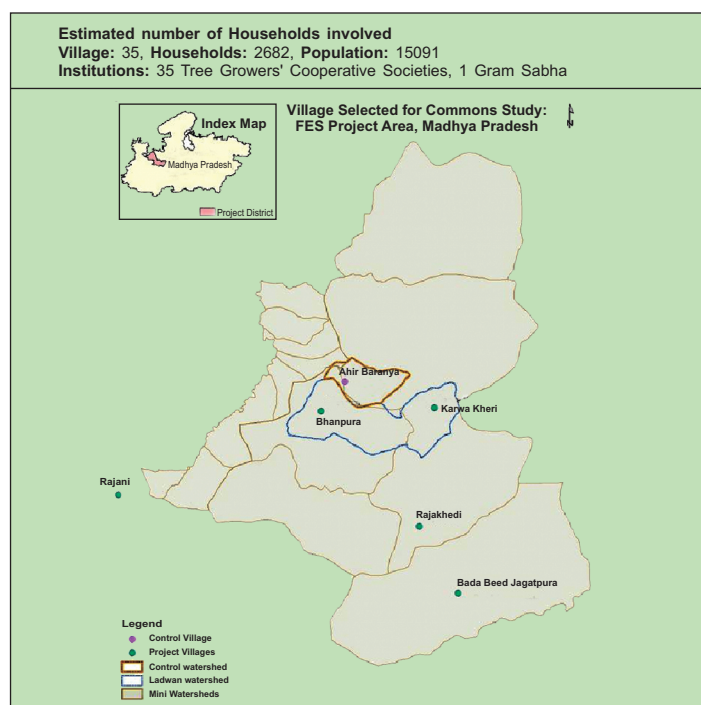
Communities reached

Communities reached are the agro-pastoral communities in the region. Just under half of this population belongs to the socio-economically marginalised category of scheduled castes. The rest of the population comprises Gurjars, Sondiya Rajputs and a few households of the Jain, Kumravat, Bairagi, Dholi and Rathore communities. The area selected for the project is the uplands of Lakhunder river catchment. The poorest villages in the region are located in the ridges and these have been prioritised for inclusion in the project. Village institutions have been facilitated at the level of user groups involving all members of the community with a special focus on the participation of the resource poor whose dependence on the commons tends to be higher than the rest of the population. About 41% of the households own less than a hectare of land and the number owning less than 2 ha. is almost 70%. Irrigated area is limited and ranges between 25-40% of land kept owned in each land owning class. About 82%-100% of the households that own land livestock to complement agricultural income. Among the landless (about 11% of population), about 64% keep livestock. A majority of the livestock-keeping households

keep cows for its cultural value as well as household needs for milk; dung on the other hand is either collected for application to farmlands or is sun baked and used as fuel for cooking purposes. While the landless and small and marginal households keep 1-2 cows each, larger herds are visible with the bigger farmers. Some Gujjar households continue livestock keeping traditions with cattle herds of upto 30-35 cattle. The importance of the bullock is declining due to both, the spread, of farm mechanisation, as well as competing with feed fodder needs of the buffalo. Buffalo rearing is prevalent across all land owning classes, the animal being preferred for the daily cash flows from milk sales.

Typically 1-2 buffaloes are held in small and marginal holdings with bigger farmers keeping herds of 4 buffaloes. Among the small ruminants, goats are preferred with 40-50% of the poorer households keeping goats in typical herd size of upto 7-12 goats. Among the big farmers about a third keep goats with 3-4 goats/herd. Goat rearing is taboo in some communities like the Bundelkhandi Gujjar, the Jain and the Brahman although some Gujjars have been observed to start goat rearing to capitalize on the availability of feed on the commons. Initially Tree Growers' Cooperative Societies (TGCSs) were organised. These were then assisted in obtaining a land lease for the revenue wastelands available in the village, which could be regenerated to satisfy the feed and fodder requirements of dependent communities. Through social fencing mechanisms the leased plots were brought under protection and locally suited, drought resistant species of forage grasses were introduced as part of the re-vegetation measures. The TGCS were assisted in evolving norms that would not only enable the protected resource to recover, but also ensure equitable sharing of benefits in the long run. Apart from intensive soil and moisture conservation measures, efforts to harvest surface run-off and assist ground water recharge were undertaken. The overall effort was to ensure better fodder and feed availability for livestock, as much as to augment the availability of crop residues for poor livestock holding through increased possibility of double cropping along marginalised lands infringing the revenue wastelands¹.

Distribution of Households (Study Sample) Across Land-holding Classes		
Land holding Class	Number of Households	% Households in Class
Landless (< 0.1 ha)	53.00	11.88
Semi-marginal (0.1 - 0.6 ha)	78.00	17.49
Marginal (0.6 - 1 ha)	55.00	12.33
Small (1 - 2 ha)	121.00	27.13
Medium (2 - 4 ha)	79.00	17.71
Large (> 4 ha)	60.00	13.45
Total	446.00	100.00



Methodology of Study

Of the project area specified in the map above, the current study is based on both secondary as well as primary data collected from a sample of 5 villages in Shajapur district

¹ Greater details are shared under Analysis and Costs of Start-Up Phase.

of M.P. – Rojani, Rajakhedi, Jagatpura, Karwakheri and Bhanpura. The valuation exercise is based primarily on secondary information on the changes in vegetation on CPLRs, and augmentation of water through creation of water harvesting structures at the lower part of the CPLRs. A large part of the data was collected during 2007. Apart from the valuation study, GIS based findings have been relied upon to ascertain the increase in feed and fodder availability in the Ladwan watershed area (demarcated in blue) by comparing it with a watershed adjoining the FES Project area in which interventions were not undertaken (demarcated in brown). Satellite imagery was used to track changes over a decade long period from 1996 to 2006.

Qualitative indicators

We observe that the impacts of the good practice on the livelihoods of the poor have been in two domains – one, through the flow of material goods from the improved commons under community tenure and two, through indirect benefits from the village institution on the commons. In the first category, we identify the following:

- *Increased fodder for cattle from grass and fodder trees on the Commons:* Across the project villages, the lands that have been brought under community governance with tenurial security under lease from the Government, complimented by soil and moisture conservation and revegetation work undertaken, has resulted in a significant increase in the biomass on the commons. Largely its people, who have restrained their animals during the initial phase and not the closure using the CPT/Stone Wall/Barbed wire that has helped in the regeneration of the site. This has resulted in enhanced fodder for the livestock. The increase in native species of shrubs under natural regeneration has in parallel increased the foliage available for goats. Focus group discussions reveal that there has been a trend of some households investing in goats anew or increasing herd size with the assurance of enhanced foliage close to the habitation
- *Reduction in fodder purchases to sustain cattle and small ruminants in times of stress:* The increased fodder accessible from the commons has had a direct impact on the amount of fodder needed to be purchased by households especially towards the end of winter and summer. Earlier households with small and marginal land holdings were able to sustain large ruminants only through purchase of crop residue or grass from private pastures.
- *Increased water for consumption by cattle, reduction in time spent on taking cattle for drinking water:* Water scarcity is a prevalent phenomenon in the region especially in the summer months. In a bad rainfall year, livestock keepers have to start moving beyond the village boundaries for water for cattle as early as late winter. In this scenario, making surface water available for cattle drinking was among the priorities of the community as part of work on the Commons. Collective action by communities, including local livestock herders, (*gram gwal*) has resulted in careful planning of surface water harvesting structures at sites that are on cattle routes and appropriate for storage of water. A series of these structures have resulted in water being available for a longer period of time within the village boundaries than earlier. In spite of evapotranspiration losses being high in the region, surface water harvesting structures have been supported to make water easily available on cattle routes. These water harvesting structures cater to cattle of all the adjoining villages too.

