

National Report to the Fifth Session of the
United Nations Forum on Forests

INDIA

National Report of India to UNFF-5 Session

Forest Policy and Planning in India is a concurrent responsibility of the central government and state governments. Policy and Planning are linked to authorizations contained in basic national legislation, including forestry legislations. In turn, policy shapes legislations in as much as legislations provide the structure and grounds for implementation of policies, strategies and priorities. Further forestry is directly linked to overall land use. Hence forest policy and legislations flow from, and constitute a part of the national land use and legislative framework for natural resource management and use. The National Forest Policy, 1988 formulated four years before the Earth Summit embodies the principles of sustainable forest management and India's forests are treated primarily as environmental and social resources and only secondarily as a revenue or commercial resource. Recognizing the role of forests in rural livelihoods and in securing environmental security for future generations, the Government of India have formulated the National Forestry Action Plan (NFAP) which is a comprehensive work plan for the next twenty years to achieve the goal of sustainable development of forests and also to increase the forest/tree cover in the country to 33 percent of the land area as mandated in the National Forest Policy, 1988. The Non-legally Binding Statement of Forest Principles for sustainability of all types of forests were adopted during the United Nations Conference on Environment and Development (UNCED), and followed by the IPF and IFF processes which produced a body of more than 270 proposals for action towards sustainable forest management, known collectively as the IPF/IFF Proposals for actions. These proposals address a broad range of issues, and are characterized by numerous thematic inter-linkages. The National Forest Policy, 1988 covers most of the thematic elements of IPF/IFF proposals for action to achieve sustainability of all types of forests, which are mainly (i) Increase in the extent of forest and tree cover; (ii) Maintenance, conservation and enhancement of bio-diversity; (iii) Maintenance and enhancement of ecosystem functions and vitality; (iv) Conservation and maintenance of soil and water resources; (v) Maintenance and enhancement of forest resource productivity; (vi) Optimization of forest resource utilization; (vii) Maintenance and enhancement of social cultural and spiritual benefits; and (viii) Adequacy of policy, legal and institutional framework for these objectives. The Government of India have adopted several schemes under National Forestry Programmes to achieve Sustainable Forest Management and the national goal of one

third of land area under forest/tree cover, and also to have linkages with livelihood and poverty alleviation issues of forest dependant communities. Such sustained commitments on the part of the State/UT governments have also resulted in the significant participation of local people in tree planting and forest management, as well as in the conservation of biodiversity.

India is committed to genuine and meaningful partnerships with the local communities and other sections of society. For this we have created and are still improving upon a sound policy, institutional, and legal framework, which allows decentralization of management and control regimes and empowers the communities to take decisions on management issues and also for benefit sharing. The National Forest Policy, 1988 envisages people's involvement in the development and protection of forests. The requirement of fuel wood, fodder and small timber such as house building material of the tribal and other villagers living in and around the forests are treated as first charge on forest produce. As one of the essentials of forest management, the policy document envisages that the forest communities should be motivated to identify themselves with the development and protection of forests from which they derive benefits. In 1990, the Government of India adopted the principles of "care and share", highlighting the need and procedures for the involvement of village communities and voluntary agencies in the protection and development of degraded forests, popularly called the "Joint Forest Management (JFM) Principles". These have become the cornerstone for people's participation in forest management. Till date, of the total 173,000 villages in the forest fringe, JFM has been implemented in 61,000 villages and around 85000 JFM Committees have been formed covering more than 17 million hectare of forests. States have started an innovative mechanism of decentralization of power not only for forest protection but also in forest development or expansion of forest cover. The social functions of forests are very important as the forest fringe villages comprise 28% of the total number of villages in the country. Forests are inseparably linked with the livelihoods of people living on the forest fringes, as they depend on forest produce for self-consumption and cash income. Forests support grazing of nearly 60% of the livestock in the country (270 million out of about 450 million), and are used for collection of head loads of firewood for sale in the market.

