

# Monopoly to Privatisation

A paradigm shift in Green Gold of Odisha







## PREFACE

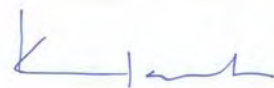
Kenduleaf is regarded as greengold of Odisha. It is a high valued MFP and has been under state monopoly. Even after enactment of Forest Rights Act 2006, the State Govt did not deregulate this MFP. Rights over Minor Forest Produce (MFP) is a community rights and the community has ownership rights as per FRA.

About 7 lakh people depend directly on this MFP for livelihoods. They get employment opportunity from bush cutting to KL plucking, from phadi management to processing of leaves etc. Roughly a family engage itself from 12 to 30days in KL process to sustain its livelihood.


Issues like non-availability of KL card to all pluckers, insurance, benefits declared by the KL department has not yet been accessed by all due to lack of awareness. The KL pluckers are not organised and hence are unable to put pressure in availing the benefits. However, one group of thinking is that Govt. control over KL is good for poor tribal communities as they lack bargaining power and will become prone to exploitation. The other group prefer deregulation and end of monopoly practice over KL.

However, in Maharastra, both the privatisation and Govt. control co-exists. During interaction with communities regarding KL management process, people support the existence of both the models. As per the law, the decision lies with the Gram Sabha, the competent authority to take decision. We only hope that basing upon the strength of the Gram Sabha this greengold of Odisha should be properly managed to support the life and livelihood security of millions of pluckers.

Lastly I am thankful to the Gram Sabha of Golamunda block, Hon'ble MLA of Junagarh, all NGOs, INGOs, CBOs, activists, media persons and my office colleagues who motivated the Gram Sabhas in asserting the rights.



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## The Forest Rights Act, 2006 and Kendu leaf

The Scheduled Tribe & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 defines Minor Forest Produce as all non-timber forest produce of plant origin including bamboo, brush wood, stumps, cane tussar, cocoons, honey, wax, lac, tendu leaves, medicinal plants and herbs, roots, tubers and the like; ie, all other forest produces.

Section 3(1)C of FRA provides right of ownership, access to collect, use and dispose of MFP which has been traditionally collected within and outside village boundaries. FRA amended Rule 2012 defines disposal of minor forest produce as the right to sale as well as individual or collective processing, storage, value addition, transportation within and outside forest area through appropriate means of transport for use of such produce or sale by gatherers or their cooperatives or associations or federations for livelihoods.

The transit permit regime in relation to transportation of MFPs shall be modified and given by the CFR Management Committee or the person authorised by Gram Sabha. The procedural requirement of transit permit in no way shall restrict or abridge the right to disposal of MFPs. The collection of MFPs shall be free from all royalties, fees or any other charges.

This ownership right over MFPs supersedes the provisions of the state laws such as the KL (Control of Trade) Act.

In 2012, the Central Government observed that most state governments either delayed this recognition process or did not allow the actual exercise of this ownership right despite the recognition. It then issued guidelines to ensure the process becomes more community-friendly, and amendments in the FR Rules of 2008 followed these guidelines to legalize the same.





The centrally-constituted Haque Committee, which recommended for minimum support price for several minor forest products, also considered KL in the list though the condition is that a State must withdraw its monopoly (nationalization) in order to make the MSP applicable to a recommended MFP. It however also advised for a State role (without monopoly) in the whole business since KL trade is basically a regional/national affair and the dynamics of which are unknown to the village communities and there is a risk of the traders taking advantage of this ignorance. Moreover, sustaining the regional trade despite the vulnerabilities (like bumper production or substantial decline in the demand of bidi, etc.) requires a centralized coordination in the pluckers' interest.

## KL Scenario in Odisha after FRA Rule Amendment 2012

On 10th of April 2013, the Forest and Environment Department, GoO, vide letter no - 7/2013, 7552 / F & E, Bhubaneswar directed the PCCF (Forest & Kendu Leaves) & MD, Odisha Forest Development Corporation (OFDC) on deregulation of kendu leaves in Nabarangpur district in 2013 crop year. The letter also directed kendu leaves department to purchase kendu leaves from anyone willing to sell. Transit permits for transportation of kendu leaves will be issued by the Gram Sabha. In reference to this letter another letter no 13904/SSD issued by SC & ST Development Department on 11th April 2013 to the Collector & D.M. Nabarangpur. This letter stated that the deregulation of kendu leaves operation in the district has been done in view of the provisions under the Forest Rights Act, 2006 and instructed the district collector to familiarize the Gram Sabhas with the FRA and simultaneously facilitate issuance of transit permits by the Gram Sabha for transportation.