- *Increased recharge in wells downstream from the Common lands resulting in increased water availability for both agriculture, human and cattle drinking:* The water harvesting structures also support recharge of wells downstream. This has not only resulted in an increase in area under rabi cropping but also not only strengthened the system of the thel. Thels are cattle troughs and most villages in the region have a system whereby privately owned wells, owned by big farmers, feed a water trough or thel for the village cattle. The expansion of area under the rabi crop has made available more crop residues mainly of wheat. The availability of wheat straw has facilitated the rearing of buffaloes by households who can afford to invest in buffaloes. The recharge of wells of small and marginal farmers has facilitated in the acquisition of buffaloes allowing them to diversify their livestock holding. Increases in cash flows have increased from both the additional agricultural area as well as from livestock keeping.
- *Reduction in time spent in collection of fuel wood* since the protected commons have started yielding dry twigs in some villages. In other villages, the common grazing land provides dung that is collected by poor families to make dung cakes that are an important source of household fuel in the monsoon months. Household fuel arrangements are part of women's gender role and the proximity of these resources significantly reduces their everyday burden.
- *The proximity of the improved commons close to the habitation has another interesting implication for livestock keeping.* Keeping of small ruminants require a person from the household to graze the animals. The alternative is to send the animals with a village herder who charges between Rs 30-50/goat/month. Focus group discussions with poor households revealed that in many of these households children were in-charge of grazing the goats and the family felt reassured that the improvement of their village commons meant that the children did not have far to go – and, the adults in the family could go out of the village for daily wage work. This is a case where the opportunity cost of grazing livestock is high. While the practice itself does not bode well for children's education, the family is forced to the trade-off for an extra adult wage and the income from the goats.

Among the indirect benefits from the village institution, we identify two impacts – the first being the clarification of boundaries of the commons, and the second, the strengthening of social capital in the project villages.

The process of securing community tenure over the commons is one that also clarifies the extent of the village commons. Often, we find big farmers enclosing large tracts of the commons for their private use taking advantage of the fact that the boundaries of the commons are not well known. This then reduces the area available for grazing or makes cattle routes circuitous apart from paving the ground for permanent alienation of the encroached portion. Clarifying the boundaries of the commons helps the village institution keep a check on such opportunistic behavior. The process, however, also throws up instances of the poor having enclosed parts of the commons. In these situations it is up to the sensitivity of the village institution in deciding upon eviction of the encroachment. While encroachments on the commons are illegal, sometimes the village institution allows poor households to continue using patches of the commons for private use considering their dependence on this patch. The second indirect benefit is the strengthening of social capital in the community. By this we mean, that the collective action facilitated by the project on the specific issue of common land development has had a widespread effect on the social networks amongst communities both within and across villages. We observe this in three aspects:

a. Self-governing rules for management of the Common lands

The village institution provides the platform for discussion of strategies for management of the Commons, which evolve as self-governing rules of the institution. It is only rarely that a village community chooses to enlist outside mediation for the enforcement of these rules, choosing instead to resolve the conflict in front of the general body of the institution. Both the evolution and the monitoring of these rules become possible due the strengthening of assurance among community members that the rules are uniformly applicable to all members. Every successful enforcement of a rule further strengthens the governance mechanism. Some rules from the study villages have been compiled below. These rules are also dynamic in nature with the rights of rule making resting with the general body of the village institution.

Self-Governing Rules of the Village Institution			
Subject/ Village	Karwakhedi	Bhanpura	Jagatpura
Protection	Social fencing and through village cow herders	Social fencing and through village cow herders	Social fencing and through village cow herders
Access to outsiders	Adjoining villages may access water in the Common land	Adjoining villages have rights to grazing as well as water for cattle	Adjoining villages have access to peripheral areas of the Common lands and water for cattle
Conservation of Trees	Felling of standing trees on Common property resource prohibited Cart load of thorny shrubs may be taken on payment of Rs. 51/- to the organization	Felling of standing trees on Common property resource prohibited	Felling of standing trees on Common property resource prohibited
Grazing – Period of grazing	All year round except in the grass plot that is closed for four months of the monsoon.	All year round except in the grass plot which is closed for four months of the monsoon	All year round except in the grass plot which is closed for four months of the monsoon
Grass Plot	An area of about 100 ha is closed to grazing in the monsoon months to allow the grass to seed. In the month of Oct-Nov this plot is opened for grazing and remains open for the rest of the year.	An area of about 50 ha is closed to grazing in the monsoon months to allow the grass to seed. In the month of Oct-Nov this plot is opened for grazing and remains open for the rest of the year.	An area of about 60 ha is closed to grazing in the monsoon months to allow the grass to seed. In the month of Oct-Nov this plot is opened for grazing and remains open for the rest of the year
Grazing fees	Nil	Nil	Nil
Rules for lopping Rules regarding water access from Common harvesting structures	Practice does not exist No lifting of water from water harvesting structures on the Commons for individual agriculture	Practice does not exist No lifting of water from water harvesting structures on the Commons for individual agriculture	Practice does not exist No lifting of water from water harvesting structures on the Commons for individual agriculture
Voluntary Contributions/ Maintenance of assets	Village has responsibility of maintenance of collective assets	Village has responsibility of maintenance of collective assets	Village has responsibility of maintenance of collective assets
General Sanction norms	Village general body decides fines based on violation	Village general body decides fines based on violation	Village general body decides fines based on violation

b. Collective action for other developmental activities apart from the Common lands

The second dimension in which elements of a strong social capital is visible is the spread of collective action in the village. In many project villages, it is observed that the common platform of discussion on the Commons allow for deliberations on many other aspects of community life. Thus, in many villages we find that issues of informal village institutions on the village temple or a separate credit group or inter-village conflicts are also being deliberated on the same forum. Every instance of collective action strengthens the other initiatives undertaken by the same group. This is due to the fact that when individuals have memberships of more than one institution, there is a transfer of assurance of compliance with collective norms across institutions. It also makes the case for transfer of learning across institutional initiatives and also regulatory sanctions are easier to impose in such cases.

We see the spread of norms from the commons initiatives to other spheres of collective action as a pro-poor impact because the norms of universal membership and equal representation for all groups facilitated in the commons institution provides the space for the poor to leverage similar provisions in the other institutional domains.

c. Federating fora across villages to address issues of common concern

The third manifestation of indirect benefits is the evolution of federating fora across villages that are engaged in common land development on their village commons. While some of these fora have been facilitated by the project, they have also evolved spontaneously in other locations. The context for federating fora across contiguous villages arises from the nature of multiple functions of the commons for a community that need not necessarily belong to one village. Thus/ grazing routes often cut across two or more villages and especially so in periods of stress when water scarcity is acute. Also cooperation across adjoining villages is required for the successful enforcement of rules evolved by each village institution. The nature of natural resource flows also mandate the coming together of villages in a landscape. In the project area we find that downstream villages, which benefit from subsurface water flows from upstream villages, have norms for the sharing of biomass from the commons with these villages.

