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# NEW STATE VILLAGE FOREST RULES

Are Madhya Pradesh and Maharashtra redefining participatory forest management in India?









# INTRODUCTION

## THE LEGAL-HISTORICAL CONTEXT OF VILLAGE FORESTS

The National Forest Policy, 1988, followed by the introduction of Joint Forest Management ('JFM') in 1990, sought to introduce a departure from the centralized approach of the Indian state to forest management<sup>1</sup> to a more participatory one. Following the adoption of the central JFM Resolution by states in the 1990s and into the first decade of this century, the adoption of the Panchayats (Extension to Scheduled Areas) Act, 1996 and the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act ('FRA') in 2006, the policy and legal framework for recognition of rights of the forest-dwelling and forest-dependent communities seemed to have been put in place.

Even while all of the above was happening, there was almost no use made of a strong statutory mechanism for creating village forests that has been available since 1927, under the Indian Forest Act ('IFA').<sup>2</sup> The provision says that *"The State Government may assign to any village community the rights of Government to or over any land which has been constituted a reserved forest... All forests so assigned shall be called village-forests."*<sup>3</sup> A general critique of JFM in India under variety of names, such as community forest management (CFM) or community based forest management (CBFM) and participatory forest management (PFM), has been that it continues to function on the basis of executive orders that 'do not have the sanctity and the security of a statute'. In this context it argued that only an arrangement such as the Village Forests under the IFA makes sense, whereby both a forest patch and the body of village users with rights to that patch are identified, and the rules lay down the rights of the body so constituted to managing the forest patch.<sup>4</sup> The fact that two large states have recently sought to use the Village Forest provision under the IFA and laid down elaborate rules for managing such forests should then ordinarily be seen as fulfilling a need felt for a longtime. Yet, as the paragraphs below shall show, there is plenty in the rules to be concerned about. The present legal brief is an expression of this concern.

## MADHYA PRADESH AND MAHARASHTRA ACTIVATE THE VILLAGE FOREST PROVISION UNDER IFA

The fact that Maharashtra in 2014 and Madhya Pradesh in 2015 have notified rules for the demarcation and management of village forests in quick succession is interesting, because Maharashtra had seen the earliest recognition of Community Forest Rights ('CFR') in the country,<sup>5</sup> and the fact is that the two states together account for almost one-fifth of India's total forest cover.<sup>6</sup> These two states also have a well-documented history of conflict between forest-dwelling communities and state forest machinery.<sup>7</sup>

Therefore, increased activity in these states around a largely dormant provision raises important questions, and merits a closer examination.

The Indian Forests (Maharashtra) (Regulation of assignment, management and cancellation of village forests) Rules, 2014 ('MVFR') and the Madhya Pradesh Village Forest Rules, 2015 ('MPVFR'), broadly, provide for the notification and management framework of village forests – rights and obligations of the management committees, their composition, constitution, functioning and accountability. Through the provision for such management committees, they establish a framework for the assignment and exercise of rights over appropriation and distribution of forest produce for dependent village communities. The management is carried out according to a plan, which is generally prepared annually under the auspices of the state forest departments. Most of the rights of collection and disposal of forest produce are also subject to interventions by the forest department.

## HOW MUCH RIGHTS SHOULD VILLAGE COMMUNITIES HAVE IN MANAGING FORESTS? – THE MANDATE UNDER SECTION 28, IFA

A quick glance at MVFR and the MPVFR as above suggests that significant powers of management of forests and access/ distribution of forest produce have been retained with the state authorities, while assigning only a portion of these to the village communities. How much rights then should village communities have in managing forests? Does Section 28 of the IFA under which these Rules have been made by MP and Maharashtra provide guidance? Section 28, IFA only says that “*the State Government may assign to any village community the rights of Government...*” Under Colonial rule this simple provision was even, almost fantastically, interpreted to mean that village forests were to be under the management of the government officer!<sup>8</sup> However, the real intent behind the provisions was laid bare by the Sir B.H Baden-Powell, an influential ICS officer in British India, who in his classic treatise for Forest Officers said “*...village forests would probably be most wanted in cases where a bare proprietary right belongs to Government, but where the rights of the village are already so extensive that Government could not conveniently carry out a settlement of the rights..*”<sup>9</sup> Not surprisingly then, that by the time the IFA came into force in 1927 the Royal Commission on Agriculture in India, that made inquiries into the uses of forest lands under the management of the forest department, commented that the most promising method of establishing village forests was to handover to village management or village panchayats certain wooded areas adding further that “*the management by the people of the forests close to their villages possessed so many desirable features, that every effort should be made to ensure its success.*”<sup>10</sup> All of the above makes it abundantly clear that invoking the village forest provision under the IFA had to mean recognizing the extensive rights of the village to management of such village forests. In this sense Section 28 IFA is different from Section 80, IFA as

