

Good Practice Brief

Securing Community Tenure over Common Lands

INTRODUCTION

This good practice has its origins in NDDB's Tree Growers' Cooperative Pilot Project (1986) aimed at addressing the growing degradation of Commons in the country, towards securing the fodder and fuel-wood requirements of rural communities. Subsequently, the Project evolved into the National Tree Growers' Cooperative Federation (NTGCF) and was initiated in five States of the country through formation of Tree Growers' Cooperative Societies (TGCS). The work of NTGCF was later transferred to the Foundation for Ecological Security (FES) in 2001, which emerged as a response to the need of working with different resource regimes, and various institutional templates. The work in Madhya Pradesh began in 1998.



The Context

FES's work along the Lakhunder¹ river basin in Shajapur district that forms a part of Malwa plateau is characterised by an undulating topography. The intervention supports 47 villages and community based protection mechanisms have now been extended to 6,796 hectares of common lands. The area selected for the project is in the uplands of the catchment and primarily reaches out to the agro-pastoral

¹The Lakhunder is a tributary of Chhoti kali Sindh, the main perennial stream in the region.

communities in the poorest villages located in the ridges. Just under half of this population belong to the socio-economically marginalised category of scheduled castes. The rest of the population comprises of Gurjars, Sondiya Rajputs and a few households of the Jain, Kumavat, Bairagi, Dholi and Rathore communities.

The area is characterised by deep medium black soils and an average annual rainfall of 800-1200 mm. Although agriculture and animal husbandry are the dominant livelihood options, around 70% of the households own less than 2 ha of land. Cotton, once the main crop, has now been ousted by soyabean as the major kharif crop. Other crops include sorghum, maize, wheat and chickpea. The irrigated area is limited and ranges between 25-40% of land owned in each land owning class. Common lands, comprising mainly of revenue wastelands, range between 21% in the irrigated tracts to 60% of the village geographical area in the upper catchments. Largely under open access regimes, these lands have been severely degraded over the years and, in many parts, are subject to widespread encroachments.

Almost all of the households keep livestock to complement agricultural income. Among the landless (about 11% of population), 64% of the population keep livestock. Livestock holdings are small consisting of indigenous cattle (*Malvi* breed), buffaloes, and small ruminants particularly goats. Small and marginal farmers typically rear 1-2 indigenous cows for household milk needs, and 1-2 buffaloes for manure and milk for sale. Goats are reared by the poorer households in typical herd size of 7-12 goats at a time. They largely depend on the common lands for their fodder needs.

Benefits to poor livestock keepers

The practice of securing community tenure over common lands for governance and management by community-based institutions has resulted in: a) Quantitative benefits through flow of material goods from the improved commons, and b) Direct and Indirect benefits from the Village Institutions for the poor livestock keepers in the project area.

Quantitative benefits

- Biomass estimation studies² indicate a significant increase in the quantity of palatable biomass that can be attributed to the conservation and regeneration work in the project watersheds. For example, the total palatable biomass in Ladwan³ watershed was 4.98 tonnes/ha whereas in an adjoining watershed area not covered by the project it was only 0.95 tonnes/ha.
- An overall increase in the vegetative cover scrublands and riverine forests – with a concurrent decrease in area under wastelands evident over a ten year period (1996-2006). This has not only resulted into enhanced fodder for cattle but the increase in number of native species of shrubs has improved the availability of palatable foliage for goats.
- Increased value of resources on commons – the estimated average value of biomass per hectare is Rs. 0.59 lakh in the project supported villages, compared to the control villages that have significantly lower value of biomass per hectare i.e. Rs. 0.12 lakhs
- Increased fodder for livestock and reduced spending on fodder purchase. The commons provide for two-thirds of the feed-fodder requirement for cattle in monsoon and winter months, the remaining is fulfilled through crop residues. For small and marginal farmers, contribution from the commons exclusively meets feed requirements of goats and also reduces expenditure on fodder purchase during summer.