In the Madhya Pradesh project area, the issue of pastoralists has also been an issue for the fora of village institutions. A seasonal migration route is a traditional one used by these groups in the post monsoon months for their onward journey in search of pastures; they return by the same route just before the next monsoon. Over the last decade, the pastoralists have started deviating from their traditional route to cut through the commons of the project villages. This has brought the pastoralists in direct conflict with the village institutions that have been protecting their village commons. The village institutions perceive that the migrating herds not only ravage the entire area but also spread diseases in the local livestock. The forum of village institutions has over the last few years come together to discuss this issue with the leaders of the migrant herders as well as the district administration that charts out permits for migrant routes. This is a better solution than negotiations by each village institution with the herders that leads to conflicts some times. An interim solution has been reached whereby the herders have agreed to pass through a prescribed route. The possibility of facilitating better arrangements still exists and the discussions on the same are ongoing.

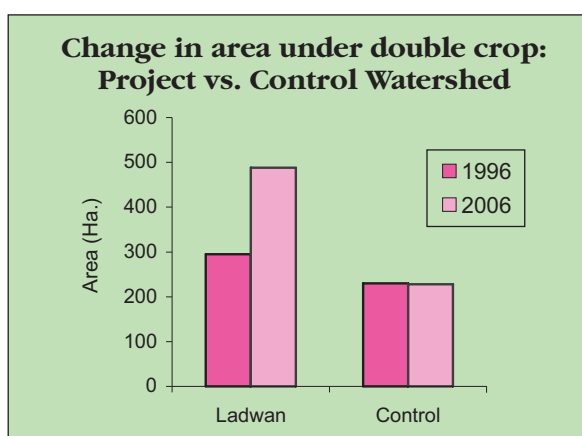
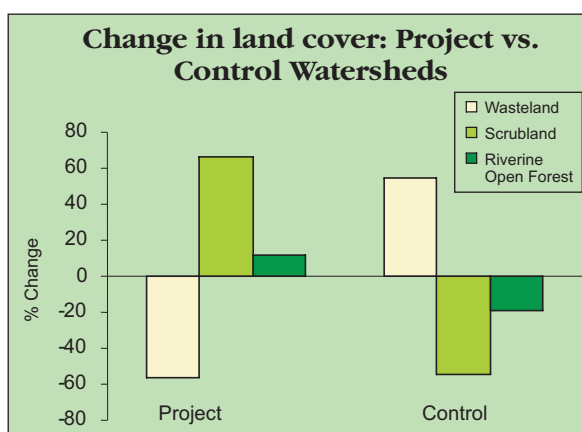
Quantitative indicators

1. Change in Land cover/use

As mentioned earlier a study was conducted to assess the change in land cover/use in the project watershed using satellite imagery of the area. The changes were tracked over a decade from 1996 and 2006. In parallel, an adjoining watershed where there were no project interventions undertaken was taken up as a control watershed to assess the impact of the interventions in the project watershed. Forest categories used by the National Remote Sensing Agency (NRSA) are used to classify the changes in land cover.

The study shows that there has been an overall increase in the quality of the project watershed area with an increase in vegetation cover. The graph here shows an increase in scrublands and riverine open forests along with a concurrent decrease in area under wastelands. The control watershed on the other hand shows an increase, there has been in area under wastelands with a decrease in area under the other forest types.

Along with this, there has been a significant change in open forest category of land in the project watershed showing a manifold increase, and there has been an increase in water availability in the watershed area too. This has resulted in the extension of the area under double crop, which has increased by 65% while in the control watershed the area remains the same.



2. Increase in Biomass

Biomass estimation undertaken in the Ladwan watershed and an adjoining control watershed shows that palatable trees and grass biomass in the project watershed are many times more than that in the control watersheds. The increase may be attributed to the interventions by the village institutions in the region. The increased palatable biomass contributes to the feed resource base for livestock in the region. A similar exercise was conducted in project villages scattered across the watershed not necessarily treated in a continuum.

The value of the increase in vegetation on the common lands was estimated. The estimated value of biomass per ha is Rs. 0.59 lakh for the three villages, which is lower than that in Ladwan watershed (0.89). The control villages have significantly lower value of biomass per ha i.e. Rs. 0.12 lakhs.

Area	Tree	Shrub	Grass	Total palatable green biomass (tonne/ha)
Watershed	0.19	0.25	4.54	4.98
Control	0.02	0.08	0.85	0.95
Rajakhedi	0.43	0.18	1.51	2.12
Rojani	1.42	0.12	2.46	4.00
Jagatpura	0.14	0.10	2.21	2.45

Note: Only in the case of green biomass it has been assumed that 30% of grass biomass in non palatable.

3. Increase in water availability for agriculture and livestock

The interventions on the commons have resulted in an overall increase in the moisture regime in the region. An in-depth study in the Ladwan watershed in the region shows an increase in water levels in 63 wells in the watershed with a concurrent increase in rabi cropped area by about 85 ha. The changes evident due to the common land initiative are significant in the light of the fact that the intervening period from 2001-2004 was a drought period in the region.

The increase in water availability has had a positive impact on the area that is cultivated. The estimates for increase in irrigated area are given here along with the net returns due to the extended cropped area.

Survey conducted in the project villages reports that soil and water conservation measures on the village commons have been an important driver of the increased water availability. About 75% of the respondents attributed the change in irrigation to the collective action on the commons. This has also led to an increased period of water availability for the livestock population. An internal survey by the FES team shows that water-harvesting structures built through collective action have resulted in a reduction of the stress period of water scarcity for livestock in this semi-arid area. This is both due to water being directly available and accessible in the commons as well as through the system of *thels*. The norm is that especially during summer and drought years, all privately owned wells will also feed *thels* for the village cattle. An increased recharge in privately owned wells has also resulted in more water being available for the *thels*. A summary table of the extension of the period of water availability is presented above.

Incremental Income due to Increased Irrigation	
Average Increase in Irrigated Area (from 4 watersheds) per Village	22 ha in Rabi
Main Crops	Soybeans, Wheat and Gram
Net Returns for Major Crops (Rs/ha)	Soybeans - 10,000 Wheat - 23,500 Gram - 20,300
Net Returns per Village (Rs)	5,17,000 from wheat
Additional Fodder from the Residue	Crops Significant
<i>Remarks:</i> Net returns could be reduced in the wake of the hike of energy prices and better compliance for paying the actual charges for using electricity.	