The deregulation was subsequently extended to the Malkangiri district under the jurisdiction of the Jeypore KL Division. Under this deregulation, the trader proposes before the Gram Sabha (not in the sense of the FRA) to be an authorized purchaser of KL in the area, and if the Gram Sabha approves this then the trader's name is recommended by the District Panchayat Officer to the DFO(KL) which in turn fixes the limit of procurement for this trader and issues permits accordingly. In this system, practically the panchayatiraj system and the DFO(KL) assume the key role, and not the actual Gram Sabha. It is also understood that while this deregulation has been helpful to the pluckers particularly because they can now get immediate cash payment from the private trader in their village itself, and in case the trader doesn't appear credible they can also sell their leaves to the government in the local phadi; but neither it benefits much the pluckers nor the Gram Sabha because the trader hardly pays a price higher than that paid by the state government, that too often without other benefits. Since the DFO is to take the ultimate decision, hence this deregulation is not exactly the power to the Gram Sabha.

Moreover, the Govt. of Odisha is yet to amend its old laws to recognize KL as a minor forest produce, as per the definition of FRA. So, all said and done, the actual implementation of FRA by letter & spirit is at the mercy of the state government despite all the instructions issued from the Centre and all the local protests & campaigns. The Golamunda area bears a testimony of this huge contradiction and government apathy, as we have seen recently.

### The Golamunda incident in 2017 KL Crop year

Golamunda block of Kalahandi district in Odisha is inhabited largely by Gondas, Kondhas and Other Traditional Forest Dwellers. The Gram Panchayats like Dhamanpur, Khaliapali, Pharang, Rengsapalli and Borguda are around Churapahad Reserve Forest. Lands are not much productive due to lack of irrigation facilities. So, dependency on forest produce is obvious in the forest-fringe villages. The Community Forest Management Activities like Thengapali and Chulichanda was introduced by Regional Centre for Development Cooperation (RCDC) 10 villages of Dhamanpur and Khaliapali which then extended to whole block through networking process. The villagers claimed under FRA for IFR and CFR. The six villages like Jamjharan, Jamgudabahali, Khasiguda, Kanakpur, Kasturapadar and Kalipur got the Community Rights recognised in 2011. However, the same management process continued and the communities also undertook some forest development activities with the support from RCDC and Oxfam India.

In the title of the above said six villages, the ownership rights of Gram Sabha over the MFP in general and KL in particular has been clearly mentioned. This title, dating back to 2010-11, has been signed by the District Collector, the DFO, and the District Welfare Officer. Most of the people in these villages are KL pluckers, and have not been satisfied with the

governmental system of KL procurement. In April this year (2017) they came to know about the encouraging story of Gram Sabhas selling KL in Maharashtra as per the provisions of FRA, and decided to make a similar endeavour here. They formed a federation of the Gram Sabhas of these six villages, and negotiated with a Maharashtra trader who agreed to pay as high as Rs.7.50 per a bundle of 60 leaves.

It may be mentioned here that the price assured by the Odisha government for 60 leaves is Rs.2.40 @Rs.0.80 per ker of 20 leaves. To add the uncertain amounts such as bonus and other benefits it may come to a maximum of Rs.5 or so per 60 leaves, whereas what the Maharashtra trader was to pay an immediate cash of Rs.7.50 against this without any uncertain components or delay caused in bank transfer. Moreover, this negotiation envisaged to procure from all the pluckers irrespective of their age, that too in their own village itself. Agreements were accordingly signed with each of these Gram Sabhas so as to start the procurement from May 2017. It may be mentioned here that the trader was to pay the price to the Gram Sabha which in turn had to pay each plucker its due @Rs.7 for 60 leaves. That means, the Gram Sabha fund was to get Rs.0.50 for 60 leaves in this arrangement.

The Phadi located in village Jamjharan employs the local people as Checker, Munsif, Chaparasi. This year the Phadi has made a business of about Rs 2 lakh. But it was closed down as soon as the community made agreement with the trader at a higher price. According to the agreement, the villagers opened account in Farang State Bank and the trader deposited 1.5 lakh each in Jamjharan and Khasiguda Gram Sabha account. Besides, the trader also purchased directly leaves worth of Rs 4lakh from other four villages. Accordingly, the 1st phase of the collection took place and the trader too received the leaves. The villagers were quite excited to receive such a high price.

But before the 2nd phase procurement could start, the local forest staff of the KL wing captured the trader on 5th May, and first took him to the local police station and then to the DFO(KL), Bhawanipatna. They accused him of illegal procurement, and threatened of action. Finally, he was released after furnishing an undertaking that he would stop the procurement.

This embarrassing incident discouraged the trader on one hand but agitated the villagers. The trader was their guest, and the procurement he made was completely as per the provisions of the law(FRA). They gheraoed the Collector's office on 8th May and after about 8 hours the District Collector called them for discussion followed by an assurance of necessary support. He could understand that it was a case of conflict of provisions between the FRA and the state KL laws, and said he would write to the government to resolve this issue. The trader is supposed to complete the procurement as per the





agreement but he was forced to furnish an undertaking to the police and to leave that place. The people understood the situation and were quite sympathetic about the trader who had since then left for his home state.