the latter section contemplates management of forest where “Government and any person is *jointly interested* in any forest...” Thus, in some states JFM/CFM/PFM resolutions premised on joint management only invoke Section 80 IFA and not Section 28. This also affirms the position that the assignment of rights to village community under Section 28 is intended to be extensive and comprehensive and not partial where Government also remains jointly interested with the community in managing forests. As the discussion hereinafter will show, both the MPVFR, 2014 and MVFR, 2015 largely depart from this mandate inherent in Section 28, IFA.

## DESPITE GOI RESERVATIONS, VILLAGE FOREST RULES APPLIES TO FRA AREAS

The MPVFR apply to the entire state of Madhya Pradesh.<sup>11</sup> This means that they also apply to the areas where the FRA is in force. On the other hand the MVFR are, broadly speaking, not applicable to areas where the FRA applies or where CFR have been settled under the FRA.<sup>12</sup> However, here too a proviso has been added empowering Gram Sabhas across the state (and therefore also in scheduled and FRA areas) to adopt the MVFR, through resolution.<sup>13</sup> This means that if the GS so resolves, it can make the MVFR applicable even to areas where the FRA applies. In effect, thus, both the MVFR and MPVFR have the potential to substitute the rights regime in place in FRA areas, with that under the VF Rules. *[See the table below comparing the rights under the MPVFR, MVFR with the FRA and PESA regimes.]* Practically, however, there may well be willingness on the part of some Gram Sabhas to adopt a regime which *prima facie* gives them a share in proceeds from bamboo and other forest produce (see Rule 4 of the MVFR), as opposed to the many riders which come with rights which are actually granted under the FRA, in practice. That said, the mischief that the Proviso to Rule 2(3) of the MVFR is vulnerable to is also a reality – the forest department in Maharashtra has already been reportedly forcing the passing of resolutions by Gram Sabhas to implement the MVFR.<sup>14</sup>

Given the strong rights regime under the FRA, substituting that regime with the VF Rules which generally retain a greater share of management and control with the forest department, cannot be legally justified.<sup>15</sup> To be sure in mid of 2014 both the Union Ministries of Tribal Affairs and Environment had objected and argued that the new MVFR in Maharashtra were “prima facie in violation” of the FRA which gives people living in, or depending on, forests legal rights over the land and forest produce. This forced Maharashtra to write a letter to the Central Government saying specifically therein: “*For removal of doubts... it is also clarified that the (MVFR)...shall have no effect whatsoever on process of recognition and vesting of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006*”<sup>16</sup> Interestingly, Maharashtra decided to seek further legal opinion on the matter but did not withdraw the Rules. The controversy, however, did not prevent Madhya Pradesh from issuing its own VF Rules i.e. MPVFR a year later, extending it to the entire state including thus areas where the FRA is also applicable.

Consequent to the above observations, there may be made out as well as case for the issuance of the VF Rules being in violation of Constitutional principles as well – Article 338-A(9) requires states to consult the National Commission on Scheduled Tribes on ‘*all major policy matters affecting scheduled tribes*’. Moreover, Rule 2(3) of the MVFR, *inter alia*, creates a distinction (inasmuch as the applicability of the MVFR is concerned) between (i) communities who have already acquired rights under the FRA, and (ii) communities who have not. This distinction is arguably opposed to the spirit of Article 14 of the Constitution, which essentially protects all persons from arbitrary legal discrimination. Here, a distinction is sought to be made between communities whose rights have *already been settled*, and communities whose rights have not, which includes those whose applications have been filed and are pending for settlement (since this is not otherwise clarified). This is evidently problematic and against the Indian Constitutional ethos – specifically, the mandate under Article 14 to essentially disallow discrimination without any rational basis, by law.

