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Position Paper
from the Rain-fed
Livestock Network
on critical issues
affecting India's
traditional livestock
rearing systems

Livestock and Commons

Asserting Rights of the Livestock Herder and Revitalising the Commons

Summary

In India, the Commons are a contested resource. Common property resources (CPRs) that historically formed the basis of livestock keeping in arid and semi-arid areas have now been largely alienated, or access to these resources is banned or restricted. Over time, with the decay of the traditional institutions that governed these resources, most village grazing grounds have been neglected leading to degradation and encroachment by few influential sections.

Concurrently the portrayal of Common lands as 'wastelands' has led to state policies that favour allocation of these lands for 'development.' Not only has this directly affected the livelihoods of households and herders who traditionally depend on the Commons, but it has also further undermined the larger ecological function played by the Commons. In addition, the State has aimed to control the usage of different CPRs, triggering conflicts with local communities who historically accessed them.

To compound problems, current policies for livestock development in rain-fed regions emulate objectives and strategies followed in irrigated areas while neglecting sustainable mechanisms based on traditional livelihood systems and the local ecological settings of rain-fed regions.

The Rain-fed Livestock Network believes securing tenure of local communities over common lands and strengthening community institutions are critical for securing common property resources. This paper offers some ways by which these can be achieved and presents possible alternatives to *solve* institutional problems around Commons management. In contrast to the current sectoral approach, the policies should create an enabling environment where the



different stakeholders come together to discuss measures to address issues of fodder, feed and grazing in a comprehensive manner. The Forest Rights Act (enacted in 2007) provides pastoralists and other livestock keepers the right to seasonally use forests. Concerted efforts must be made now to implement this Act. There is a dire need to reassert the socio-economic and ecological value of the Commons. It's crucial contribution to India's livestock production and the systemic inter-linkages must be highlighted to policy-makers.

There is a need for including restoration of the Commons in programmes that aim towards ecological restoration (Green India Mission and other State-specific programmes) and in employment generation schemes such as the MGNREGS and in the process strengthen local institutions. Activities that develop commons-dependent livestock production systems need to be brought under the purview of MGNREGS. Restoring grazing areas and water sources for livestock under MGNREGS will regenerate the natural rural resource base, providing sustainable livelihoods for villagers. While doing so, one must take into account the natural diversity of

local ecosystems, which have so far sustained the diverse needs of livestock and farming systems and ensure that traditional users of these lands are not excluded from accessing these common resources and from benefit-sharing arrangements that maybe set in place.

Common Property Resources- Threatened Rights and Livelihoods

Encroaching on Rights and CPRs

More than 70 percent of the livestock in rain-fed regions are kept by pastoralists, landless, marginal and small farmers. These livestock are reared under grazing and mixed crop-livestock systems. A critically important aspect for these resource-poor livestock keepers are the Commons that constitutes nearly 21 percent of India's landmass. In rain-fed regions the share of common lands is much higher with more than 40 percent of the land under some form of common property regime. However, policy makers and even programmes that purportedly aim to address natural resources in these locations, usually neglect the critical role played by the Commons in sustaining agriculture and livestock systems. Specifically, the livestock development policies and strategies have long failed to recognise the contribution of commons to the sustenance of livestock production systems and the importance of the longstanding livestock-environment interactions for biodiversity conservation and resilience of rural livelihoods.

The common property resources that historically formed the basis of livestock keeping in arid and semi-arid areas have now been largely alienated, or access to these resources is banned or restricted. Over time, with the decay of the traditional institutions that governed these resources, most



village grazing grounds have been neglected leading to degradation and encroachment by few influential sections. Concurrently the portrayal of Common lands as ‘wastelands’ has led to state policies that favour allocation of these lands for bio-fuel cultivation, corporate contract farming and for industrial zones. Not only has this directly affected the livelihoods of households who traditionally depend on the Commons, but it has also further undermined the larger ecological functions played by it in terms of conserving biodiversity, improving soil moisture regimes and recharging groundwater.

The degradation and decline of commons, exacerbated by changes in cropping pattern and intensification of agriculture, has further disrupted the ability of the poor households to rear livestock. The limited availability of fodder and water has also affected the health of the livestock, slowly decreasing their production potential.

Reasserting the Role of the Commons and Evolving Policies Benefiting Resource-Poor Herders

After considering the consequences of decades of ill-applied practices stemming from flawed policies affecting the Commons and the resource-poor Indian livestock herder, the Network believes the following areas require urgent attention.

i.] Securing Common Property Resources- Strengthening Community Institutions and their Rights

The Commons are a contested resource. The State, through various policies, has aimed to control the usage of different common property resources, triggering conflicts with local communities who historically accessed them. In addition, the process of agricultural expansion and privatisation by influential groups has undermined the traditional common property institutions. Securing tenure



of local communities over common lands forms the first critical step towards securing common property resources.