However, the community leaders decided to keep the Kendu Leaves in secured places as there was fear of wastage due to upcoming monsoon. In spite of all odds, they protected and stored well KL worth of Rs 10 to 11 lakhs within the suitable places like community institutions. Some leaves were damaged due to moulds and fungal infection. The wastage led to manifestation of anger among the community as they knew that their labour was going futile. The grievances were manifested by the villagers at various places from time to time. The District Collector, DFO, DWO were intimated during grievance hearing days. The Commissioner-cum Secretary, SC & ST Development Department also wrote a letter to the Additional PCCF, Kenduleaf regarding the rightful demand of the Gram Sabhas. The Tribal Minister had also written a letter to Hon'ble Chief Minister regarding the issue. The civil society pressure was also there regarding the violation of FRA which has been taking place ignoring the rightful demand of the Gram Sabha.

Finally, people approached the local MLA who assured the community leaders to solve the issue. Earlier, the MLA assisted the communities with a Cooperative Facilitation Centre (CFC) from his LAD Fund with a grant of Rs 10 lakh. The matter was reported to Forest Secretary through the MLA and ultimately the notification was released.

The major achievements in 2017 KL crop year for the four villages (excluding Kalipur and Kasturapadar) was that they did the business of Rs. 3 Lakhs only by selling 60 quintals of KL at the rate of Rs. 50 per Kg. During that time 1 Kg. of KL constitutes about 16 to 18 keries. This low price was due to degradation of KL as a result of lack of proper storage. Special transit permit was issued by the Forest Department to Gram Sabha for transportation of KL. The KL was loaded in truck with lot of community celebration. It was widely covered by all print and electronic medias.

## Strategies adopted by Gram Sabha Samuha

- Gram Sabha resolution and application to District Collector, DFO and DWO at district level and copy to SLMC and the Hon'ble Chief Minister.
- Petition to the Hon'ble Governor of Odisha
- Petition & discussion with Hon'ble Minister, SC & ST Development, Odisha Mr. Ramesh Majhi and with the Hon'ble Union Tribal Minister Mr. Jual Oram.
- Demonstration at the Collector's office and DFO office
- Print and electronics media highlight of all incidents
- Workshops and pressure on State level officials
- Influencing the policy makers through various medium
- Realising the importance, DFO Kalahandi telephonically threatened RCDC to refrain from supporting this movement. Later they issued a letter to RCDC to do away with from abetters the leaders.

## The side effects of KL Movement

The KL movement by the six Gram Sabhas started in 2017 April when the Government procured KL through Phadi and on the other hand a private trader from Maharashtra procured KL through direct payment of cash to Gram Sabha. The trader was sent back to his state as KL is a monopoly item of the state. The NTFP Rule of the State has not been amended even after enactment of FRA 2006. The trader bore a loss of rupees about 5 lakhs as he purchased KL but could not take it to his factory. The KL department threatened him of not issuing Transit Permit (TP) as well as other legal actions.

Primarily the villagers decided to sale the leaves to Govt. but the fadi procurement process was over at that time. The Gram Sabhas did not show any interest to sale the leaves at low price. They demanded deregulation and rights of the Gram Sabha on NTFP as per FRA. Consequently, the leaves were stacked in the village without proper storage and were prone to discoloured and pest attack. The value of the leaves decreased.



Frustration and helplessness crept in as the Government is not paying any heed to the demands of Gram Sabha. Conflicts and quarrels increased within the family due to lack of money. They could not celebrate “Nuakhai” properly. KL usually provides them an income for one or two month's expenses. Jamjharan Gram Sabha distributed the KL money provided by the Maharastrian trader among themselves. However Khasiguda Gram Sabha returned the money of that trader.

Change in institutional leadership also affected the forest protection, conservation, management activities within the CFR area.

### Negotiation with local MLA

From April to October 2017, six months passed to this dead lock between the administration and the Gram Sabha. Finally, Gram Sabha leaders approached local MLA Captain Dibyasankar Mishra. Mr. Mishra was also associated with the community in various issues and had extended an earlier support of Rs 10 Lakh from the LAD Fund for the construction of Cooperative Facilitation Centre (CFC) in Jamjharan village. He listened to the entire episode of struggle of Gram Sabha and the legality of the matter. He assured that he will discuss the matter with Chief Minister and bring about the solution. Accordingly, the demand of Gram Sabhas saw the light of the day and the MLA handed over the deregulation order to Dillip Naik in a meeting at Dhamanpur GP Office premises. The deregulation notification is attached in the annexure.





## Deregulation

The Government of Odisha through a recent order on 17th Nov. 2017 (which is annexed herewith) has taken an appropriate step in deregulating the Kendu Leaf (KL) and has clearly agreed to operate both the systems of Government and private procurement of KL. Earlier the Government had deregulated KL in Nabarangpur Division but for the first time the deregulation has been made for the Six villages of Keygaon Range in Kalahandi Division. Now both Government and private players can procure KL so that the exploitation can end. Odisha became the second state in India after Maharashtra to bring such an operational system in KL. On 22nd November 2017 Mr. Dibyasankar Mishra, MLA Junagarh handed over the Office Order to the community in Dhamanpur GP office football ground in the presence of more than 1000 KL pluckers. This brought a lot of cheer among the poor tribal and other traditional forest dwelling communities who sustain their lives through KL plucking.

