

GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department-Implementation of Participatory Habitat Management-outside designated forest areas-Guidelines-Approved Orders issued.

FOREST & WILDLIFE (E) DEPARTMENT

G.O (MS) No. 32/06/F&WLD

Dated, Thiruvananthapuram, 30/9/06

- Read: (1) G.O (MS) No. 26/06/F&WLD dated, 20.07.2006
(2) Letter No. E&TW-431/05 dated, 2.6.06 from the Chief Conservator of Forests (E&TW)

ORDER

As per the GO read above, Government have issued Revised Guidelines for the implementation of the Participatory Habitat Forest Management (PHFM) in Kerala. As per the letter read as 2nd paper above the Chief Conservator of Forests (E&TW) has forwarded the Guidelines for implementing the Participatory Habitat Forest Management outside designated forest areas for approval.

Government has examined the matter in detail and are pleased to approve the Guidelines for implementation of Habitat Forest Management outside designated forest areas.

The revised guidelines is appeneded to this order.

(BY ORDER OF THE GOVERNOR)

CHANDRIKA DEVI
Deputy Secretary

To

The Secretary to Government of India
The Ministry of Environment and Forests, Government of India,
Paryavaran Bhavan, Lodhi Road, New Delhi
The Accountant General (A&E/Audit) Kerala
Thiruvananthapuram.
The Principal Chief Conservator of Forests
Thiruvananthapuram
The Chief Conservator of Forests (E&TW)
Finance Department vide U.O(F) No. 61708/AW-B1/06/Fin dated, 30/8/06
Stock file, Office Copy

GOVERNMENT OF KERALA
FOREST AND WILDLIFE DEPARTMENT
PARTICIPATORY HABITAT MANAGEMENT
OUTSIDE DESIGNATED FOREST AREAS
GUIDELINES—2006
(Vide Provisions under item-4.1 of Guidelines 2006 for
Participatory Forest Management)

INTRODUCTION

Our National Forest Policy envisages that one third of the land should be under Forest cover. In a State like Kerala, we cannot find wastelands or open, unused lands for afforestation works. The only option left is to have more areas under tree cover. This can be done only by encouraging people to plant more trees in public places and in their homesteads by ensuring participation of the people. Planting trees in public places is a routine ever since we started ‘**Vanamahotsava**’ in 1952. Our experience so far is that most of the seedlings thus planted failed to establish chiefly due to poor after care, which in farm is due to paucity of fund and manpower. Involving local people in affecting public places is the only solution. Thus, to organize people as local units and to make them more tree conscious, local level institutions have to be made, called **Haritha Samithy**, which will oversee all the afforestation activities in that ward. This will ensure peoples participation and make the activities more transparent. This has been tested in the Reserved Forests by the Territorial Wing by forming V.S.S and found to be a success. The Central Government agencies funding the various afforestation programmes now insist that funds will be given only if the projects are undertaken with peoples participation. Thus, for implementing such schemes also, ‘Haritha Samithies’ are to be formed.

The Social Forestry Wing of the Kerala Forest Department is in a transition stage. The wing has to reorient its activities with a wider goal of environmental protection and biodiversity conservation. Production and management of forestry resources outside forests also should be taken care of. The wing was established during 1982. From 1983-1993 the wing implemented world bank aided Social Forestry programme. During the second phase of the activities ie., from 1993 onwards, the Social Forestry has been entrusted with the Compensatory Afforestation programme within the Reserved Forests. Since that scheme also is about to over, now the services of the wing has to be fully utilized in the afforestation programmes outside the Reserved Forests. The Bio-diversity has to be protected and the soil and moisture conservation works have to be ensured. Moreover we cannot depend on our natural forests for all our timber needs. Timber is now imported from other countries and much scarcity is felt with the prices soaring high day by day. We have to encourage the common man to meet his timber needs from his homestead which will be cheaper to him and by doing this more trees will be planted thereby protecting our environment.

The Government have now, as per G.O.(Rt). No.221/05/F&WLD dated 6.04.2005, sanctioned Territorial Jurisdiction to the Assistant Conservators of Forests (Social Forestry) in each district for the purpose of implementing Social Forestry Programmes and to avail Government of India funds. Hence guidelines have to be issued based on which various activities should be taken up ensuring the smooth functioning of the local institutions, called Haritha Samithies.

Item 4.1 of Participatory Forest Management Guidelines 2004 provides for implementation of suitable PFM model in areas outside reserved/vested forests, facing threats from ecological degradation. These guidelines are meant for implementation of such PFM models in areas outside reserved/vested forests under the auspices of Social Forestry Wing.