**TABLE: COMPARISON BETWEEN MVFR, MPVFR AND THE FOREST RIGHT ACT (FRA) AND PESA REGIMES**

S. No.	Parameter	Madhya Pradesh Village Forest Rules, 2015 [under S.28 of the IFA]	Indian Forests (Maharashtra) (Regulation of assignment, management and cancellation of village forests) Rules, 2014 [under S.28 of the IFA]	Forest Rights Act, 2006 (read with FR Rules, 2008 &2012) [FRA]	The Provisions of Panchayats (Extension to Schedule Areas) Act, 1996 (PESA)	Remarks
1	Provision for livelihood needs	Nistar and paidawar as defined in Rule 2 (includes timber of unreserved trees). Tendu leaves not included.	Nistar rights, though not specifically defined.	Minor forest produce as defined in Section 2(i) of the FRA. Bamboo and tendu leaves both included.	Minor forest produce not defined but their ownership - and hence complete rights over them - vested with Gram Sabha and Panchayats.	Scope of provision is seemingly wider under the Forest Rights regime (includes both bamboo and tendu leaves), although provision for harvesting timber is made only under the MPVFR
2	Rights/title to forest produce	Permission to obtain, either 'free of charge or on payment' to the Gram Van Samiti (GVS).	First charge on minor forest produce.	Title to Community Forest Resources grants 'rights of ownership, access to collect, use and dispose of minor forest produce which has been traditionally collected, within or outside village boundaries'. Its S. 3 of the FRA provides, in theory, for a variety of rights over forest resources[It should be noted, however, that such sweeping titles are seldom granted in practice, and the de facto extent of rights settled under the FRA are much narrower than the de jure prescriptions.]	S. 4(m)(ii) says that "A State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with.. the ownership of minor forest produce."	Rights of use/disposal of minor forest produce more conditional and less comprehensive under the VF regime, in sharp contrast to the prescriptions under the FRA and PESA.
3	Role of Village/ Traditional Community in Management	Plan to be prepared by the Range Officer; Gram Sabha (not GVS) has a purely consultative role. Final approval by Sub-divisional FO.	More involvement than under the MPVFR, but microplan and bamboo harvesting to be as per state approved methods/working plans. Right of cancellation of VFs is also reserved with the forest department.	Rule 4 of the Forest Rights Rules provides for Gram Sabha involvement to a larger extent, in the preparation of management plans for community forest resources, as well as grant of approvals for transit permits, use of income from sale of forest produce. It is not totally independent of forest department involvement; as the management plans for community forest resources are required to be integrated with the working/management plans of the forest department.	Gram Sabha recognized and declared as competent to safeguard community resources.	A large portion of rights retained with the forest department under the VF regime. Under the FRA regime, the Gram Sabha has a higher degree of involvement and control over management of forest resources.
4	Dispute Resolution	No provisions.	Conflicts relating to illegal collection of minor forest produce, grazing and 'irregularities in the exercise of forest rights' to be referred to VWS with the approval of the GS.	Petitions available against Gram Sabha resolutions (on the nature and extent of rights), to the Sub-Divisional and District Level Committees	S. 4(d) says that "every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution."	No provision any mechanism for settling disputes in the MPVFR, which are certain to arise over allocation of nistar/paidawar, rates etc. between the village body and the forest department, is glaring. The MVFR have a provision but no guidance, limitation etc. The FRA regime has a well defined, multi-tier framework for dispute resolution.

*Note: Karnataka, Odisha and Uttarakhand had all enacted Rules under S.28(2) of the IFA [or S. 31, in case of Odisha]. These versions have many micro-distinctions when compared to the MVFR and MPVFR examined herein, but in essence they all fall short of actual empowerment of village communities in forest management.*

# SPECIFIC SUGGESTIONS FOR STRENGTHENING VILLAGE FOREST RULES

The above discussion shows that both the Madhya Pradesh and Maharashtra VF Rules have the potential to substitute the rights regime in place in FRA areas, with that under the VF Rules. Thus both the Rules need to come up with clear amendment saying categorically that the Rules do not apply to areas where FRA is applicable. Besides the above, the following discussion points to specific reform areas and improvement needed to strengthen the MPVFR and MVFR.

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## Management plan

Under the MPVFR, the management plan, which governs all aspects of VF management ‘*including cutting of trees, removal of timber and grazing*’ – is to be prepared by the Range Officer; with the GS only required to be consulted during the process,<sup>17</sup> and the GVS not involved at all.<sup>18</sup> The process for preparing the microplan under the MVFR is slightly more participatory, but is still subject to the final approval of the forest department.<sup>19</sup> The GVS/GS needs to have a greater role in the preparation of the management plan, since the provision for village forests in the IFA presupposes (as explained above) their traditional know-how and ability to sustainably manage their forests.