On 22nd November, 2017, six villages of Dhamanpur and Khaliapali GP under Golamunda block received their ownership right over Kendu Leaf after a struggle for six months. Since 2011, the villages like Jamjharan, Jamgudabahali, Khasiguda, Kanakpur, Kasturapadar and Kalipur have their community rights recognised under Forest Rights Act 2006. Kendu leaf is an NTFP as per the Act and the community rights over KL is recognised. As per the law the Gram Sabha has the authority to dispose the minor forest produce (MFP). The Gram Sabha has the right to sell, process, store, add value, and transport the MFP for livelihoods with

appropriate means of transport. As per the Act, the transit permit regime in relation to transport of MFP shall be modified and given by either the committee constituted under clause (e) of sub-rule (1) of rule 4 or the person authorised by Gram Sabha. The procedural requirement of transit permit in no way shall restrict or abridge the right to disposal of MFP.

About 600 Kendu Leaf pluckers belong to Gond and Kandha tribes and other traditional forest dwellers of six Gram Sabhas followed the legal procedure and tried to sell the KL to outside agency as well as in the “Phadi” established and operated by KL Department. The reason being to earn higher price as there is about Rs. 90 price difference per Keri (20 good quality leaf). Though the Government is claiming credit regarding extra facilities for the pluckers but these are not reaching the unorganised KL pluckers. Even adequate insurance coverage is not there as most of the pluckers have no KL card. In one KL card, five to six persons are collecting KL and often encounter accidents but are not compensated under insurance. The KL Department being aware of all the above facts and issues remained unresponsive and did not reciprocate proactively in spite of implementation of FRA in state from 2008. When the Gram Sabha exercised the rights to sale KL outside Phadi, the Forest Department resisted all such moves and threatened the Gram Sabha. The procurement agent from Maharashtra was also threatened and was ordered out of the State. The incidence was brought to the notice of Tribal Minister of State and Centre and even to the CM's office. However, in the end the law and Gram Sabha won. The whole episode is a clear example of the orthodox mindset of the government authorities, particularly the Forest Department, thanks to which the old laws related to KL procurement and trading have not been suitably amended as per the FRA, and hence the trouble.

At the state level, the peoples networks, Campaign for Survival with Dignity, NGOs and INGOs organised several workshops, studies and invited Government Officials to share the findings in favour of deregulation. Another group of thinking was that deregulation may lead to harmful effects for the pluckers as the traders may lower the price and force the pluckers to sale in that price as it is a perishable commodity. But, the Governments view was that since the KL Department is doing a profitable business and also distributes a large proportion of its profit to the pluckers in the form of price, bonus and schemes and there is no need for deregulation. Previous experience of privatisation had proved to fatal in case of NTFP. The communities could not make profit after handing over of NTFPs to the Grampanchayats.

### Gram Sabhas to issue KL transit permit in Golamunda

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Nabarangpur Division but for the first time the deregulation has been made for the Six villages of Keygaon Range in Kalahandi Division. Now both Government and private players can procure KL so that the exploitation can end. Odisha became the second state in India after Maharashtra to bring such an operational system in KL. On 22nd November 2017 Mr. Dibyasankar Mishra, MLA Junagarh handed over the Office Order to the community in Dhamanpur GP office football ground in the presence of more than 1000 KL pluckers. This brought a lot of cheer among the poor tribal and other traditional forest dwelling communities who sustain their lives through KL plucking.

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In 2008 KL crop year, about 375 Kendu Leaf pluckers belong to Gond and Kandha tribes and other traditional forest dwellers of six Gram Sabhas followed the legal procedure and tried to sell the KL to outside agency as well as in the "Phadi" established and operated by KL Department. The reason being to earn higher price as there is about Rs. 90 price difference per Keri (20 good quality leaf). Though the Government is claiming credit regarding extra facilities for the pluckers but these are not reaching the unorganised KL pluckers. Even adequate insurance coverage is not there as most of the pluckers have no KL card. In one KL card, five to six persons are collecting KL and often encounter accidents but are not compensated under insurance. The KL Department being aware of all the above facts and issues remained unresponsive and did not reciprocate proactively in spite of implementation of FRA in state from 2008. When the Gram Sabha exercised the rights to sale KL outside Phadi, the Forest Department resisted all such moves and threatened the Gram Sabha. The procurement agent from Maharashtra was also threatened and was ordered out of the State. The incidence was brought to the notice of Tribal Minister of State and Centre and even to the CM's office. However, in the end the law and Gram Sabha won. The whole episode is a clear example of the orthodox mindset of the government authorities, particularly the Forest Department, thanks to which the old laws related to KL procurement and trading have not been suitably amended as per the FRA, and hence the trouble.