2. NAME

(1) The generic name for the process of participatory afforestation outside forest areas will be Participatory Habitat Management (PHM).

(2) Abbreviations

| | | |
|------------|---|---|
| PHM | - | Participatory Habitat Management |
| GHS | - | Grama Haritha Samithy |
| PHS | - | Panchayath Haritha Samithy |
| BHS | - | Block Haritha Samithy |
| SHG | - | Self Help Groups |
| VSS | - | Vana Samrakshana Samithy |
| EDC | - | Eco Development Committee |

3. OBJECTIVES

The objectives of the PHM programme are:

1. To undertake environment protection and conservation outside forests through the local level **peoples participation**.
2. To establish local level institutions known as 'Haritha samithies' for afforestation of areas outside the Reserve Forests.
3. To formulate rules for the afforestation of areas outside the Forest and to implement it with the people's participation, through 'Haritha samithy'.
4. To encourage private forestry among land owners and
5. To assist stakeholders in marketing the products.

4. SCOPE OF THE PROGRAMME

One of the major causes of biodiversity degradation in Kerala is the excessive anthropogenic pressure on natural resources. Biodiversity has to be protected. Our forests alone cannot meet our growing timber needs. At the same time we cannot sacrifice the rich biodiversity. The common man has to be encouraged to meet his timber needs from his own homestead or from public land outside nature reserves. More over, the realization of PFM as a thrust area for financial assistance from various sources for afforestation and conservation programmes encourage us to develop PFM for protection, development and management of natural resources outside designated forest areas also.

5. AREAS TO BE SELECTED FOR PHM

- i. Ecologically fragile areas (Seashore, Inland water bodies and shores, wetlands, water courses etc. These are Public Trust properties with open and limited access areas)
- ii. Biodiversity rich habitats (sacred groves, bird habitats etc..)
- iii. Institutional lands (Land available with public and private institutions)
- iv. Public lands (Land available with various Public Departments)
- v. Plantations (Own/lease lands with private individuals and companies)
- vi. Homesteads

vii. Any other land found suitable for PHM by the appropriate authority.

6. PROCEDURE FOR DEVELOPING PARTICIPATORY HABITAT MANAGEMENT (PHM) OUTSIDE DESIGNATED FOREST AREAS

Under PHM the agreed management activities will be planned, implemented, maintained and monitored by the institutions created for the purpose, viz; Grama Haritha Samithy, Panchayat Haritha Samithy, Block Haritha Samithy and District Level Haritha Co-ordination Committee. These will be constituted with the help of suitable facilitators and the Kerala Forest Department (KFD). Participatory process first requires creating a good rapport, trust and partnership between the KFD and the local people.

7. THE INSTITUTIONAL MECHANISM

7.1 Grama Haritha Samithy (GHS)

This will be a ward level association of people actively interested in afforestation and nature conservation. The association will be open to all residents of the ward and there shall be only one such association in each ward. The Ex-officio Secretary, (Forester/Forest Guard) will explain the programme and those who are willing to come together for the cause for afforestation and environmental conservation will form an association called the Grama Haritha Samithy (GHS) with a well defined Memorandum of Association (MOA). Each GHS will nominate four representatives, two men and two women who will represent the GHS in the Panchayat Haritha Samithy (PHS). The GHS will be affiliated with the PHS along with the MOA. The PHS will award an affiliation number to the GHS.

The GHS will work with the people in the ward and prepare micro plans for afforestation and environmental conservation in the ward and adjoining natural habitats. The nominated representatives will provide effective leadership for this as well as subsequent activities.

7.2 Panchayat Haritha Samithy (PHS)

PHS will have members from two sources:

(i) Members

The nominee representatives of GHS @ 4 members from each Panchayat Ward, of which 50% should be women.

(ii) Ex-officio Members

Forester having jurisdiction of the area,
Grama Panchayat Ward members,
Panchayat Secretary,
Panchayat level Government executives,

Representatives of four registered NGOs (maximum 4 members) nominated by the representatives of GHSs.

7.2.1 General Body of PHS

The combined strength of (i) & (ii) in 7.2.1 above will constitute the General Body. The Ex-officio Secretary of the PHS shall be the Secretary of PHS. The Forester having jurisdiction over the Panchayath shall be the ex-officio Secretary of the PHS and he/she shall convene the meeting.

7.2.2 President of PHS

The President of the PHS will be elected from the nominee representatives of GHSs by the members of the PHS

7.2.3 Duties and Responsibilities of General Body

A General Body Meeting (GBM) of the PHS shall be held once in every three months to review the actions taken in pursuance to the approved micro plan of the GHS. Under special circumstances, the General Body Meeting of the PHS may be convened on request of not less than 1/3rd of the PHS members to the Convener of the General Body Meeting. Quorum for General Body Meeting will be 1/3rd of the PHS members.