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## Financial powers and obligations

A certain degree of financial independence is essential for effective management. However, the power to fix rates payable by the community to the GVS for nistar is given to state agencies,<sup>20</sup> without any involvement of the GS or GVS. Further, there are no guidelines for accounting and allocation of funds in the MPVFR. Effectively, the amount of funds receivable, and their manner of utilization by the GVS, is to be unilaterally decided by the designated authorities – a far cry from the forest policy goals. The VVS is on a slightly better footing – but only slightly.<sup>21</sup> Our findings suggest that the financial and accounting provisions of the Uttarakhand Panchayati Van Rules, 2005 (‘UPVR’) provide a comprehensive model in this regard and are worth replicating in other states.

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## Accountability

The Van Vyavasthapan Samiti (‘VVS’) under the MVFR and Gram Van Samiti (‘GVS’) under the MPVFR are, in theory, constituted by and responsible to the Gram Sabha.<sup>22</sup> The GVS has the unique power to enter into agreements (with government or private companies) to forego a share of the forest produce entitlements of the entire village.<sup>23</sup> Nistar rights are impliedly included within the scope of such agreements, thereby creating a potential legal space for private companies to influence a GVS into sharing most, or even all, of its forest produce entitlements. The rationale for why there is a scope for such agreements in VFs is not amply clear, although it is probably well-intended with the aim of providing economic incentives to the village community to embrace this regime. Space for such agreements should exist, supplemented with safeguards, in the form of adequate representation of all user groups in the GVS, and the village body/GS should be made the final vetting authority for such agreements.



## Sharing and Dispute Resolution

Given the forest cover and population across the two states, there are bound to be instances of multiple village communities being dependent on the same forest area. Provisions for sharing of management responsibilities and produce of such shared VFs thus become imperative. It is useful to note that the Orissa Village Forestry Rules, 1985 ('OVFR') allows for sharing of VFs between more than one community.<sup>24</sup> Building upon this, there should be a provision for proportionate representation of different villages in the GVS/VVS, to ensure fair participation of all in management of the VF and proceeds/nistar. An independent dispute settlement mechanism (completely absent from the MPVFR) would be a necessary supplement to this.<sup>25</sup>

## Transaction of business

Guidelines or a framework for transaction of business and record-keeping are a *sine qua non* for efficient functioning of the GVS/VVS, given that this institution is at a nascent stage still. The lack of procedural guidelines for functioning of the GVS requires to be rectified in the MPVFR. Chapter III of the Karnataka Forest Rules, 1969 and the UPVR provide for transaction of business and record-keeping in good detail. The Karnataka Rules also provide for periodicity of meetings and maintenance of records. These provisions should all be incorporated in the MPVFR, as a greater level of certainty in the law will translate into smoother functioning, while leaving little room for interference and petty disputes. Adequate provision for this has been made for the VVS in the MVFR, with scope for incorporation of the exemplary provisions mentioned above.<sup>26</sup>

## Rights- obligations mismatch

Even on a cursory reading of the MPVFR, it is evident that significant powers of management and distribution have been retained while assigning only a portion of these (largely in the form of duties and obligations) to the village communities.<sup>27</sup> The MVFR are much more balanced in this regard, but have provisions which are open to motives that can be questioned. To illustrate, Rule 7(d) of the MVFR, when read with Rule 1(3) and the proviso thereto, can found a case for the assertion that the MVFR may well supplant the FRA regime, ostensibly with the intention of retaining revenue from minor forest produce with state authorities. Rule 4(4) buttresses this claim further, since bamboo is a part of minor forest produce under the FRA but not under the MVFR – it is probably not a coincidence that it accounts for a major chunk of revenue of the state forest department as well.<sup>28</sup>

## Notification

Under the IFA, VFs can be notified out of reserved forests (but Maharashtra and certain other states have amended the Act to enable them to notify VFs out of both reserved and protected forests). The IFA as amended by Madhya Pradesh does not allow VFs to be notified out of protected forests. Intuitively, since there are bound to be communities living around and dependent on protected forests for their livelihood (and given the high level of resource dependence on these forests and their comparatively low level of legal protection), it would make sense to include these as areas from which VFs may be notified.<sup>29</sup> Thus to enable Madhya Pradesh to create VFs out of Protected Forests too a state amendment to the IFA would be needed – a legislative exercise that MP may undertake forthwith

## Clearing and Breaking

Rule 13 of the MPVFR permits the clearing and breaking of land for the building of schools, hospitals, and other civic amenity structures. This is problematic in two major ways:

1. It does not provide a ceiling on the area of land that may be diverted for this, unlike a similar provision in the FRA [section 3(2)], which can be especially problematic in case of diversion for construction of roads
2. It is ambiguous on whether procedure under the Forest (Conservation) Act, 1980 is required to be followed or not, in cases of such diversion.