Village	Reduced drinking water stress on cattle (in months & numbers)
Lasuldi	from 6 months to 2 for 700 cattle of 4 villages
Kasaidaheria	from 4 months to nil for 650 cattle of Kasaidaheria villages
Bhanpura	from 4 months to nil for cattle of Bhanpura and 2 villages
Nepania	from 4 months to nil for 700 cattle of 4 villages
Karwakhedi	from 4 months to nil for 700 cattle of 4 villages

4. Increased Fodder for Livestock

About two thirds of the feed requirement for large ruminants comes from the commons in the monsoon and winter months. Crop residue fulfills the remaining requirement. In the landless and marginal holdings, the contributions from the commons significantly reduce the amount of fodder that needs to be purchased during the summer months. The commons not only provide year round grazing grounds, but also about two-thirds of the feed requirement for cattle in the monsoon and winter months. The feed requirements for small ruminants is exclusively met from the commons for poorer households and partially for big farmers who augment feed supply from their private pastures or bheeds.

A comparison of mean livestock holdings across land holding classes in the State of Madhya Pradesh and the project villages shows that the households across land holding classes in the project villages own more on an average than their class counterparts in the rest of the State. This may be attributed to increased fodder available directly from the commons and through the increase in irrigated area and crop residue therein. It is also noteworthy that the largest gains have been by landless households. This is an indicator of the benefits of securing access to common lands for landless groups. We observe that the assurance of increased fodder and water may be among the key drivers for poor households to strengthen diversification of livelihoods through livestock keeping.

Land holding/ Species	Landless (<0.002ha)			Marginal (0.002-1.0 ha)			Small (1.0-2.0 ha)			Medium			Large (>4.0 ha)		
	State	Project	P/S	State	Project	P/S	State	Project	P/S	State	Project	P/S	State	Project	P/S
Cattle	0.1	1.1	11.00	2.01	1.9	0.95	2.7	3.8	1.41	3.78	5.2	1.38	4.36	8.5	1.95
Buffalo	0.01	0.28	28.00	0.36	0.41	1.14	0.83	1.15	1.39	1.08	1.33	1.23	2.02	3.5	1.73
Goats*	0.09	1.25	13.89	0.63	1.9	3.02	0.66	2.22	3.36	0.39	2.43	6.23	0.63	3.15	5.0

The State figures for Goats includes sheep; State data is from NSSO (2006); Project data from FES survey (2007)

II. Innovation in the Good Practice

The practice of securing community tenure over common lands for governance by village institutions is in itself an innovation in the context of community based natural resource management. Community participation is increasingly being recognized as a desirable outcome in itself apart from its positive correlations with the efficiency and sustainability of project initiatives. Many existing government programmes for natural resource management do not pay adequate attention to critical institutional dimensions including security of tenure in favour of communities. The assurance experienced by communities of being able to access benefits from the project is an important determinant of community participation. In this context, securing of tenure over the commons is recognised as an important element of strengthening Common Property Regimes. Common land development is as much about strengthening institutional mechanisms as it is about technologies for regeneration of the resource. Community tenure has transformative potential in the context of a subsistence conservation oriented management of Common Property Resources.

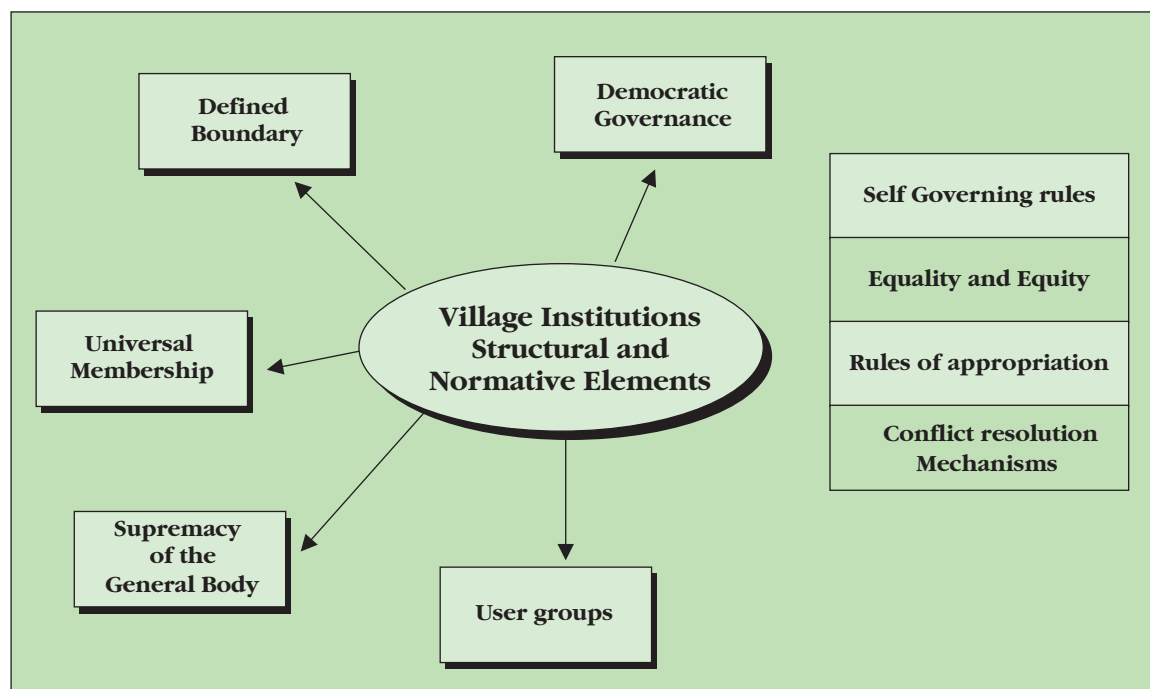
Tenure over common pool resources in India largely rests with various Government agencies. Devolution of tenure to user communities of various resources derives from government policy and agencies facilitating community based natural resource management. They have an important role to play in interpreting policy provisions and facilitating the operationalisation of the devolution of tenure to community organisations or to democratic institutions with broad based popular participation like the Panchayati Raj Institutions.

Collective rights of management over common lands are an important component of common property regimes in the light of three important factors:

1. The dependence of communities on these lands for collection of fuel-wood, fodder and other non-timber produce.
2. The assurance of collective rights is important for the participation of all groups in the institution.
3. The magnitude of dependence of households with no or marginal private landholdings on these lands is especially high. Collective action by the entire community on these lands can work towards enhancing the quality of these resources thereby strengthening this resource base that is critical to the poor. However, sustained access of these resources by the poor, even after resource flows are enhanced, is dependent on the strength of internal institutions.

Notwithstanding the importance of community tenure, the apprehension regarding devolution of rights of management to community organisations has been that of elite capture of these collective rights. In a society stratified on the multiple axes of caste, class and gender, it is highly likely that collective initiatives on the commons would also reflect the hierarchies otherwise prevalent in the community. It is, therefore, the strengthening of democratic village institutions to manage community tenure which becomes important in development of common property regimes. In the context of common property regime development we identify democratic village institutions as the 'delivery mechanism'. The

dual focus on community tenure and village institutions makes for the broad basing of property rights assigned to the collective. The strength of the arrangement lies in the extent to which otherwise disempowered groups can stake their claim within village institutions. This is an area where the role of the facilitating agency becomes critical in strengthening the capacities of the community in general and marginalised groups specifically for effective governance of commons. The approach of devolution of tenure to communities is well-suited to the context of development of common property resources where the common property regime is an integral part of the initiative. As noted earlier, we find that the emergence of collective action by communities in common property regimes is determined by the extent to which communities perceive that their long-term rights to the resource are recognised by government authorities. Community tenure coupled with strong democratic village institutions makes the practice appropriate for common land development.