There is a need; of considerable import, to devolve management of common lands to the level of habitations where the primary users and dependents of Commons reside. By including the people whose very livelihoods rest on these resources and increasing their stake in protection and regeneration activities, there is a considerable scope to strengthen the local governance of common property resources. However, since natural resources are not confined to the administrative boundaries of a particular hamlet and span across hamlets, there is a need to ensure coordination among the various habitation-level institutions so that besides addressing the micro-level concerns, the larger issues are also considered and addressed. These institutions ought to be supported within a larger institution to draw inter-linkages with the other developmental agenda. It is in this context that the Panchayats may play a crucial role to bring in coherence between the works at the habitation level and those carried out at the macro level.

While doing so, we feel that following options or leads must be explored to find out the alternatives that can strengthen local governance of common property resources and securing rights of communities over commons.

1] Strengthening Local Governance

Lead 1a: Standing Committee for Natural Resource Management & Biodiversity Management at the Gram Panchayat

The Panchayati Raj Act mandates five Standing Committees at the Gram Panchayat for carrying out its functions. The Act allows the Panchayat to constitute a sixth standing committee for anything

not covered by the five Standing committees. This provision could be used to facilitate the formation of a sixth standing committee with the objective of mainstreaming natural resource-related issues within the Panchayat. This committee could focus on various aspects relating to natural resources with a broad conservation mandate. [This purpose is served by incorporating the role of a Biodiversity Management Committee (BMC) as mandated by the Biological Diversity Act, 2002 and the Biological Diversity Rules, 2004.] The Standing committee would advise the Panchayat with regard to the nature of bylaws that can be passed regarding NRM. The bylaws would incorporate suggestions from the Natural Resource Management Sub-Committees (discussed below) and the ward *sabhas*. These would include rules for natural resource use, water rights, local taxation, etc.

The formation of such a committee would help mainstream natural resource management in the functioning of the Gram Panchayats. Being a standing committee, it would be mandatory to constitute it in all Gram Panchayats, thereby providing a ready platform for efforts by other institutions at strengthening local governance of natural resources.

One caveat about adding another Standing committee is the general recognition that in many cases the extant Standing Committees are inactive. This throws up questions as to how yet another Standing Committee can help coordinate activities at the Panchayat level and if this new Standing

Committee could also become inactive. These are issues that must be considered as concerns that naturally come to the fore when tackling institutional development around the Panchayats and they need to be tackled systematically.

Lead 1b: Institutions at the Hamlet Level

Various legal provisions have been made to involve the local community in appropriating and managing natural resources in rural areas. Given these legal provisions, diverse sets of institutions have emerged, which govern different forms of natural resources. However, these institutions in most cases run parallel to each other and there is a need to synergise the efforts of these institutions (from the level of habitations) to make concerted efforts towards NRM.

It would be desirable to expand the scope of the habitation-level institutions with all common natural resources –including forest lands, under its domain. This is consistent with recent proposals for all JFM forests to come under the aegis of the Panchayats in tribal areas. The habitation-level institutions could be called the *NRM Sub-Committee (NRMSC¹)*.

NRMSCs could have the following roles and responsibilities:

- Preparing natural resource management plans for the Panchayat and integrating them with the perspective and scope of the Panchayat and its annual plans.

¹ The Parthasarthy Committee in its Report of the Technical Committee on viable strategies or mechanisms for meaningful implementation of DPAR, DDP and IWDP has also recognised the role of the Panchayats as a body equipped with statutory rights and mandate for natural resource planning, potentially equipped with the powers to impose local taxes or user charges and are committed to representation of women and weaker sections as per the Constitutional provision. Further, it also argued the need for institutions at the micro-watershed level and the need to position them as one of the committees of the Gram Panchayat, for better management and governance of natural resources. Additionally, the Forest Department is currently strategising devolution of management activities to the hamlet level in order to realise gains in efficiency and equity, and these plans look to incorporate and coordinate the activities of the Village Forest Protection and Management Committees (VFPMCs).



- Implementing natural resource management plans.
- Championing natural resource conservation measures across the hamlet.
- Promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of

animals and micro-organisms and chronicling knowledge relating to biological diversity.

The NRMSC² at the habitation level would function within the overall guidance of the Standing Committee on NRM and Biodiversity Management and the Gram Panchayat. This institutional structure would provide an opportunity to explore and delineate functions and powers between the Panchayat and the ward *sabha* within the framework of the Panchayati Raj Act.