Considering the immense potential and genuine need for women's participation, our Joint Forest Management (JFM) programme guidelines provide that 50% of members of

general body of Joint Forest Management (JFM) committee should consist of women. For the general body meeting, the quorum of 50% women members is mandatory. At least 33% membership of the executive/management committee should be filled from amongst women members. One of the office bearers i.e. president /vice president /secretary should be filled by a woman member of the committee. The Government of India is committed to confer ownership rights to the forest dwelling communities, including women. The role of women has been ensured in Forest Development Agencies (FDA), which is the confederation of JFM Committees in their area, to manage common property forestry resources, implement afforestation schemes, initiate steps for value addition and marketing of forest produce, protection against poaching of wildlife and illegal felling of timber, manage the existing captive water resources in the village, monitor the activities of local NGOs, and promote agro-forestry/farm forestry. At present, more than 8.3 million women are participating in the management of forests at the level of different forest /forest fringe villages through Joint Forest Management Programme.

The **Indian Forest Act 1927** is the main Act, which regulates the management of forests by the States, and together with the **Wildlife Protection Act, 1972**, provides the principal legal framework. The Forest Conservation Act 1980, among the most stringent of regulatory statues in the country, is intended to control deforestation. It has placed strict controls on the diversion of forestland for non-forestry purposes. Biodiversity conservation has been made an integral part of forest conservation and various legislative measures have been taken to strengthen conservation. The **Biological Diversity Act, 2002** aims to protect the biological resources of the country, and thus, addresses forest ecology in its totality. About 15.6 million ha or 4.75 percent of the total area is set aside in the form of 90 national parks and 502 sanctuaries dedicated to wildlife and biodiversity conservation. The **73rd amendment to the Indian Constitution, 1992**, makes it mandatory for all states to decentralize governance through a three-tier structure viz. the State, District and Local Bodies (called Panchayati Raj Institutions or PRI in brief). Among the 29 functions recommended for decentralization, three relate to forestry, i.e. Social Forestry, Fuel Wood Plantations, and Non-Timber Forest Products (NTFP). Thus, the legal basis for effective people's participation in forest protection and forest management is now available.

India is a party to the Convention on Biological Diversity (CBD) whose objectives include conservation of biological diversity, sustainable use of its components, and fair and equitable sharing of benefits arising out of the utilization of genetic resources and traditional knowledge. CBD envisages that benefits accruing from commercial use of traditional knowledge have to be shared with the people responsible for creating, refining, and using this knowledge. Article 8(j) of CBD provides for respecting, protecting, and rewarding the Knowledge, Innovations and Practices (KIP) of local communities. The Biological Diversity Act, 2002 addresses the basic concerns of access to, and collection and utilization of biological resources and knowledge by foreigners, and sharing of benefits arising out of such access. The National Authority will grant approvals for access, subject to conditions which ensure equitable benefit sharing. The Documentation of Traditional Knowledge and preparation of village wise Community Biodiversity Registers (CBRs) for documenting all knowledge, innovations, and practices are measures to protect the traditional knowledge, innovations, and practices. The CBRs are expected to function as a tool to establish claims of individuals and communities over knowledge and use of biodiversity resources, and to bring them equitable share of benefits flowing from the use of such knowledge and resources. It has also been made incumbent upon patent applications to disclose the source of origin of the biological material used in the invention in their patent application and compliance with national laws on the subject. Provisions in Biological Diversity Act, 2002 ensure equitable sharing of benefits arising from the use of traditional knowledge with the holders of such knowledge. India has initiated an exercise to prepare an easily navigable electronic computerized data base of documented, TK relating to use of medicinal and other plants. Such data base would enable patent offices all over the world to search and examine and prevalent use / prior art, and thereby, prevent grant of fake patents and bio-piracy.

The Forest Survey of India (FSI), an organization under the Ministry of Environment and Forests, Government of India, has been carrying out assessment of forest resources in the country since its inception as Pre-Investment Survey of forest Resource (PISFR) in 1965. Initially, FSI assessed the forest resources in different parts of the country through ground inventory and interpretation of aerial photographs. However, since the early 1980s, it started using satellite data to assess the forest cover of the country. Under its revised mandate of 1986, FSI assesses the forest cover on two years cycle and publishes the information in the form of a State of Forest Report (SFR). The first report