While the intent of the section is well-meaning, and is almost certainly in consonance with the needs and aspirations of the village communities, there ought to be a little more clarity as to the extent of land that may be diverted for such purposes (to avoid unchecked diversion of forest land, which is also important to the sustenance of the village community), as well as a clarification on whether the Madhya Pradesh government intends a bypass of the forest clearance process for village forests.

### INFERENCES AND RECOMMENDATIONS

- Given that the provision (Section 28) for the creation of VF has been largely lying dormant within the Indian Forest Act, 1927, two large states i.e. Madhya Pradesh and Maharashtra notifying detailed VF Rules i.e. MPVFR, 2014 and MVFR, 2015 is interesting, and merits closer scrutiny. The new found interest in VF provision has also manifested in the draft National Wild Life Action Plan 2016, which calls for better conservation efforts through a strengthening and expansion of village forest institutions across the country.
- The assignment of rights to village community under Section 28, IFA is intended to be extensive and comprehensive and not partial where Government also remains jointly interested with the community in managing forests. The MPVFR, 2014 and MVFR, 2015 along with other State Rules on Village Forests miss this mandate inherent under Section 28.
- Despite GOI's position that the MVFR, 2014 were "prima facie in violation" of the FRA, Maharashtra did not withdraw the rules, and this also did not prevent Madhya Pradesh from issuing new VF Rules i.e. MPVFR a year later extending it to the entire state and thus areas where the FRA is also applicable. Both the MVFR and MPVFR need to come up with clear amendments saying categorically that the Rules do not apply to areas where FRA and PESA are applicable, to ensure the Constitutional validity of the Rules.
- Analysis of the Village Forest Rules of Madhya Pradesh and Maharashtra suggests that significant powers of management (of VFs) and distribution (of minor forest produce) have been retained with the state authorities, leaving the village communities with a weaker, qualified set of rights.
- The Van Vyavasthapan Samiti ("VVS") under the MVFR and Gram Van Samiti ("GVS") under the MPVFR needs to have a greater role in the preparation of the management plan, clear financial powers, and stronger norms for accountability of these village level bodies to the Gram Sabha since the provision for village forests in the IFA presupposes the ability of the village community to sustainably manage their forests.
- While in Maharashtra, VFs can be notified out of both reserved and protected forests, the case is not the same for Madhya Pradesh. A specific amendment to this effect to the IFA in Madhya Pradesh, may be brought out, enabling the State Government to notify VFs out of both reserved and protected forests (given the high level of dependence on protected forests, and relatively lower conservation value).