The members of PHS individually and collectively shall be responsible for

- (a) ensuring execution of the activities in accordance with the approved microplan.
- (b) making villagers aware of the importance of afforestation and environmental conservation

7.2.4 The Executive Committee

An executive committee of the PHS shall be constituted with the following members:

- | | | |
|------|--|------------------------|
| i. | One representative each (from among the 4 in the GB) from the constituent GHSs. | Members Ex-officio |
| ii. | All Grama Panchayat Ward members | Ex-officio |
| iii. | An elected representative of an active local NGO | Ex-officio |
| iv. | Panchayat level Government executives | Ex-officio |
| v. | Forester having jurisdiction over the area. | Secretary (Ex-officio) |

The term of President shall be co-terminus with that of the PHS. Only the members of PHS shall have voting rights. In case of equality of votes the ex-officio member secretary shall cast his vote. 1/3rd of the members of the PHS executive committee shall constitute the quorum. The term of the committee shall be two years.

- vi) The Ex-officio member secretary shall convene the meeting of the Executive Committee in consultation with the president and shall record and maintain the minutes of the meeting.
- vii) The RO shall be the returning officer for the election of members of Executive Committee in the General Body Meeting of the PHS.

7.2.5 Duties and Responsibilities of Executive Committee (EC)

- i. The EC shall meet at least twice in a year
- ii. The member secretary shall be responsible for sending the minutes of the meeting of the EC for information and advice.
- iii. If any member of the PHS is found to indulge in acts contrary to the aims and objectives of the PHS or indulges in criminal offences, he/she shall be debarred from the PHS by the General Body.
- iv. The PHS will open a Savings Bank Account known as the Core Fund of PHS
- v. The EC shall be responsible for implementing the PHS Operations Fund and Core Fund and for maintaining proper accounts of the expenditure incurred, in the prescribed formats and procedure.

7.3 Block Haritha Samithy (BHS)

7.3.1 General Body of BHS

| | | |
|------------------|---|---|
| Chairman | - | Assistant Conservator of 1 Forests having jurisdiction of the area (Ex-officio) |
| Member Secretary | - | Range Officer having jurisdiction of the area (Ex-officio) |

- (a) Chairpersons of all PHS
- (b) One woman member nominated by each PHS
- (c) Member Secretaries of all PHS (Ex-officio)
- (d) Other Range Officers having jurisdiction of the area (Ex-officio)
- (e) Other ex-officio Members- Block Development Officer, Block level Officers of Agriculture, Animal husbandry, Soil Conservation, SC/ST Welfare, Industries, Panchayat, Health, PWD, Irrigation, Fisheries, Co-operation, DRDA, Education and other land development officers and representative of the lead bank of that area.
- (f) Representative of a reputed NGO with proven track record in environmental conservation and related fields. The NGO shall be nominated by the ACF.

Technical experts

Note: Technical experts in relevant fields can be special invitees to the General Body.

The Member Secretary shall convene the General Body meeting every six months, to review the activities of the BHS. The quorum for the General Body shall be not less than 30% of representatives from PHS. The fund received from external sources by the BHS will be maintained in a nationalized bank/co-operative bank as a joint current account of the Chairman and the Ex-officio Member Secretary of BHS and released to the PHS's Operations Fund as per the decision of BHS Executive Committee.

7.3.2 Duties and Responsibilities of BHS

- (a) Create massive peoples' movement through involvement of PHS and GHS for afforestation and environmental conservation outside designated forest areas.
- (b) Identify and prioritize critical issues and develop plans to address them.
- (c) Create *Afforestation and Environmental Conservation Fund* by contributions from various sources and develop an effective system for maintenance of accounts and utilization.
- (d) Formation of PHS and GHS wherever they are not in existence following the guidelines and report to the executive body.
- (e) Selection of nominees from the BHS to be included in the executive body, which shall not exceed more than half the number of PHS and ensure minimum 50% women representation.
- (f) Make sure that contractors, middlemen, intermediate agencies are not permitted to be engaged for execution of any of the works under the scheme. The works will be executed through GHS, Self-Help Groups (SHG) associated with Panchayats/VSS/EDCs or specific user association registered with the PHS and the custodian of the land on which the stakeholder people under the user association depend for natural resources.

- (g) Identify and Nominate technical experts to be included as Ex-officio members in the Executive Body, for helping in project formulation and implementation wherever necessary.
- (h) Constitute technical teams to evaluate the PHS level micro plans.
- (i) Consider the PHS level micro plans and take necessary decisions based on the evaluation presented by the technical teams.