on the forest cover of the country was published in 1987, using Landsat data of US satellites through visual interpretation technique on 1:1 million scale. The latest assessment is based on the scale of interpretation of 1:50000. The introduction of advanced digital image processing systems has helped in reducing the time lag between the presentation of the report and that of the underlying satellite data. We have the technology to assist other developing countries with respect to capacity building and training. The periodic assessment of forest cover provides a quantitative measure of the extent of land area under forest/tree cover, along with the density. It helps in monitoring changes in the cover. Forest cover information is the basis of national and state policy planning. Comprehensive assessment of the forest resource involves measurement of numerous parameters such as forest cover, growing stock, annual increment, species composition, bio-diversity, non-timber forest products, etc. However, the FSI is able to assess only the forest cover for the whole country, and the assessment of other parameters is done only for specific areas. The status of forest cover from 1987 onwards is as under:

Assessment Year	1987	1989	1991	1993	1995	1997	1999	2001
% of geographical area	19.49	19.43	19.45	19.45	19.43	19.27	19.39	20.55

The biannual forest cover data shows that the decrease in forest cover has been arrested from 1999. The present assessment indicates that forest cover (20.55%) and tree cover (2.48%) constitute a healthy 23.03% of the geographical area.

The Working Plans are the instruments for scientific forest management for assessing the impact of past management practices and deciding about suitable management interventions for the future. Periodical up-dating and revision of Working Plans is essential to keep pace with the trends emerging at the forest people interface, and to address other national objectives. Forestry in our country has undergone striking changes in the recent past. The focus of forest management has shifted from production to conservation. Non-timber forest products have come to the forefront of forestry management. The role of local people in protection and management of forests has grown immeasurably. The concept of Joint Forest Management has taken formal shape.

Decentralized planning process for area specific forest management approach has resulted in formulation of micro plans. The “care-and-share philosophy” evolved in this process needs to blend with the scientific approach to forest management. In such situations it is essential to reshape the documents that embody forestry management prescriptions i.e. the Working Plans. There has been some concern in the past about rigidity of the Working Plans and their inability to adapt to fast changing situations in the field. It is now time to strengthen the system of writing of Working Plans in a uniform manner throughout the country, and to dovetail micro plans with the Working Plans without compromising on the scientific principles of forest management. The Government of India has formulated National Working Plan Code to accommodate the changed context and knowledge base for preparation of the Working Plans.

The concept of forest management in India has been broadened to include economic, environmental, social, and cultural dimensions, in line with the National Forest Policy. To ensure the continued availability of goods and services that forests and forest ecosystems provide, based on the agreed principles of UNCED, countries have arrived at a common definition of SFM, and to develop and implement tools, by which the sustainability of forest management, in a broad sense, could be assessed, monitored, and reported. The worldwide initiatives to achieve Sustainable Forest Management have been focused on Criteria & Indicator (C&I) system for assessing fulfillment of the objectives of managing the forests on sustainable basis. The Indian initiative for development of C&I for SFM in India is the Bhopal-India Process in 1998. The process led to development of 8 criteria and 43 indicators after extensive consultations, workshops, etc. spanning over three years.

India also participated actively in the evolving international dialogue on forests, first in the Intergovernmental Panel on Forests (IPF) and subsequently in the Intergovernmental Forum on Forests (IFF) and United Nations Forum on Forest (UNFF). Consistent with the provisions of National Forest Policy as well as the proposals for action produced by the IPF/IFF process, a comprehensive National Forestry Action Programme (NFAP) was prepared. The implementation of NFAP requires huge investment, i.e. US \$ 20 billion to achieve sustainability of all types of forests in the country, and to increase the forest and tree cover upto 33% of geographical area. There is scarcity of financial resources. International attention is needed in key areas such as finance, transfer of

environmentally sound technology (EST), legal protection of traditional forest related knowledge (TFRK), etc. The international arrangement on forests is not effective in the fields of finance and transfer of environmentally sound technologies. India believes that only after these have been addressed, and consensus solutions found to these issues, meaningful discussions on future international arrangements or mechanisms can be initiated on the basis of a firm consensual foundation. At this stage the need is to provide the technological and financial assistance to developing countries to strengthen their efforts for sustainable forest management rather than to consider any international legal arrangement. Therefore, capacity building of these countries is more important than consideration of new multilateral legal regime.