² There are examples of devolution of functions and powers to ward level. It is noteworthy that the *Madhya Pradesh Panchayati Raj Evam Gram Swaraj Adhiniyam* envisages a fourth tier of local self governance at the village level and empowers the gram sabha at this level to deliberate and legislate on issues within its geographical domain. This is especially progressive for decentralised NRM because it allows for management and certain governance decisions at the lowest level. Even in States like Kerala and Karnataka where the fourth tier is not there, but there has been a distinct movement towards empowering the ward sabhas with some decision making power like the instance of area planning by ward sabhas in Kerala or the selection of beneficiaries for development programmes by the ward sabha in Karnataka (this power has recently been diluted by an amendment to the Karnataka Panchayati Raj Act).



2] Secure Tenure on Commons

As highlighted, security in tenure of common lands is a necessary condition for the success of the institutional reforms described in the previous section and ultimately to support the livelihood needs of the rural population, especially those dependent on animal husbandry. The following items have the potential to help secure tenure for Commons-dependent households.

Lead 2a: Converting Revenue Wastelands into Grazing Land

Livestock rearing forms an integral part of the livelihood systems of the people in dry-land areas. In contrast to the national average of 1:2, the livestock to human ratio in these areas is 1:1. However land allocated for grazing (permanent pasture and grazing land) constitute only 3-5 percent of the total land area in these areas. Taking into consideration the significant increase in livestock population there is a need to re-visit land classification. More importantly, this is required in the context of moves to promote *jatropha* cultivation and the bio-fuel policy which relegate the status of the commons as wastelands. In lieu of the fact that there has been a drastic increase in the livestock population and only 3-5 percent of the total land has been classified as permanent pastures and grazing lands, it is desirable that the revenue wastelands are available for conversion to grazing land. This would not only

prevent any further encroachments and diversion of these lands for purposes that only benefit a few influential sections, but would also facilitate development of these lands.

Lead 2b: Lease of Wastelands to the Panchayats, Cooperatives, Registered Societies or VFPMCs (Reviving the Earlier Revenue Orders)

Revenue wastelands falling under the purview of Revenue Departments forms one of the most contested resource in a rural landscape. These lands are subject to high degree of encroachment and also are the lands which in most locations remain outside the purview of any institutional regulation. Seen as wastelands by the state these lands are usually the first to be allocated for mining, habitation, allocation of *pattas* to the landless, industries, SEZs, bio-fuel cultivation and several other purposes. These lands in practice often constitute some of the most valuable pasture lands, especially in the monsoons when forests and agricultural lands are inaccessible. Since strengthening fodder security of rural households is an extremely grave issue before the nation, there is a need to bring these lands under local governance. Long term lease of these lands to Gram Panchayats and registered habitation-level institutions can be one option to secure these lands for use by the community who can undertake silvi-pasture measures for addressing the fodder and forage needs of their livestock.

There is a need for a change in orientation and creating enabling policies for livestock keepers which takes a more holistic perspective of livestock-environment interactions. Policies for livestock development in rain-fed regions emulate objectives and strategies followed in irrigated areas while neglecting sustainable mechanisms based on traditional livelihood systems and the local ecological settings of rain-fed regions. This is true, even of policies and programmes, which aim to address the issues of degradation and water conservation. To compound problems, traditional pastoral systems—the natural outcome of the need to optimise the use of resources in time and space, have remained neglected or opposed. The conventional practice for managing common land and forests, grounded by the limiting concept of *carrying capacity*, has been to find means of reducing livestock populations accessing them.

The dynamic seasonal use of resources that make open range grazing systems sustainable and capable of supporting substantial livestock populations does not figure in the thinking behind which the rules are developed .

Recognising the importance of strengthening mixed-farming systems the policies should promote people's livelihood patterns, encourage conservation of natural resources and promote equity. In the present-day context it is important to have positive policies that restrict further diversions of CPRs, which are based on a holistic grazing policy and not just grazing regulations. The policies should enable a sound legal foothold to community institutions at the hamlet and Gram Panchayat level over the different land categories which are used as Commons.



ii.] Reasserting the Socio-Economic and Ecological Value of the Commons

As discussed earlier, the contribution of the Commons to the livestock and farming systems and its critical importance for poor households has been neglected when framing policies and programmes. There is substantial evidence across different agro-eco-regions, which highlight the dependence of poor households and the role played by the Commons in building up resilience of rain-fed systems and in improving the resource base, which radically strengthens livestock and farming systems.

In order to influence development of suitable policies and programmatic actions there is a need to:

- Synthesise the contribution of the Commons in terms of different functions and systemic inter-linkages.
- Establish the role of Commons at the different stages of livestock production and its direct and indirect contribution to milk and meat production with a proper economic argument.