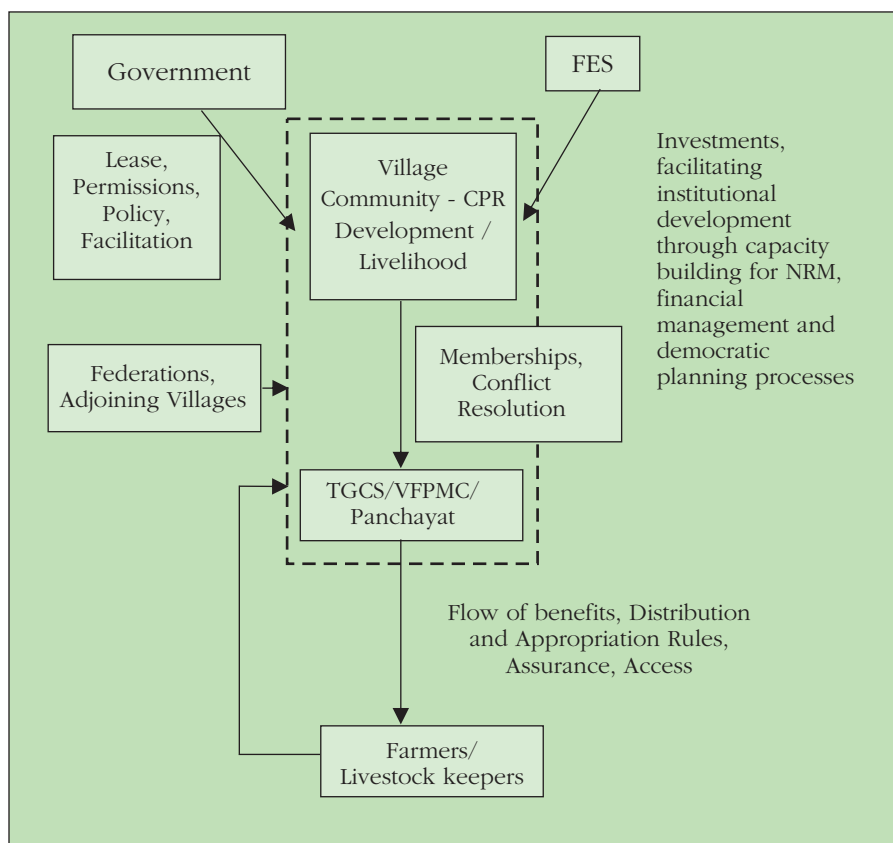


III. The Practice

The practice of securing community tenure over common lands involves mainly these actors – the State government, the Village institution representing the community and FES (the non-governmental organisation). The first half of the flow diagram given below depicts the interactions between these three actors. The State government provides a facilitating policy environment that allows for the lease of common lands to village communities for its management and development.

The role of the NGO is mainly two-fold

- a. *Facilitate the evolution of a village institution around the Commons:* At this stage the important decisions to be taken are regarding the physical boundaries of the institution and the membership of the institution. These are important decisions because factors such as traditional use regimes have to be kept in mind. If members with customary stakes in the resource are not included in the membership of the institutions, they could play a disruptive role in the functioning of the institution. Thus, boundaries of the institution may have to be envisaged as cutting across habitations in some cases. The actual procedure involves the demarcation of the boundaries of the common



lands by a functionary of the Revenue department. Issues regarding encroachment of portions of the common lands by members of the village also have to be resolved at this stage to preempt conflicts regarding individual claims to the common land at a later stage.

- b. *Facilitate the process of lease application by the village institution:* This is the actual process of application for tenurial rights by the community to State government involving existing provisions in policy. In this case, this includes the operational details of the formation of a village organisation i.e. the TGCS, to represent the village institution – defining membership, the executive body and the general

body, specifying the roles and responsibilities of each. The next stage is a resolution by the general body to seek tenurial rights over the common lands. The role of the facilitating agency is critical here in building the capacities of the village institution to interpret the provisions in the policy and the procedure involved.

The village institution is an important dimension of this good practice because the strength of the community tenure is based on the efficient and democratic functioning of the village institution. There is a need for investments in the institution building process. In this case these investments were made by the NGO by means of financial grants for the development of the physical resource through revegetation activities as well as for strengthening the institution through capacity development programmes in three broad areas: Technologies for natural resource management, Democratic planning for the development and use of the resource including all members of the institution, Financial management.

The capacity building programmes are also strategies for the identification and strengthening of leadership within the village institution who would be able to guide the institution. While the village community itself nominates members to leadership positions, there is an important role for the facilitating agency at this stage. This is to ensure that all sections/groups of the community are represented in positions of functional leadership and that the general body remains the overarching decision making body of the institution.

The fact that communities perceive that their right to manage the resource has received recognition by legal authorities, leads to increased participation of all sections of the community in the evolution and compliance with institutional rules. Secure tenure is both a pre-requisite and an outcome of collective action. Thus, we see that in the project villages, the right of management has resulted in communities devising strategies to counter threats, both internal and external. On the other hand, it is the assurance of sustained flow of benefits that motivates communities to engage in collective action to protect their tenurial rights.

Threats of alienation of community tenure can be both 'internal' – from within the village as well as external – originate from institutions outside the control of the village institution. In both cases, the threats can be opportunities to strengthen collective action on the CPR. The role of the facilitating agency is of crucial importance.

When a village decides to evolve or revive an initiative on its commons, among the most crucial of processes is that of reconciling encroachment of the commons by members of the village. Privatisation of the commons is largely a feature in which farmers with small or marginal land holdings on the fringe of the commons extend the boundaries of their holdings into the commons. In a second case, it is an enclosure of part of the commons for use as 'private pastures' or beeds. The cost incurred is usually only that of fencing. In a third case, it is the situation in which outlying settlements of neighbouring villages adjoining the commons claim a portion of the commons as part of their homestead property.

It has been FES' experience in the participant villages that the circumstance of encroachment by 'insiders' of the village holds the potential of being most disruptive to institution building on the commons. The commons' initiative hinges on collective action by the community. In the absence of this, the exclusion of any group, however few in number or marginalised in the social hierarchy, can detract from the collective action. It is, therefore, imperative that universal membership to the institution of commons management is recognised as both a principle of democratisation as well as a pre-condition to the success of the initiative.

It is essential that issues of encroachment are reconciled during the stage of demarcation of the boundaries of the commons. At this stage, the role of the facilitating agency gains importance for the nature of mediation between community groups. This is a process of extensive consultations with all the groups involved to arrive at a consensual decision. Often communities themselves decide that an internal process of resolution is required to resolve the matter using collective knowledge of customary usage as the basis for exclusive use of the commons by some households. In other cases, there is a specific role that government agencies can play in mediating among villages in conflicts over boundaries of the commons. Where, after inter-village attempts fail to resolve the issue of encroachment on the commons by members of the adjoining village, mediation by the Revenue Secretary or in some cases even by the District Magistrate may be enlisted by the community.