²Valuation exercise (2007) conducted in 5 villages in Shajapur district, viz. Rojani, Rajakhedi, Jagatpura, Karwakheri and Bhanpura.

³Ladwan watershed is an area of 3152 ha and the villages studied under the valuation exercise fall in this hydrological area.

	Milch Cattle			Buffaloes in Milk		
	Monsoon	Winter	Summer	Monsoon	Winter	Summer
Bheeds	-	-	22%	-	22%	48%
Crop residues	-	33%	78%	4%	37%	38%
Grazing on Commons	67%	67%	-	45%	33%	-
Purchased feed/fodder	-	-	-	-	8%	14%
Grasses on bunds	33%	-	-	5%	-	-

- Increase in water availability has a direct impact on the area under cultivation for agriculture. The irrigation pattern has changed, leading to a 65% extension in area under double crop, thereby increasing the net returns per village. For example, in the 4 villages there is an average increase of 22ha irrigated area under rabi crops (soyabean, wheat and gram) leading to net returns of Rs.5,17,000 from wheat alone and a significant amount of fodder from crop residues.
- Increased period of water availability is an outcome of the water-harvesting structures built through collective action. In the project supported villages the stress period of water scarcity for livestock reduced from around 4 months to nil due to water being directly available and accessible in the commons as well as more water in the *thels*⁴ owing to increased recharge in privately owned wells.
- Assured fodder and water availability has led to an increase in the number and diversity of livestock in the project area across all land-holding classes.
- Reduction in the burden and time spent by women for collecting fuel wood due to availability of dry twigs and dung in the common grazing land.

Direct and Indirect benefits of the Village Institutions

- Clarification of boundaries of the village commons has not only helped restrict encroachment by large farmers but has also released the land rightfully reserved for grazing or for cattle routes.
- The collective action facilitated by the project on issues related to the commons, has helped strengthen the social capital in the village communities. This is evident through the following:
 - Self-governing i.e. effectively formulating and successfully enforcing rules to maintain and manage the commons without any external mediation.
 - Communities engaging in collective action for other developmental activities affecting other aspects of community life. The norms of equal representation and universal membership are also reinforced across other institutional initiatives.
 - Evolution of federating fora across contiguous villages in keeping with the multiple functions of the commons for a community that need not belong to one village, and with the natural resource flows between villages in a landscape.

The Practice

FES believes that a dual focus on securing community tenure over common lands for governance coupled with creating and nurturing robust, democratic village institutions is in itself an innovative practice in the context of community-based natural resource management. The assurance experienced by

⁴ Traditional system of filling drinking water troughs for livestock/ cattle during the summer season

communities is an important determinant of community participation. Therefore, FES's approach of operationalising the devolution of tenure to communities seeks precedence over technological solutions for regeneration of the resource. Nevertheless, as a facilitating agency, FES has invested considerable thought on both the bio-physical and the social-institutional dimensions. On an average, the project has incurred a cost of approximately Rs.6,000 per hectare with some location specific variations.

Social Institutional aspects

- Adapting “Tree Growers' Cooperative Societies” as appropriate institutional format for working on commons – revenue wastelands by making changes to the existing conventional cooperative template such as: (a) forming institutions at habitation level rather than based on revenue village boundaries; (b) facilitating universal membership to every adult/ all households as members rather than voluntary membership based on share purchase, and (c) exploring the possibility of revenue wastelands being leased to the Gram Sabha⁵ instead of externally crafted Tree Growers' Cooperative Societies.
- Encouraging the role of the village institution as a platform for collective action – for discussing strategies to manage the commons and also for deliberations on other aspects of community life.
- Making concerted investments to strengthen the marginalised groups to stake their claims in collective decision making to protect their entitlements from the commons by virtue of the structural provisions in the institutional design.
- Leveraging other livelihood support to strengthen the asset base of the poor and effectively dovetailing government programmes and schemes to assist ongoing regeneration of commons with due attention to the lucrative provisions and/or adverse repercussions of the policy amendments if any.
- Forging partnerships with local leaders and sensitising them to the needs of poor livestock keepers' local institutions in order to safeguard the pro-poor element of all interventions.