In the month of November 2017, RCDC contacted a trader of Chhatisgarh to purchase the KL from the six Gram Sabhas. The trader came and verified the leaves. Since the leaves were colourless and were of degraded quality in 4 villages and in two other villages it is somehow of appropriate quality, he wanted to take all the leaves in uniform price of Rs.50 per Kg. Two villages demanded one rupee per keri. So, the trader took away the leaves of 4 villages @ Rs. 50 per Kg. and accordingly the Gram Sabhas issued TP received from Forest Department and got some rupees to become compensated. They were so happy for their victory that they were oblivious about their loss of some rupees. Two villages like Kasturapadar and Kalipur could not sale their leaves. The trader who was supposed to procure KL at a higher price i.e. Rs. 100 per Kg. did not keep his commitment.

## Preparatory Activities for 2018 KL Crop Year

The deregulation notification clearly states that the order will be effective from the KL Crop year 2018. Hence from the month of January the Gram Sabha Samuha meeting was organised to decide the course of action for 2018 KL Crop year. Since, Gram Sabha is the owner of KL, it was unanimously decided to exercise the rights of Gram Sabha as per FRA ignoring the limitations of the deregulation order. Hence following course of actions were decided:

- Bush cutting shall be undertaken by Gram Sabha. For that purpose, the Gram Sabha will ask for money required for Bush Cutting. If denied, then Gram Sabha will do its own bush cutting.
- KL will be plucked from CFR areas even from the Reserve Forest.
- Gram Sabha will finalise the trader. The Gram Sabha Samuha will make the agreement with the trader.
- Each Gram Sabha will decide the KL Management in its CFR area.

Accordingly, the Gram Sabha Samuha approached the DFO with resolution and letter to ask for support for bush cutting. But the DFO denied the support rather he insisted that the bush cutting will be done by Forest Department as per the notification. The Gram Sabhas rejected the views of Forest Department.

Khasiguda started bush cutting with the support from RCDC. Later on other villages had undertaken the bush cutting activities from their own village fund which was later supported by the trader who purchased the leaves. Bush cutting was made in Revenue forest as well as in Reserve forest coming under CFR area. The Forest Department issued letters to restrict the activities of Gram Sabha and limiting the KL Plucking area. However, the Gram Sabha did not pay any heed to the words of Forest Department. The details attached in annexure.

Prior to KL Plucking the Gram Sabha Samuha finalised the trader from West Bengal and the procurement price and the related discussions and made an agreement. As per the agreement, for the smooth operation of KL trading, a team from the trader side stayed in the villages and made cash payment on daily basis to the pluckers as per the keri. The processing and packing part was borne by the trader.





### KL trading in 2018 Crop year: Gram Sabha scores high in Kendu Leaf trade

“Rights are not conferred but are legitimatised through exercise,” says the president of Khasiguda Gram Sabha Ms. Tilottama Bhoi. Khasiguda initiated kendu leaf (KL) bush cutting by investing Rs.40,000/- through the support of RCDC and thus paved the way for five other villages to adopt the same. They approached Forest Department (FD) to extend the financial support for bush cutting but it was denied in the plea of the Government notification of deregulation made in November 2017. The deregulation notification has several derogations in comparison to FRA 2006. It limits the KL collection area as well as the quantity. The Gram Sabha Samuha (association of 6 Gram Sabhas) strongly opposed and passed resolution to not pay any heed to that Order. Since Gram Sabha is the owner of MFPs available within and outside the village limit, it continued its trading operation, thus asserting its rights.

Six villages of Dhamanpur and Khaliapalli GP of Golamunda Block, namely Kalipur, Kanakpur, Khasiguda, Jamgudabahali, Kasturapadar, and Jamjharan have their CFR titles clearly mentioning the ownership rights over the MFP in general and KL in particular. In KL crop year 2018, the Gram Sabha Samuha made an MOU with a company from Raipur to sell KL @ Rs 4.50 per 40 leaves. Besides that, the company paid the bush cutting expenses of Rs. 1,50,000/- and Rs 57,000/- towards the salary of Munshi and Watcher. These are over and above the Kendu leaf purchasing cost. Each Gram Sabha procured green leaves in “Keris” and sold it to the Company. It was the responsibility of the company to dry the collected leaves and pack it properly for transportation.



## Comparative Assessment

Government System of KL Management	Gram Sabha system of KL management
Government spends on bush cutting but in a limited area for one day or two days	Gram Sabha asked company to spend on bush cutting. Area is determined by Gram Sabha
Bush cutting fees are available after 4 months	Money is available on the same day which is Rs. 20 more than the Govt rate
Non-card holders are not allowed to pluck KL. If they do so, in case of any accident/mishap, no compensation is given to the family	Non-card holders can pluck and sell to Gram Sabha and get the payment same day.
Fadi Committee is not functioning properly as it is undemocratically constituted by FD	No Fadi committee is required. Rather the pluckers are getting more than the Government rate
Fadi opens and closes as per the wish of FD	Collection of KL and its disposal depends upon Gram Sabha decision
Fadi receives 25 leaves for one rupee and the bonus one rupee is deposited after one year	The Gram Sabha pays 20 leaves for Rs. 2.25 and even one keri is counted
The duration of KL collection is 10 to 12 days	The duration of KL collection is about one month

**Note:** The State Government has some special schemes and provisions for KL Pluckers such as insurance, education benefit for school children, marriage benefit for girls etc.