Government can play an overarching role in determining tenure over common lands. In Madhya Pradesh, the State government's decision to reduce the extent of common pastures from 5% – 2.5% of the geographical area has seen the distribution of common lands to landless households. This is evident in the case of one of the villages, Jagatpura, where the community tenure was instrumental in retaining the land under CPR under collective tenure when common lands in the adjoining villages were being allotted to individuals vide a government policy of land distribution to landless farmers.

IV. The Origin

This good practice has its origins in the beginning of the Tree Growers' Cooperative Project (TGCP) by the National Dairy Development Board in 1986. The mandate of the TGCP was to address the growing degradation of commons in the country towards securing the fodder and fuelwood requirements of rural communities. The Project evolved into the National Tree Growers' Cooperative Federation Limited (NTGCFL) and the project of regenerating village common lands was initiated in 5 States of the country, through facilitation of village institutions in the form of Tree Growers' Cooperative Societies (TGCS). The project was later transferred to the Foundation for Ecological Security (FES) in 2001. The project in Madhya Pradesh, the site of this good practice, was initiated in 1998.

Actors	Roles	
	Before	After
Government	Various departments of the governments involved in implementing different initiatives of watershed development, afforestation, routing input subsidies to poor farmers etc. Some of these through village level user groups.	The government has provided the policy context for community based management of the common lands. The village institution now interacts with various government departments/ agencies (Revenue department, DRCS etc) to plan for development of the Commons under collective tenure. The village institution has become a point of convergence for developmental programmes implemented by the various departments.
Village Community/ Institution	<p>Informal village institutions in the form of temple committees, or traditional village development committees existed. In some villages, these were village based while in others it was based on community affiliations.</p> <p>Institutions for natural resource management for grazing lands were in 3 of the 35 project villages. The system of thel or water troughs for cattle drinking was prevalent across villages.</p> <p>These institutions, however, reflected the prevalent hierarchies in the village not always providing spaces for marginalized groups in participation or decision-making.</p>	The Tree Growers' Cooperative Society has evolved as a village institution with a mandate of working on the village common lands. The TGCS is a platform where all members of a village have membership irrespective of community or gender. We see that other informal traditional practices such as the <i>Ora</i> ² have strengthened the TGCS. In addition, the TGCS in each village, in a landscape such as a watershed, forms the basis for the evolution of a forum for discussion of common issues. Such a forum provides a platform for the spread of collective action from village level to wider landscapes.
NGO	Before the FES initiative, there were no non-governmental initiatives in the region.	The collective action that is an outcome of the work on the Commons is evolving into a forum for convergence of engagements by other NGOs also with the community. The livelihoods support programme initiated by BASIX is one example, where the collective action of communities on the Commons has formed an institutional base for the initiative on livelihood support.
Gram Panchayat	The Gram Panchayat, the local governing unit used to interact with constituent habitations through the respective representatives of the habitation in the Panchayat or through its functionaries such as the Secretary on specific issues. A large majority of the habitation members remained largely uninvolved with the Panchayat processes.	The village institution now provides a platform where members of the habitation discuss issues of common concern in the habitation and strategies for representing these in the Panchayat. We observe that increased participation in the village institution shows a trend towards increasing popular participation by habitation members in Panchayat deliberations also.
<p>¹<i>Ora</i>: system of rotational participation by each household in some collective action. The Ora might be for instance to take the village cattle to graze or for watch and ward duty on the village Commons</p>		

Actor	Roles	
	Before	After
Farmers Fe/Male	<p>Individual farmers' interactions with the Commons were limited to the use of it as grazing lands or by female farmers for collection of fuel-wood and dung for household use. Farmers with private pastures amidst the Commons or adjoining it tended to seek opportunities to extend the boundaries of their lands into the Commons.</p> <p>The gender role of collecting household fuel wood formed the main basis of interaction of female farmers with the Commons. Occasionally, the task of grazing cattle also took them to the Commons.</p>	<p>Farmers interact with the Commons through active participation in its management. While the use of the Commons as grazing lands and sources household fuel continue, individual farmers are better informed regarding the status of the Commons and the progress of regeneration.</p> <p>The impact of water harvesting structures on the Commons also enlists individual farmer's interest in the Commons. While the structures themselves provide extended periods of drinking water for cattle, the sub-surface flows recharge wells downstream. These wells apart from being used for agriculture are also used to fill thels or cattle troughs for village cattle.</p> <p>In some instances the benefit of the recharge has been to common village wells that are a source of drinking water to the village.</p> <p>The village institution with equal membership for women has created a public space for female farmers' engagement with the Commons. The space created by the village institution allows from women to participate in decisions regarding the management of the Commons. While the increased biomass flows from the Commons has significantly reduced the time spent by women in collection of fuel-wood/dung for household fuel, the space in the collective action also fulfils the strategic need for women's participation in public decision-making at the village level which in turn allows for a gender sensitive decision making on the Commons.</p>
Livestock Keepers – Fe/Male	<p>Livestock keeping decisions were largely taken in family/extended kinship groups. Grazing and other feed provisions were largely in the private domain with each keeper accessing the Commons according to her/his needs.</p>	<p>The Collective management of the Commons has brought the issue of maintenance of the common property in to the public domain. While livestock trade decisions continue to be within the family/extended kinship group, deliberations on sourcing feed/fodder in periods of stress is now within the ambit of collective action.</p>

While tracing a shift in the roles played out by the local village institutions, one cannot overlook their dynamic nature. Apart from formulating rules and regulations for enhancing resource conditions to ensuring equitable access to benefits in times of abundance, village institutions have effectively dovetailed government programs and schemes in order to assist the on-going regeneration of commons. By remaining alert to the lucrative provisions or adverse repercussions of several policy amendments, village institutions have been able to undertake proactive measures for common land development in most instances. By forging partnerships with local leaders and sensitising them to the needs of poor livestock keepers' local institutions have been successful in safeguarding the pro-poor element of all interventions.

Analysis and Costs of Start-up Phase

The start up phase in Madhya Pradesh was a period of planning for the project activities. The identification of appropriate locations in the State to initiate Common land initiatives was done in consultation with the State government. The objective was to identify regions of ecological fragility with a considerable population of marginalised population where the potential of such a project to impact subsistence livelihoods apart from conservation of Commons could be tested.

The current site in the catchment of the Lakhunder River was identified as among the most arid parts of the State with considerably large tracts of Common lands. About a quarter of the population in the region was also identified as belonging to groups that have historically been socio-economically marginalized.

The identification of Tree Growers' Cooperative Societies as appropriate institutional forms for work on common lands belonging to the revenue wasteland category was based on the experiences of FES elsewhere in the country. However, the project in Madhya Pradesh incorporated the critical changes in the institutional template of the cooperative based on lessons learnt from other parts of the country. The important adaptations of the institutional template included the following:

1. Facilitation of institutions at the level of user group habitation rather than at the level of the revenue village. The institutional design of facilitating the CPR institution at the level of the revenue village led to the situation where the heterogeneous nature of the population and their varied dependencies on the commons created discrete groups within the village institution often leading to conflicting expectations from management outcomes of the commons. In such a situation the poor often lose out because subsistence interests are compromised by groups who may view the commons as the resource base for an income generating enterprise such as stone quarrying, woodlots for industrial use or even usurpation of feed and fodder resources at the hands of the local elite.