7.3.3 Executive Body:

There shall be an Executive Committee of the BHS with the following members

- (a) Assistant Conservator of Forests -Chairperson
- (b) Range Officer - Member Secretary cum Chief Executive Officer (Ex-officio) (Convenor)
- (c) Nominees from the General Body. One from each PHS and at least 50% of them shall be women. The other members will be nominated by the General Body.
- (d) Other ex-officio Members- Block Development Officer, Block level Officers of Agriculture, Animal husbandry, Soil Conservation, SC/ST Welfare, Industries, Panchayat, Health, PWD, Irrigation, Fisheries, Co-operation, DRDA, Education Land development officers and representative of the lead bank of that area.
- (e) Technical experts in relevant fields nominated by the General Body (Special invitees). They will not have voting rights.

The Member Secretary shall convene the Executive Body meeting once in three months and the quorum for the meeting shall be 1/3rd of members.

7.3.4 Duties and Responsibilities

The Executive body shall be responsible for guidance, co-operation, supervision, periodical reporting, monitoring, documentation and dissemination of activities by their constituent PHS and maintain a record of all assets created through the activities.

- (a) Ensure proper registration of PHS in the BHS as per prescribed MOU and the registration of BHS under the Societies Registration Act, 1860.
- (b) Ensure that the approved PHS level micro plans are communicated to the concerned PHS.
- (c) Request initial fund for preparing project wise plan, in the prescribed format and submit certificates of non-diversion, non-embezzlement and fulfillment of conditions laid down in funding guidelines and sanction order, along with the request for further release of grants.
- (d) Develop mechanism for co-ordination and channeling the funds from other departments, agencies and NGOs operating in the area and receive funds from other sources including various centrally sponsored schemes an mutually agreed terms.
- (e) Review the working of PHS and recommend changes if any.
- (f) Define requirements and modalities of recruitment of contract staff and place before the District Level Co-ordination Committee.
- (g) Develop eligibility criteria for incentives and rewards to PHS and GHS, Self Help Groups/User Associations and also provide incentives based on performance.
- (h) Ensure that the PHS deposits funds in separate operational accounts in Nationalized/Co-operative bank and release the amount earmarked for all PHS promptly as prescribed by the funding agency.

- (i) Oversee that the project is completed within the project period and copies of final report submitted to the funding agency through the District Co-ordination Committee.
- (j) Ensure that no diversion of fund from one PHS to another is made save in exceptional circumstances with prior approval of the funding agency.
- (k) Ensure that the decisions of the General Body are implemented promptly.

7.4 District Co-ordination Committee:

There shall be a District Co-ordination Committee with the following members:

- Chairman - President, District Panchayat
- Convener - Assistant Conservator of Forests, Social Forestry
- (a) District Collector or his nominee
- (b) Secretary, District Panchayat
- (c) District Planning Officer
- (d) District level officers of development departments
- (e) Member Secretaries of BHS
- (f) One non-official nominee from each BHS
- (g) Representative of a reputed NGO with proven track record in nature conservation and related fields

7.4.1 Duties and Responsibilities

- (a) Approval of modalities for recruitment of contract staff.
- (b) Develop eligibility criteria for incentives and rewards, and selection of BHS for rewards.
- (c) Monitoring and evaluation of performance of BHSs and submitting reports to the funding agency.
- (d) Recommend corrective steps for improving the performances of BHS so that the grants to BHS are not terminated by the funding agency due to non-utilization of funds as prescribed or lack of adequate progress in implementing the schemes.
- (e) Recommend to the funding agency or the concerned authority, extension of time for completion of projects by BHS.
- (f) To ensure that the afforestation and conservation activities are in harmony with various other district level activities and action plans.
- (g) Identify the appropriate funding agencies for activities to be taken up under Participatory Habitat Management (PHM) and submission of proposals through proper channel for funds.
- (h) Recommend and support institutional arrangements for marketing timber and other products created through the activities.
- (i) Constitute provisions for setting apart adequate share of such benefits to the PHS for future Habitat Management by the constituent user groups/stakeholder groups.
- (j) Constitution of Monitoring Committee as required by funding agency.

7.5 The State Level Co-ordination Committee for NAP monitoring shall monitor the activities under PHM also.

8. SHARING OF BENEFITS

PHM is implemented in lands outside forest areas and the owners/custodians are private people, State Government departments or other agencies. Since the ownership of the land is divided among so many different types of legal persons, the sharing of benefits will have to be worked out independently for each situation. The landowner and the corresponding stakeholders if any will have to be identified and they should enter into Memorandum of Understanding specifying responsibilities and mutual obligations. The benefit sharing will be agreed upon by both parties as part of responsibilities and mutual obligations and these will be legally binding.