## Business details of KL by Gram Sabhas during KL Crop year 2018

S.N	Village	Total bundles Collected (40)	Total Traded Amount	Plucker's share	Gram Sabha share	Total family
1	Khasiguda	2,22,000	9,99,000.00	9,43,500.00	55,500.00	100
2	Kasturapadar	97,790	4,40,055.00	3,91,160.00	48,895.00	65
3	Jamjharan	60,570	2,72,565.00	2,57,422.50	15,142.50	50
4	Kalipur	89,925	4,04,662.50	3,82,181.25	22,481.25	80
5	Jamgudabahali	30,690	1,38,105.00	1,22,760.00	15,345.00	29
6	Kanakpur	91,515	4,11,817.50	3,88,938.75	22,878.75	47
Total		5,92,490	26,66,205.00	24,85,962.50	1,80,242.50	371

The above table can be summarised as follows:

- Six Gram Sabhas of Golamunda Block did a business of Rs. 26,66,205/- during the KL crop year 2018.
- Pluckers gained 24,85,962.50 and the Gram Sabha got a profit of Rs. 1,80,242.50
- 371 households are engaged in the process and have earned from INR 30,000 to 40,000 during the month of May 2018.
- Transit Permit (TP) 2 has been issued by Gram Sabha to the trader for transportation of Kendu Leaf from field to Godown and TP 4 has been applied for to DFO so that it can be transported from Godown to destination.

Gram Sabha Samuha is now collectively protecting, conserving and managing the forest and wildlife as they have internalised that the forest and resource belong to them and their future generations. Rights thus became legitimatised through exercise.

## Way Forward

The Government should allow the communities to go for free sale where Community Rights have been recognised. These communities should manage their forest resources like KL sustainably. Regarding transit permit issue, the Forest Department should not harass the Gram Sabha and rather allow the Gram Sabha to issue the transit permit. They only have to look an eye on the matter lest any theft or illegal activities might be done by Gram Sabha.

**Government of Odisha**  
**Forest and Environment Department.**

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**Notification**

No. 23717 /F&E,  
KL-24/2017

Bhubaneswar, Dated 17-11-17

Sub: Procedure for trading in KL by villagers in Kegaon(KL) Range in Bhawanipatna (KL) Division .

Government have been pleased to deregulate Kendu Leaf working by villagers of six villages i.e 1) Khainsuguda village of Golamunda Gram Panchayat(2)Jamuguda Bahal of Dhamanpur G.P (3) Jamjharan of Dhamanpur G.P (4) Kasturapadar of Khaliapali G.P (5) Kanakpur of Khaliapali G.P and (6) Kalipur village of Khaliapali G.P in Kegoan(KL) Range in Bhawanipatna (KL) Division . The villagers of these six villages in Kegaon(KL) Range in Bhawanipatna (KL) Division are free to sell Kendu Leaves to anybody of their choice including KL Organisation as per the rights conferred under Section-3 (i)(c) of the Scheduled Tribes and other Traditional Forest Dwellers Act,2006.. In order to prevent exploitation of Kendu Leaf Pluckers and to ensure that they get remunerative price for their kendu leaf, the KL Organisation of the State Government. will however continue to accept Kendu leaf from persons who are willing to sell kendu leaf to it at the notified procurement price .

2. The DFO Bhawanipatna (KL) Division will provide adequate number of Transit permit Books to the Gram Sabha of above six villages of Bhawanipatna (KL) Division in Kalahandi District immediately as per their requirement. The authorized representatives of above Gram Sabha concerned will issue the Transit Permits to the buyers of Kendu Leaf other than the Kendu Leaf Organisation which will be valid for all purposes of Transportation of Kendu Leaves.

3. In order to prevent the scope of exploitation of KL pluckers by unscrupulous traders, the Kendu Leaf Organisation will continue to operate its Collection Centres to Purchase Kendu Leaves from any pluckers interested to sell Kendu Leaves to it of his/her own volition. The payment for Kendu leaves will be made at the prescribed rate by the KL Organisation. Transit Permits in respect of buyers who purchased KL from the Odisha Forest Development Corporation (OFDC Ltd.) will continue to be issued by the DFO Bhawanipatna (KL) Division. The disposal of KL procured by the KL Organisation will be made by the OFDC in such manner as considered appropriate.