The village boundaries in Madhya Pradesh are drawn in such a manner that revenue boundaries encompass one or two habitations of relatively homogenous populations. Where a revenue village comprises many habitations of distinct caste groups, the attempt has been to locate separate institutions in habitations identified as cohesive units based on their dependence on the commons.

2. Facilitating inclusion of 100% household under the institutional fold as against voluntary membership as provided for in the Cooperative law. The cooperative law envisages voluntary membership to the institution through payment of a token membership based on which shares of benefits would be distributed. The experience in the earlier projects in the other States showed that "in the context of village commons, the voluntary membership provision created space for exclusion, and for 'institutionalized aggression' of the powerful in the village, often at the cost of the poorest."³ . The notion of voluntary membership is in itself misplaced in the context of village commons where membership is by default conferred by virtue of an individual's place of birth or habitation.

However, because the Cooperative law mandates enlisting membership and, because, there seems to be no other institutional alternative but to work on revenue wastelands commons, the Madhya Pradesh project initiated measures to circumvent the issue of membership through a concerted drive to facilitate universal membership, of every adult to the village institutions. With the momentum of decentralisation of local governance in the State to include the fourth tier of the Panchayati Raj Institutions at the level of the village gram sabha, the attempt has also been to facilitate the lease of revenue wastelands to the village gram sabha instead of crafted Tree Growers' Cooperative Societies. This institutional alternative is still being explored.

3. Movement from the intensive plantation mode of revegetation to a natural regeneration approach. Having understood that the commons make multiple

³Private Profits but Common Costs, E Theophilus FES Working Paper

contributions to rural livelihoods, it followed that monoculture plantations would not address the diverse needs from the commons. However, the common lands received by communities through devolution of tenure were also in a much-degraded state providing decreased flows of biomass. The project in Madhya Pradesh evolved a strategy of assisted natural regeneration to rehabilitate the degraded commons. The strategy built on the earlier experiences of the organisation in other parts of the country where fast growing species of trees were planted at high costs. In some cases, the survival rate was very low because the species could not adapt to the upland conditions of the commons. In others, the stands of trees resulted in reduced grass cover claiming earlier grazing grounds. In many cases, the value of the trees could only be realized through their sale. Experimentation with commercial varieties was not in the interest of the poor even though they got a share of the proceeds they lost out on the subsistence support they had derived from the commons in terms of fuelwood, fodder, small timber and other forest produce such as broom grass and seasonal fruits. The strategy of assisted natural regeneration evolved was based on supporting the natural regeneration of the resource base. Two factors were considered to be critical: first the arresting of erosion and enhancement of soil moisture and secondly putting in place mechanisms for the regulation of use of the resource.

4. A consideration of commons at a landscape level rather than at the level of isolated plots. The flows of natural resources across a larger landscape makes it imperative for interventions of natural resource management to also be addressed at the larger level. The experience of working on small patches of commons had thrown up difficulties of looking at an isolated part of the landscape that might be affected by the state of the landscape upstream or cause changes in natural resources flow downstream. In both cases, the cause or the area of impact lay outside the institutional boundary.

Besides this, the development of a small patch of commons in the midst of a degraded landscape creates the potential for conflict among communities. In the light of these factors, the Madhya Pradesh project area has been selected across a larger landscape of interconnected watersheds in the catchment of the Lakhunder. While the region forms an integrated ecological unit, the project intends to expand work to all habitations in a phased manner.

The table below encapsulates the total expenditure incurred in each of the project locations, and the expenditure per hectare:

Name of watershed/ village	Total Expenditure (Rs. Lakh)	Total Area (ha)	Expenditure/ ha (Rs. Lakh)
Ladwan watershed	48.02	3,152.00	0.02
Rajakhedi	3.36	133.36	0.03
Jagatpura	6.71	114.11	0.06
Karwakhedi	9.77	67.18	0.15
Total	67.86	3,399.47	0.06

V. Lessons Learnt

Practice

Degraded common lands can be regenerated and managed under collective tenure of user-communities

The experience of working with the mandate of regenerating degraded common lands through strengthening community institutions yields the learning that security of tenure in form of lease to TGCS over common lands can be a successful strategy for the regeneration of degraded common lands. Further, it also shows that community institutions are able to manage regenerating common lands using a combination of resource enhancement techniques and regulatory mechanisms to discourage over-exploitation.

The experience provides important pointers to the common apprehension of further degradation of common lands under community management, if not partial to complete privatisation by powerful individuals. This concern underlies policy solutions that swing between total State control to complete privatisation to individuals. The change detection Study findings show the improvement in the quality of the commons over a period of a decade. There are significant incremental changes in the project watershed in comparison to the baseline and when compared to the control watershed.

Security of community tenure is an important institutional pre-requisite for facilitating long-standing community property regimes on a large scale

The FES experience in Madhya Pradesh shows that secure tenure in the form of lease to the TGCS for a period of 99 years has been successful in the restoration of degraded commons, provided robust village institutions accompany it. The critical driving force underlying the continuity of successful common property regimes is the collective action of the community represented by the village institution. Security of tenure is a strong motivating force for all sections of the community to participate and invest in the village institution. In the absence of assurance of benefits over a period of time, the perceived high discount rate drives groups to maximise individual benefits rather than cooperate for long-term and continued returns. An in-depth study on common land development shows that while secure tenure can be a pre-requisite for collective action on the commons, it also holds the potential to drive collective action by communities in defense of their collective tenure. The secure community tenure over the commons and democratic village institutions can lead to equal access to benefits by all members of the village community. In the light of increased flows from the regenerating commons, the right to equal access significantly increases the flow of resources that the poor tap for subsistence and livestock keeping livelihoods. The importance of these contributions from the commons to poor households is enhanced especially in times of stress when feed and water scarcity can be a limiting factor for the diversification of livelihoods by the landless and farmers with marginal holdings in mixed farming systems. Thus, we observe institutions evolve dynamic rules in response to threats to the collective tenure, from both within the community as well as from adjoining villages. The project area also has a few villages where communities have evolved informal village institutions for natural resource

management without external support. In these cases, we find that these institutions upheld by traditional leadership systems in the village have been resilient and sustained for many decades. The association with the project has served to strengthen these institutions through helping them evolve into formal organisations like tree growers' cooperative societies that can enter into tenurial arrangements with the government.

Democratic village institutions are essential for benefits to be equitably accessed by the poor

Village institutions on the commons tend to be influenced by existing hierarchies within the village community. In order to circumvent this, it is essential that village institutions on the commons be crafted along democratic principles. The institutional design adopted by FES, is to ensure that irrespective of the locale specific factors influencing the formation of village institutions, these guiding principles need to be followed to ensure that benefits from the commons accrue equitably to all groups of the community.