Bio-Physical aspects

- In consultation with the State government, identifying the most arid parts with considerably large tracts of ecologically fragile common lands and significant population of socio-economically marginalised communities.
- Considering the commons at a landscape level as an integral part of the ecological unit – rather than at a level of isolated plots within a watershed. This is based on the understanding that small isolated patches might be affected by the actions on the larger landscape and the same can influence flow of ecological services across the broader landscape.
- Shifting from revegetation by intensive plantation to a natural 'assisted' regeneration of the resource base i.e. avoiding planting of fast growing and/or commercial tree varieties and supporting the natural regeneration/ plantation of species and varieties of subsistence value in terms of fuelwood, fodder, small timber and other forest produce of interest to the poor.
- Appropriate soil and water conservation measures to arrest erosion, combined with mechanisms for regulations on use of the resource to help regeneration of the site.

⁵ In Madhya Pradesh, with the momentum of decentralisation of local governance, the village Gram Sabhas are recognised as the fourth tier of Panchayati Raj Institutions.

Role of facilitating agency

- The role of the facilitating agency is mainly to facilitate the formation and evolution of the village institution around the commons and to assist it in obtaining lease for the common lands. The former involves helping the community define membership, governance structures including roles and responsibilities, and the procedures to manage and share benefits of the improved resource.
- In the process of seeking tenurial rights, the facilitating agency has the critical role of building capacity of the village institution to interpret existing policy and follow the procedures involved. This entails identification and strengthening of leadership, and ensuring equal representation in functional leadership positions, and supremacy of the general body in all decision making processes.
- The facilitating agency must be prepared to make substantial investment in terms of time apart from financial grants towards: (a) technologies for physical development of the resource, (b) planning for democratic management and equitable sharing of the benefits of the improved resource, and (c) financial management.
- The facilitating agency must also be prepared to mediate between conflicting interest groups within the community. Areas of conflict are mostly related to encroachment by insiders, mostly bigger farmers for agriculture or private grazing land and/or outsiders, where adjoining villages lay ownership claims on portions of the commons. All cases require extensive consultations with all the groups involved to arrive at consensual decisions.

Policy implications

FES's experience of working with the mandate of securing community tenure for regeneration of degraded common lands through strengthening Tree Growers' Cooperative Societies can be a successful strategy for the regeneration of degraded common lands. It challenges the common misconception that community-managed commons tend to be more degraded than privatised commons. Tenure is a strong motivating factor for all sections of the community to participate and invest in management of natural resources. The assurance of flow of benefits like fodder and water brought in the by secured tenure over commons enables the poor to diversify their livelihood portfolio and to expand the asset profile of the household, e.g. adding different types and numbers of livestock or with increased availability of water increase in the double cropped area. Consequently they require support through parallel livelihood support programmes to capitalise on the increased flow of benefits.

The emphasis on village institutions derives from a perspective of sustainability of initiatives, which is driven by principles of institutional robustness. Village institutions on the commons tend to be influenced by existing hierarchies within the village community therefore linking them with the Panchayati Raj Institutions is also an effort towards strengthening these institutions. Moreover, the project in Madhya Pradesh has attempted to mainstream common land management into the agenda of local governments by making provisions for leasing revenue lands to village level gram sabhas that are recognized as the fourth tier of local government by an amendment of the Madhya Pradesh Gram Panchayat Act. Tenurial security is an important institutional pre-requisite for facilitating long-standing community property regimes on a large scale. Strengthening and facilitating traditional institutions to transform into formal institutions that could have lease agreements with the government to govern and manage the commons could also be supported through other government programmes.

SOUTH ASIA Pro Poor Livestock Policy Programme

A joint initiative of NDDDB and FAO

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