4. The following procedure/modalities will be adopted in respect of the forest lands for collection and disposal of Kendu leaves under the areas selected under Community Rights under FRA:

i) The villages listed below shall be permitted to collect and dispose Kendu Leaves gathered from the assigned forest land as under:

Name of the Village	Name of the G.P	Name of Forest
Khainsuguda	Golamunda	Khainsuguda Village Forest
Jamuguda Bahal	Dhamanpur	Jamuguda Bahal Reserved Forest
Jamjharan	Dhamanpur	Jamjharan reserved Forest
Kasturapadar	Khaliapali	Kasturapadar Reserved Forest
Kanakpur	Khaliapali	Kanakpur Reserved Forest
Kalipur	Khaliapali	Kalipur Reserved Forest

ii) The concerned Range Officer (Territorial) of Bhawanipatna Division of Kalahandi (North) Division shall demarcate on ground the extent of forests land in respect of each village for which community forest right has been conferred to the village concerned.

iii) A joint enumeration will be carried out by Kegaon (KL) Range and Kegaon (T) Range wherein a systematic strip sampling of minimum 25% of the assigned forest land will be taken up, in order to assess the total number of Kendu Leaves bushes existing on the said forest land and anticipated production of Kendu Leaves from the said area. The villagers of the concerned village and members of adjoining Phadi Committee may be involved in the enumeration process.

iv) Range Officer, Kegaon (KL) Range will inform the concerned Gram Sabha about the potential production of Kendu Leaves from the forest land assigned under F.R. Act, 2006.

v) The villagers shall have the option to collect and sale and Kenu Leaves plucked from the assigned area to the KL wing of the Forest Deptt. or to any other person/ organization.

vi) The private trading of KL by the concerned Gram Sabha, however, shall be limited to the amount of KL plucked from the community rights area, as communicated by concerned Range Officer in advance.

vii) D.F.O, Bhawanipatna (KL) Division will issue transit permit on receipt of request from Gram Sabha in favour of traders/ person recommended by the Gram Sabha, limiting to the maximum amount as estimated earlier.

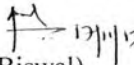
viii) Kendu Leaves collected from the non-assigned forest land and non-forest land shall be sold by the concerned villagers to the Forest Department.

5. The KL Organisation will assist in providing a training to the KL Pluckers of the above Six Villages on the technical aspects of the Kendu Leaf working in coordination with District Administration so as to ensure that persons willing to sell KL to agencies other than the KL Organisation do not face any difficulty.

6. KL Organisation may continue the bush cutting Operations at its own cost as a welfare measure and cross-subsidise it from the overall revenues.

7. The above arrangements will be applicable from the crop year 2018,till further orders.

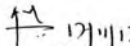
By Order of Governor

  
(D.Biswal)

Special Secretary to Government.

Memo No. 23718 /F&E Dated 17-11-17

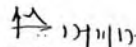
Copy forwarded to the PCCF (KL), Odisha/ MD OFDC Ltd, Bhubaneswar/Collector Kalahandi/DFO ,Bhawanipatna (KL) Division for information and necessary follow up action.



Special Secretary to Government.

Memo No. 23719 /F&E Dated 17-11-17

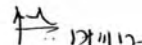
Copy to Commissioner-cum-Secretary, ST & SC Development Department/ Commissioner-cum-Secretary, P.R Department/PCCF,Odisha / /All RCCF's/ CCF (KL), Bhawanipatna information and necessary action.



Special Secretary to Government.

Memo No. 23720 /F&E Dated 17-11-17

Copy forwarded to the PS to Chief Minister/PS to Minister,F & E /OSD to Chief Secretary /PS to DC-cum-ACS for kind information of Hon'ble Chief Minister/ Hon'ble Minister,F & E/ Chief Secretary /DC-cum-ACS.



Special Secretary to Government.



[See Rule 6 (2)]

Docu No - 98

FORM OF PERMIT

0125917

Shri Narayan Bidi Comp. Ravirandgaon is permitted  
to transport 296 bags @ 30 kg bags of Kendu Leaves  
with a total weight of 88.80 quintals from  
Ghotia @ MC Godan to Aurangabad (M.P.) by the following

routes, means of transport and during the following period of:

15 days  
Validity 24-7-2018

By road  
Means of Transport By road

24-7-2018  
Date of expiry of validity

Route Amat  
Aurangabad (M.P.)

The Permit Should be Checked by the  
Checking Official at any Point

The permit shall be presented for check and examination at the  
following places: Amat, Buddhali, Chautubay,  
and other check posts on the route  
to be shown in the attached map

to be shown in the attached map

Divisional Forest Officer  
Bhawani Patna (K.L.) Division

OGP-MP-PTS-U-4 (F. & E.) 3-500 Bks.-1-1-2012

Divisional Forest Officer  
Bhawani Patna (K.L.) Division



Proposed collection of Kenduleaves by 6 Grama Sabha(FRA) villages of Bhawanipatna K.L.Division for 2018 Crop.