The emphasis on village institutions derives from a perspective of sustainability of initiatives as driven by institutional robustness. This is at variance from the view in many watershed programmes that financial viability of an institution is a measure of sustainability of initiatives. Village institutions capable of evolving dynamic rules in response to community needs and the state of the resources are a better indicator of the sustainability of the CPR regime.

The attempt to link village institutions on the commons with the Panchayat Raj Institutions is also an effort towards strengthening these institutions. The project in Madhya Pradesh has attempted to facilitate lease of revenue lands to village level gram sabhas that are recognised as the fourth tier of local government by an amendment of the Madhya Pradesh Gram Panchayat Act. This is an attempt to mainstream common land management into the agenda of local governments. This arrangement would incorporate the democratic element of deliberatory decision making into common property institutions while also providing safeguards for the participation of marginalised groups. This arrangement needs to be explored further.

Collective action around the commons can form the basis for collective action around conservation action in the landscape

The experience of working with common property regime institutions at the village level shows that collective action around the commons can provide a platform for deliberations of other issues of common concern. Commons institutions are inclusive by virtue of pertaining to resources over which all groups of the community have equal rights. They are able to structurally circumvent existing power hierarchies in the village community providing the space for equal participation by all groups in the village. Such a forum based on collective action is at once a symbol of increasing social capital in the village and also contributes to the strengthening of cooperative action by various groups. The project in Madhya Pradesh shows that such collective action can strengthen the participation of the community in democratic decision making at the local Panchayat and in negotiations with government agencies. Moreover, we observe that collective action fora in individual villages can form the basis for a larger fora in the landscape for discussions of issues of common concern in the landscape. The coming together of the village institutions for negotiations with the migrant herders is an indicator in this direction.

Process

Strengthening the claims of the marginalised

We have noted that democratic village institutions are essential for equitable distribution of benefits. The institutional design followed by the FES team in Madhya Pradesh is based on provisions for providing spaces for the marginalised. The key provisions for providing structural spaces include universal membership, representation for all section in all layers of the institution and supremacy of the general body in decision-making. However, it is a learning that while these provisions create structural spaces for the inclusion of those who are historically marginalised in public domain – women, certain caste groups – the dominant forces often do not allow for their effective participation in the village institution. Thus, while at the initiation phase of the institution the structural provisions are able to provide a space for inclusion of these sections, often meaningful participation by these groups is a result of concerted investments in strengthening these sub-groups within the collective, in order that they may use the space in the village institution to stake their claims in collective decision-making to strengthen their entitlements from the commons.

Pro-Poor Livelihoods

The process of facilitating village institutions for the management of the commons in Madhya Pradesh yields two learning for understanding how the commons can contribute to improved livelihoods. First, secure community tenure over the commons and democratic village institutions can lead to equal access of benefits by all members of the village community. In the light of increased flows from the regenerating commons, the right to equal access significantly increases the flow of resources that the poor tap for subsistence and livestock keeping livelihoods.

Secondly, tenure over the commons can transform the livelihood strategies especially of the resource poor by adding to the natural capital to which they have access and by strengthening the overall social capital in the village. While access to the commons provides critical inputs to livestock keeping by the poor, incremental gains in existing livelihoods seem to be related to the asset profile of the household. Thus, we find that assurance of flow of benefits enables households with some existing land-livestock assets to improve the scale of their livelihood – increasing livestock or bringing in more productive livestock or increasing the area under agriculture. The poor with weak asset base need support through parallel livelihood support programmes to enable them to capitalize the increased flow of benefits from the commons.

We find that where the village institutions are sensitive to include issues of the poor and marginalised in their perspective plans, they have been able to leverage other livelihood support programmes where the poor have been supported for acquiring livestock, which has contributed to the strengthening of the asset base of the poor, increasing their capability to convert benefits from the commons to livelihood assets. Notably, the leveraging of other developmental programmes has been possible where collective action has enhanced the bargaining power of the village institution with government agencies or in the local Panchayat.

VI. Conclusion

Secure community tenure managed by democratic village institutions can form the basis for collective action around common property resources at the village level. The outcomes of such initiatives are in the domain of both material flows from the commons as well as in terms of strengthened social capital in the community. In the short term benefits are through the flow of fodder for livestock and fuel wood for energy requirements; in the long term, an improved commons contributes to enhancement of the overall natural resource base thereby strengthening of natural resource based livelihoods, especially small scale livestock keeping. Enhanced social networks in the village and the larger landscape can form the base for collective action towards conservation of resources as well as leveraging of further developmental initiatives. Spaces for the poor in the village institution and in larger fora are a result of facilitating democratic processes at these levels. This allows the poor to stake their claim in both the appropriation and governance of collectively held resources.

Abbreviations

CPLR	Common Property/Pool Land Resources
CPR	Common Property/Pool Resources
FES	Foundation for Ecological Security
NGO	Non-Governmental Organisation
NRSA	National Remote Sensing Agency
NTGCFL	National Tree Growers Cooperative Federation Limited
TGCP	Tree Growers Cooperative Project
TGCS	Tree Growers Cooperative Society

The NDDB-FAO **South Asia Pro-Poor Livestock Policy Programme** (SA-PPLPP) SA PPLPP is a unique livestock development program that aims to 'to ensure that the interests of poor livestock keepers are reflected in national as well as international policies and programs affecting their livelihoods'. It endeavors to do so by a) creating spaces for and facilitating dialogue among the actors playing a direct and indirect role in the livestock sector of South Asia, and b) drawing from and using lessons from field experiences to influence livestock-related policies, programmatic and institutional changes towards the benefit of poor fe/male livestock keepers in the region.

To access SA PPLPP publications and other information resources, please visit our website at <http://www.sapplpp.org>

FES (Foundation for Ecological Security) works towards the ecological restoration and conservation of land and water resources, in conserving the uplands and other eco-fragile, degraded and marginalised zones of the country and to set in place the processes of co-ordinated human effort and governance to achieve this objective. It undertakes work, either directly or with and through a range of democratic village institutions, their federal bodies, and civil society organisations, (set up) through initiatives that are ecologically sustainable, socially and economically equitable. The foundation strives for a future that is based on a holistic understanding of the principles that govern the interrelationships of various life forms and natural systems. The central character of their efforts lie in intertwining principles of nature conservation and local self governance in order to accelerate efforts on ecological restoration and improve the living conditions of the poor. Over the years FES activities have spread to 1402 village institutions in 26 districts of seven states. They are presently assisting communities in protecting 96,933 hectares of revenue 'wastelands', degraded forest lands, and Panchayat grazing lands, and crafting rules and regulations in managing and governing the natural resources, common land and water bodies in particular.

For more information on FES, kindly visit their website at <http://www.fes.org.in/>

About this Good Practice

This Good Practice challenges the misconception that community managed commons are more degraded than privatised ones.

Working in the most arid areas of Madhya Pradesh, Tree Grower Cooperative Societies secure community tenure over common land, build local social capital through multi-stakeholder village institutions to fulfil the Community based Natural Resource Management dream. This leads to a significant increase in biomass, vegetative cover, fodder and water availability that provides a boost to livestock development and establishes the importance of village institutions in Common Property Resource management.

SOUTH ASIA Pro Poor Livestock Policy Programme

A joint initiative of NDDDB and FAO

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