## ENDNOTES

- 1 D. Sarker, “Joint Forest Management: Critical Issues” Vol. 44(4) *Economic & Political Weekly* (2009) at 15-17.
- 2 Some believe that this was not entirely strange, given the subliminal historical attitudes of the Indian state towards forest conservation, and consequent criminalization of the activities of traditional communities. *See generally* United Nations Development Programme, *Recognition of Community Rights under Forest Rights Act in Madhya Pradesh and Chattisgarh, Challenges and Way forward: Final Report* (2012) available at: <http://www.undp.org/content/dam/india/docs/DG/recognition-of-community-rights-under-forest-rights-act-in-madhya-pradesh-and-chhattisgarh-challenges-and-way-forward.pdf>
- 3 See Section 28 of the Indian Forest Act.
- 4 Lele Shrachchandre, *What is Wrong with Joint Forest Management*, in Lele Shrachchandre, Maon Ajit (Ed.) *Democratic Forest Governance in India*, OUP, 2014
- 5 In the village of Menda Lekha (Gadchiroli district). *See* Vasundhara & Kalpavriksh, *A National Report on Community Forest Rights under Forest Rights Act: Status & Issues* (2012) at 20-21.
- 6 Forest Survey of India, *India: State of Forests Report* (2013) at 17.
- 7 Anonymous, “Above All Differences” *Down to Earth* (April 30, 2000) available at <http://www.downtoearth.org.in/coverage/above-all-differences-18029>; *Report of the National Committee on Forest Rights Act* (2010) at 43, available at [http://fraccommittee.icfre.org/FinalReport/FRA%20COMMITTEE%20REPORT\\_FINAL%20Dec%202010.pdf](http://fraccommittee.icfre.org/FinalReport/FRA%20COMMITTEE%20REPORT_FINAL%20Dec%202010.pdf).
- 8 *See Explanatory Notes on Forest Law*, Imperial Forest College, Dehradun, Superintendent Government Printing, Calcutta, 1913, p.39 as quoted in Neena Ambre Rao, *Forest Ecology in India*, Foundation Books, 2008.
- 9 B.H. Baden Powell, *Manual of Jurisprudence for Forest Officers*, 1882 ; Natraj Publishers, First Indian Edition 2002.
- 10 Report of the Royal Commission on Agriculture in India, Mumbai 1928, Reprint Agricole Publishing Company, New Delhi, 1982, pp.258--260
- 11 Rule 1(2) of the MPVFR..
- 12 Rule 1(3) of the MVFR.
- 13 See proviso to Rule 1(3) of the MVFR.
- 14 S. Vyas, “Caught in the Acts” *The Hindu* (January 31, 2016) available at <http://www.thehindu.com/news/cities/mumbai/caught-in-the-acts/article8174709.ece>
- 15 See Section 3 of the FRA, 2006. It is also noteworthy that the forest department - and not the Nodal Agency prescribed under Section 11 of the FRA - is the *de facto* implementing agency for the FRA in most states. The inherent conflict between the goals of the Forest Department and the target population results in extra-statutory consequences – conditional grants of titles, unnecessary requirements imposed in the claim verification process etc.
- 16 Letter as quoted in *The Indian Express* available at: <http://indianexpress.com/article/india/india-others/maharashtra-toes-centres-line-on-forest-rules-for-now>.
- 17 Rule 12 of the MPVFR. Moreover, the final word on approval of the plan rests with the Sub-Divisional Forest Officer.
- 18 Even though it is ‘*responsible for the management of... forest on behalf of the Gram Sabha*’ - Rule 4 of the MPVFR.
- 19 Rule 8 of the MVFR.
- 20 Namely, the District Planning Committee and the Divisional Forest Officer.
- 21 As per Rule 20 of the MVFR, the funds, accounts and audit of the VVS ‘*shall be managed as*

*per... the directives of the State Government and funding agency, from time to time.* Rule 21 also provides for the apportionment and utilization of the funds of the VVS *'within the framework as directed by the State Government, from time to time.'*

- 22 Rules 2(g) of the MPVFR and 6(1)(a) and 6(3) of the MVFR. A reading of the entire scheme of the rules show that a large part of management powers are retained with the forest department, with the capacity to render the GVS and the VVS little more than spectators to the management process. See, for example, Rules 5 (2), 12(1) of the MPVFR and 7(a) and 8 of the MVFR.
- 23 **8. Sharing of forest produce** – (3) Notwithstanding anything contained in rule 5, Gram Van Samiti with the prior approval of the Government, can enter into an agreement with a company or a body corporate, owned, managed and controlled by the Government or engaged in a manufacturing activity for which any forest produce is a raw material, to share certain forest produce from that village forest as consideration for the investment made by that company or body corporate towards the development of that village forest.
- 24 Proviso to Rule 3(3) of the OVFR.
- 25 To some extent, provided for in the MVFR in the form of VVS and Gram Sabhas for intra-community disputes; Range Forest Committees for inter-community – See Rules 12 and 15(e) of the MVFR.
- 26 Rule 19 of the MVFR.
- 27 **14. Duties of Residents-** It shall be the duty of every resident of the village to:-
- a) Prevent the commission of any offence which is in contravention of the provision of the act and is being committed in the village forest;
  - b) Help in apprehending and initiating legal action against the person who has committed any offence in the village forest in contravention of the provision of the act;
  - c) To report the forest officer about the offence committed in the village forest and safeguard the forest produce until the forest officer takes charge thereof;
  - d) ...
- 28 Rule 12 further empowers the VVS (or the Range Forest Committee, as the case may be) to consider and resolve disputes relating to 'irregularities in the exercise of forest rights'.









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