In response to this need and working in this direction, the Network has carried out a study in 100 villages from the rain-fed regions to understand the dependence of livestock keepers on the Commons and ways through which both the Commons and livestock strengthen the resilience of household livelihoods.

iii.] Programmatic Actions to Support Community Institutions and Regeneration of Commons

Programmatic Actions on Commons

Since most of the common lands are in a degraded condition, they require considerable restoration efforts so as to successfully support rural households. Reducing vulnerability and improving economic conditions of the poor livestock owners can be facilitated through the application of systematic, local-level, highly labour-intensive initiatives to restore and sustain the productivity of grazing areas and to provide adequate access to drinking water in grazing tracts and at the villages.

This work can be rightfully carried-out under the Mahatma Gandhi National Rural Employment Programme (MGNREGS), the first nation-wide employment scheme that legally guarantees 100 days of employment to India's rural population, as it aims to eradicate extreme poverty and make villages self-sustaining through creation of productive assets (such as water tanks and soil conservation works). Restoring grazing areas and water sources for livestock under MGNREGS will regenerate the natural rural resource base, providing sustainable livelihoods for villagers. The high labour intensity of these programmes makes them eminently suitable for inclusion under MGNREGS. MGNREGS provides a golden opportunity to planners and policy makers to reduce vulnerability and enhance the productivity of their common grazing areas, thereby developing the commons-dependent livestock system, which for many, is the only means of economic growth.



Though many activities that foster development of commons-dependent livestock production systems can be brought under the purview of the MGNREGS, they are usually passed over for other activities. Even regular initiatives to increase biomass focus on ‘non-browsable’ or ‘non-palatable’ plant species, which are not useful to livestock. As a result, there is a compelling need for such special, focused programmes under MGNREGS, as discussed above.

The restoration of commons lands also needs to be incorporated in emerging programmes (Green India Mission and other State-specific programmes such as the *Harit Prayas* in Rajasthan) that target ecological restoration. However the multiple objectives of these programmes and the trade-offs that emerge needs to be properly understood before implementing them in the field.

The scope to improve the productivity of degraded land has been established by numerous

successful cases across the rain-fed areas. The activities to restore the Commons usually aim to support:

- The natural process of regeneration with support of robust institutional arrangements at the village level (as discussed above).
- Maintenance of the natural diversity of the ecosystem, which has so far sustained the diverse needs of livestock and farming systems, and
- Promotion of seeding and plantation of native species keeping in mind the various relevant variables - people's need, level of degradation, biotic pressure, institutional strength and so on, in a given situation.

However, the bio-physical measures undertaken have also raised some questions. In some instances not only have they contrived to change

the character of the production system (reflected in the species being planted and livestock species being promoted), but they have also put in rules and regulations which have restricted livestock movement. The bone of contention behind restricting, regulating and on the whole confining open-range grazing systems is the belief that these are inherently destructive and unsustainable. The development of cut-and-carry regulatory systems in a wide range of situations and institutional contexts has its roots in this assumption. While it should be recognised that restrictions such as those imposed through cut-and-carry regimes are often a necessary and important part of the

process of managing badly degraded systems to help them recover, this is often translated into a view that it is open-range grazing systems that are responsible for the degradation of the Commons. Once instituted, cut-and-carry systems are often difficult to reverse not only at an institutional level, but also because of the resulting changes taking place in the livestock composition. Once the entire local production system has become adapted to a cut-and-carry regime, it invariably creates interests that will seek to further it. By and large, restrictive regimes are more favourable to large livestock and are inherently biased to small ruminant keepers.

RLN- Piloting Action Research

In the present Indian scenario, where the conflict over management of resources is likely to intensify and governance issues appear to become increasingly complex, there is a need to review the current status of CPRs in the context of farming systems, especially considering its effect on the livelihoods of poor and vulnerable communities. Research and analysis, including the seminal work of Jodha on CPRs conducted three decades ago, focused on the importance of CPRs for the livelihoods of the poor. It was a path breaking study, a qualitative research that examined a large representative sample of rural households with focus on mapping their dependence on the commons.

Hence, there is a need to update this research focus with another round of field-based research to explore, expand and include the current context and challenges faced by dryland agriculture and common-land development.

In view of this and as a first step, RLN has completed a qualitative research, supported by some quantitative status checks on status of CPRs across 7 states and 22 districts across 8 agro-ecological regions in India. The key objectives of the study were:

- *Highlighting the critical role played by commons* in different agro-ecological regions, social and economic contexts and varied production systems like pastoralism and livestock rearing; mixed farming systems, dependence on forests and hence its importance as a key driver of development in rain-fed areas.
- *Identifying the criticality of common property land resources* for subsistence livelihoods of the poor (to be defined) and vulnerable communities (to be defined) and women.
- *Mapping out the institutional mechanisms and conditions* under which improved governance (responsive to regeneration of common property lands and serving the interests of poor and marginalised communities) takes place.

RLN proposes to analyse the study findings further and articulate of a proposal for greater public investments that strengthen systems to restore, utilise and manage CPRs better.

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