9. MICRO PLAN

The PHS shall prepare ward wise micro plans for a period of 10 years in consultation with the stakeholder groups/user-groups and the custodian of the land. The micro plan shall be prepared through a process of detailed field work. The plan shall,

- include the prescriptions for the management of the natural habitats and forestry/tree resources in the PHS area.
- prescribe measures for the management of the resources to ensure sustainable flow of goods and services.
- provide sustainable management prescriptions for the area by detailing the harvesting practices suggested if any.
- specify the activities to be undertaken, activities to be monitored and prescribe mechanisms for amending the plan whenever necessary.
- essentially cover various aspects related to natural resource management.

The micro plan, prepared ward wise shall be presented before the Grama Sabha convened specifically for the purpose. This will be discussed thread bare and modified before finalizing the micro plan. The micro plan will be then presented in the General Body Meeting of the PHS for its approval. It shall be then sent to the Block Haritha Samithy (BHS) which in turn shall technically and financially evaluate the proposals through technical committees and approve the PHS wise Projects.

10. PHS OPERATIONS FUND

1. The PHS will open savings bank account, known as operations fund, in a convenient nationalized/scheduled/co-operative bank. This will be maintained as a joint/singly operated account as prescribed by the funding agency.
2. The cost of investments for PHM will be put in the PHS operations fund.
3. All the development activities would be funded through this fund in accordance with the provisions built in the approved micro plan.
4. In the beginning, an advance limited to the requirement of three months will be given to the PHS for undertaking the activities as per the requirement of the Annual Action Plan based on the approved micro plan. On successful execution of the works, the PHS will forward the vouchers to the member secretary BHS. The BHS will scrutinize the vouchers and the member secretary BHS will pass them. The amount passed by the BHS will be communicated to the PHS and the amount will be transferred to the Core fund of PHS.

11. CORE FUND

A core fund shall be constituted by the PHS to deposit the membership fees collected from the GHSs. This will be an account jointly maintained by the member secretary PHS and a member nominated by the PHS (to be designated as the treasurer of PHS), for maintaining the account. This shall be deposited in a convenient nationalized/scheduled/co-operative bank. This fund will be utilized for facilitating the micro planning and meeting the expenditure incurred on account of development works. This will be supplemented by way of payment received for implementation of the micro plan. The PHS can utilize this fund, for various activities for furthering the objectives of the PHM.

12. MEMORANDUM OF UNDERSTANDING

The PHS, the stakeholders/user groups and the custodian of the land in which the micro plans are to be implemented will enter into Memorandum of Understanding for furthering the objectives of the PHM in the appended format.

A memorandum of understanding in the following format shall be signed among the PHS, stakeholder group/user group and the custodian of the land as a pre-requisite for starting the implementation of the Micro plan.

MEMORANDUM OF UNDERSTANDING

We, the President and Secretary of the PHS ofGrama Panchyat, ofTaluk.....District, the representatives ofstakeholder group.....user group and the custodian of the land described in the attached schedule do hereby undertake individually and collectively to perform the duties and shoulder the responsibility as detailed in Government Order No.....dated.....for proper planning, management and sustainable utilization of the resources as per the Appendix given below.

APPENDIX

- 1. *Name of the stakeholder group/user group* :
- 2. *District* :
- 3. *Block* :
- 4. *Grama Panchayat* :
- 5. *Ward* :
- 6. *Village and Survey Nos.* :
- 7. *Extent of Site Specific Plan Area* :
- 8. *Social Forestry Division* :
- 9. *Social Forestry Range* :
- 10. *PHM Area (Surveyed sketch signed by the three parities)* :
- 11. *Extent of Site Specific Plan Area* :
- 12. *Legal status of the Site Specific Plan Area* :
- 13. *Boundaries of the Site Specific Plan Area* :

North—

South—

East—

West—

We understand that the usufructory benefits as detailed in the aforesaid GO shall be allowed only on satisfactory observance of the responsibilities and obligations of the stakeholder group/user group as per the aforesaid GO. A copy of the aforesaid GO is annexed herewith duly signed on every page in evidence of our having understood the same in letter and spirit. It is hereby agreed that this MOU will come into effect from

President of the PHS

Signature.....

Name and Address

Secretary of PHS

Signature

Name and Address

Custodian of the land

Signature

Name and Address

Representatives of user group

Signature

Name and Address

Witness 1. Signature.....
Name and Address

2 Signature.....
Name and Address.

Place:

Date: