

# EXPERIENCES WITH A HETEROGENEOUS FOREST USER GROUP IN THE FAR WEST OF NEPAL

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## **RESUMEN**

El distrito de Darchula se encuentra en el noreste de Nepal, y colinda con la China y la India. Está atravesado por las antiguas rutas de comercio y peregrinación, por las cuales el tráfico de animales de carga es importante. La demanda de forraje para la alimentación de estos animales ha aumentado considerablemente, acareando muchos conflictos. El artículo describe un caso particularmente difícil surgido en los últimos años en Darchula, para el cual todavía no se ha encontrado una solución satisfactoria.

## **RÉSUMÉ**

Le district de Darchula s'étend au nord-ouest du Népal et longe à la fois la Chine et l'Inde. Des itinéraires anciens utilisés pour le commerce et les pèlerinages le traversent, ce qui met en évidence une circulation considérable de bêtes de somme. L'alimentation de ces animaux constitue une charge croissante qui pèse sur les ressources en fourrage des régions qu'ils traversent, ce qui a de plus en plus souvent pour conséquence des conflits. Ce qui suit est la description d'un cas difficile qui s'est élevé à Darchula au cours de ces dernières années et qui n'a pas encore été résolu de façon satisfaisante.

## **INTRODUCTION**

Darchula district lies in the north west of Nepal and borders with China and India. Long established trading and pilgrimage routes run through it, which see considerable pack animal traffic. The feeding of these animals places an ever growing burden on the fodder resources in the areas through which they pass. This has been going on for hundreds of years, but conflicts are likely to spread and worsen, perhaps well beyond Darchula. What follows is a description of a difficult case that has arisen in Darchula in the last few years and has not yet been satisfactorily resolved. It marks the emergence of a growing problem.

### **The Parties Involved**

Measures to conserve forest areas used by itinerant herders have been taken in some parts of Darchula by local residents. At times they have been effective (Chand and Wilson, 1987), although mostly in areas used by sheep and goat herders. Serious conflict has now arisen between seasonal yak herders (Byashis) and local residents over the use of an area of land known as Kimtori 'forest'. The District Forest Office (DFO) has become involved.

The Byashis are a small Tibeto-Burman speaking group whose homes lie in the north of Darchula and parts of the Uttar Pradesh hills in India. They are semi-nomadic traders, who migrate southward to warmer, lower altitude areas each winter. Their trading activities have flourished in modern times and they are a wealthy group by any standards. The residents of Kimtori village are Aryan people, mostly of higher Hindu castes. Such people make up by far the majority of Darchula's population. Most are subsistence farmers, although a few among their number have government jobs.

### **The Case**

The 'forest' in question is a grassland hillside with a sparse covering of trees of mixed species. It lies close to the district's main bazaar, where the Byashis have winter residences, and has been used traditionally by them as grazing land during the winter season. It is very close to the village of Kimtori. The land also serves as a paddock as the Byashis have no enclosures for their animals near their winter homes. To encourage their yaks to remain nearby, the Byashis construct terraces on which the animals sleep, and provide piles of salt to which the yaks return.

The hillside is owned by the government, but at the request of Kimtori residents a plantation of considerable size was made by the District Forest Office. The office is responsible for establishing plantations at an annual rate set by the Department of Forest, under the nation-wide 'Community Forestry Development Programme'. Although government owned, use of the land by the Byashis was formerly unquestioned. This changed when the plantation was made. Byashis were then expected to find new pastures for their animals.

Planting was carried out during the monsoon, while the Byashis' pack animals were in the mountain reaches of the north of the district. The following winter, the animals came south to the lower altitude parts of the district. They went to their traditional grazing lands (of which the land near Kimtori is only a part) as usual, with the result that all the seedlings of the plantation were eaten or trampled. By bringing the animals into the young plantation, the Byashis were breaking the law relating to community forest plantations. The Kimtori residents put pressure on the

District Forest Officer to act, but the Byashis are a powerful group. Both groups contacted higher authorities and the DFO received letters from zonal, regional and central level authorities, usually simply instructing him to resolve the matter. By the time the Byashis took their animals back to their summer pastures and the matter died down, there were 103 letters in the office file on the case.

During the year that followed, important changes took place in Nepal's government. Uprisings caused the King to lift a ban on political parties opposing the 'panchayat' party, which up to then had been the only legally recognised party. Members of new parties appeared all over the country, vying with each other to demonstrate their sincerity as representatives of the people by taking action on issues of all kinds. Consequently that winter at the reappearance of the Byashis' animals, the district politicians were making their presence felt over the Kimtori problem. This added a new dimension to the DFO's problems, now handled by a new officer who had just taken over. Again, a dispute blew up and parties put pressure on the DFO. He received no support, and no solution was agreed upon. This went on until the winter was over and the Byashis' animals travelled north once more.

### **What Precipitated the Conflict?**

The request to the DFO by the Kimtori residents for a plantation seems to have been a deliberate attempt to demarcate the land, excluding the Byashis from its use. In this they were clearly successful. Since the area planted included the only source of drinking water for the animals, the Byashis would have found it difficult to avoid the forbidden area even had they tried to do so.

Part of what prompted this action by the Kimtori residents was a land dispute. A small plot of land, close to where the plantation was established, was believed to be owned by a Kimtori man. A Byashi man had laid claim to it, and the case went to the district court. The Kimtori man won but tension increased, and the case went to the zonal court. There the Byashi man won. At the time of writing the case is being contested at the next level up, the regional court.

The Byashis' increasing wealth may also have been a factor precipitating the conflict, since their wealth has grown dramatically in the last few years. As evidence of the Byashis' wealth grows before the eyes of the Kimtori people, it is understandable that they should resent the free use of land near their village. In addition, the uncontrolled grazing may do lasting damage to the land over the years. Certainly, nothing can regenerate or be introduced among the meagre cover of grass and shrubs if it is to be eaten away each winter.

A minor land dispute thus seems to have triggered off a conflict between seasonal users and local residents over an area in Darchula, although since available resources had already decreased, resentment was probably growing.

### **The Issues to be Resolved**

Heterogeneous user groups of forest resources are common in Nepal. User groups can vary in their composition according to village of residence, ethnic group and caste. Needs vary between group members but with dialogue can be met to overall satisfaction (see for example Fisher, 1989). Rarely, however, are users of a forest as factionalised and diverse as in this case. The Byashis' main homes are around 56km away and their seasonal homes around 4km away from

the area in question. Whilst many Byashis speak a mixture of Nepali and Hindi, this is not their mother tongue. Apart from communication difficulties, vast differences in the financial circumstances of the Byashis and the Kimtori residents are a hindrance to co-operation.

Many people question the Byashi's right to be bona fide users of Kimtori 'forest'. At present many, including some authorities concerned, are reluctant to accept them as such. As the Byashis have no enclosures for containing their animals during their winter visits they are dependent on government owned land in the surrounding area. Their only alternative is to seek other winter pastures, a solution which is unlikely to be acceptable to any other group of residents. Since the Byashis' right of access is questioned, it seems that a mediator is necessary to resolve the problem. Once the Byashis are accepted as having user rights it is possible that consensus on forest management activities could be reached, although the objectives of the groups are somewhat conflicting. The Byashis require mainly ground fodder as animals are usually left to graze and are never stall fed. The Kimtori residents require both fodder and fuelwood and are therefore more interested in planting fodder trees which provide both products. Their animals are often stall fed. Even with this complication, compromises are possible. For example, fencing off part of the area would allow plantation trees to become established and let ground grass regenerate.

The introduction of more productive fodder grasses is another possibility. The physical and financial resources necessary to increase fodder and fuelwood production remain to be identified, but the Byashis' own funds must be a candidate source. Their trade depends on their yaks which are fed, currently at no cost, in the forest. The forest is therefore being used for financial gain and becoming less fertile in the process. Chand and Wilson (1987) also observed that fodder resources are widely regarded locally as 'free goods'. There are several patches in Kimtori forest that bear evidence of heavy grazing and a growing dearth of fodder grass. Some degree of management of the area, and funds for this, seem to be called for. A similar view for the management of common property resources in India is argued by Jodha (1991), who identifies investment needs; a technology focus; and management and regulation options as areas requiring immediate action for these resources.

Although the land is currently owned by the government, the control and management of forest land in Nepal can be legally handed over to user groups. It is debatable whether the Byashis should receive an equal share in the control of Kimtori forest if such a hand-over took place. The exclusive control of the area by Kimtori residents would clearly be unsatisfactory if Byashis need to continue to use the area in the winter.

The sharing of costs and labour is also a difficult issue. In this case it seems reasonable for the Byashis to meet the cost of investment in the land for higher production, although it is unlikely that they would readily agree to this, having used such areas free of charge for many years. Labour needed to tend to plants in the area would inevitably have to be provided by the Kimtori residents, who might also make understandable objections.

## **Conclusion**

Resolving conflicts between forest users who have differing objectives and temporal needs may require decisions at central level. However, whilst legislation may be necessary, it can only go some way towards resolving such issues. Staff of the Department of Forest need to be able to act effectively as mediators. It is likely that the department will be increasingly called upon to mediate

in cases that may or may not be similar to this one. Forest officers need adequate training to meet such challenges.

Although current policy in Nepal is to hand responsibility for forest management to user groups, the possibility that the forest office could be the appropriate body for the management of areas with factionalized users such as in the Kimtori case needs to be considered. In any case, the District Forest Officer will have to provide technical advice if measures to increase the land's productivity are to be taken.

Next winter the DFO in Darchula will again be in a difficult position, with fodder resources becoming ever scarcer. The Kimtori case in Darchula may be an early warning of a growing problem.

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## REFERENCES

**Chand, P.B. and Wilson, A.** (1987). A case study of the development of local forest management in Darchula. Banko Janakari 1(4):20-23.

**Fisher, R.J.** (1989). Indigenous systems of common property forest management in Nepal. Working Paper No. 18, East-West Environment and Policy Institute, Honolulu, Hawaii.

**Jodha, N.S.** (1991). Rural common property resources: A growing crisis. Gatekeeper series paper No. 24, International Institute for Environment and Development, London.

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