Name of the village	Case No. (Sub-Divisional Committee, Dhamgarh)	Name of area allotted by DLC	R.F. Area allotted by DLC	Revenue Forest area allotted by DLC	Area allotted for collection by F&E Depatt. Vide Notification No. 23717 Dt. 17.11.2017	Last year collection (30 kg per bag)	Proposed Collection in 2018
1. Kalipur	914	Kalipur V.F.		Plot-510 Khata-110 KISSAM-Patara Jungle area-5 Ac	Kalipur Reserve forest	55 bags @ 30 kg per bag	2 Qtl.
2. Kanakpur	171/2012			Plot-54 Khata-92 area-15.50 Ac	Kanakpur Reserve forest	97 bags @ 30 kg per bag	8 Qtl.
3. Kasturapadar	174/2012	Kasturapadar RF (Chura A)	100.0 HAC.	Plot-429.440, 833 - 18.75 Ac	Kasturapadar Reserve forest	52 bags @ 30 kg per bag	43.5 Qtl.
4. Jamjharan	170/2012	Jamjharan R.F	100.0 HAC.		Jamjharan Reserve forest	30 bags @ 30 kg per bag	30 Qtl.
5. Jamgudabahali	172/2012	Jamgudabahali RF	100.0 HAC.	Khata-50 Plot- 294 Area-40.0 HAC.	Jamgudabahali Reserve forest	11 bags @ 30 kg per bag	48 Qtl.
6. Khasiguda	173/2012	Khasiguda G.J.	100.0 HAC.	Khata No. 263 plot No.-1554 KISSAM-G.J. Area 5.75 Ac	Khasiguda village forest	70 bags @ 30 kg per bag	35 Qtl.

  
Divisional Forest Officer,  
Bhawanipatna K.L.Division.



**OFFICE OF THE DIVISIONAL FOREST OFFICER, BHAWANIPATNA K.L.DIVISION.**

**BHAWANIPATNA-766001**

**Phone/Fax.No.06670-230519; e-mail: dfokl.bhpatna@gmail.com**

**Letter No. 112 /3KL-2017, Dated, Bhawanipatna the 13<sup>th</sup> January, 2018.**

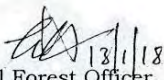
**SPECIAL TRANSIT PERMIT**

In consideration of your letter dated.10.01.2018 of Grama Sabha Khasiguda and Notification No.23717/F & E KL24/2017, dt.17.11.2017 of Government of Odisha, Forest & Environment Department, your request to transport the Kendu Leaves is considered in your favour.

Khasiguda Grama Sabha is permitted to transport 70 nos. of Kendu Leaves bags weighing 30 kilogram each from the Village Khasiguda to Palashipura, P.S:- Tehalle in the district of Nadia, Pin-741155 and state of West Bengal vide Registration No 178, Certificate No.926 of Mrinal Kanti Mandal.  
Vehicle No. OD 08F 3569 total distance 1200 KM the route for transportation shall be as decided by the Gram Sabha.

The Permit should be checked by the checking official at any point.  
This permit is issued on request of Gram Sabha for transport of Kendu Leaf only.  
Validity of this permit is upto 30<sup>th</sup> January, 2018.

Encl.:- Letter of Gram Sabha.

  
13/1/18  
Divisional Forest Officer,  
Bhawanipatna (KL) Division.  
Bhawanipatna (KL) Division

By E-mail



**OFFICE OF THE DIVISIONAL FOREST OFFICER, BHAWANIPATNA K.L.DIVISION.**  
**BHAWANIPATNA-766001**

Phone/Fax.No.06670-230519 e-mail: dfokl.bhpatna@gmail.com

Letter No. 487 /3KL. /2018, Dated the 13<sup>th</sup> February, 2018

To

The Tahasildar,  
Golamunda, Kalahandi.

Sub:-

*Supply of photocopy of the maps comes under FRA of the villages*  
*- Demarcation of land*

Ref:-


*This office Letter No. 473 Date 12.02.2018.*


Sir,

With reference to the above cited subject, I would like to request you to kindly depute one Govt.Amin to demarcate the land from 16.2.2018 to 17.2.2018 for assessment of quantum of kenduleaves to be collected from the following 4(four) villages covered under Community Forest Right and to show the demarcated land to beneficiaries (Grama Sabha) for collection of Kenduleaves. Govt.of Odisha, F&E Department is pressing hard in the matter, so your kind co-operation in the subject is highly requested for the greater interest of the Trade.

Name of Village/hemlets	Khata No.	Plot No.	Kisam	Area
1. Jamgudabahal	50	299	Jungle	40.00 Hec
2. Khasiguda	263	1554	Grama jungle	5.75 Ac
3. Kasturapadar	91	429	Forest	6.12 Ac
		440	Forest	7.28 Ac
		833	Forest	5.35 Ac
4. Kanakpur	92	54	Grama Jungle	15.50 Ac.

Yours faithfully,

  
Divisional Forest Officer,  
Bhawanipatna K.L.Division

Received by me.  
  
15.2.18.

(Sd/- Clerk  
Golamunda, Kalahandi)







Regional Centre for Development Cooperation  
HIG-26, K-6, Phase-II, Kalinga Vihar, Bhubaneswar-751019 (Odisha)  
E-mail: [rcdcbsr@gmail.com](mailto:rcdcbsr@gmail.com), Website: <https://www.rcdcindia.org>  
Tel: +91 (674) 2475410, 2475652