

Forest Governance and Federalism in Nepal

Bharat K Pokharel PhD

pokharelbk@gmail.com

98510-62002

Acknowledgement:

Mary Hoble, Yam Malla, Ganga Dahal, Ghan Shyam Pandey

सु खद सं दे शबा ट सु रु गरौ

Good news about Forest Governance and Federalism in Nepal:
Some surprises

संघीयता बनमा पहिले दे
खिने अभ्यासमा थियो

Devolution

Inclusion and representation

Application of the principle of subsidiarity

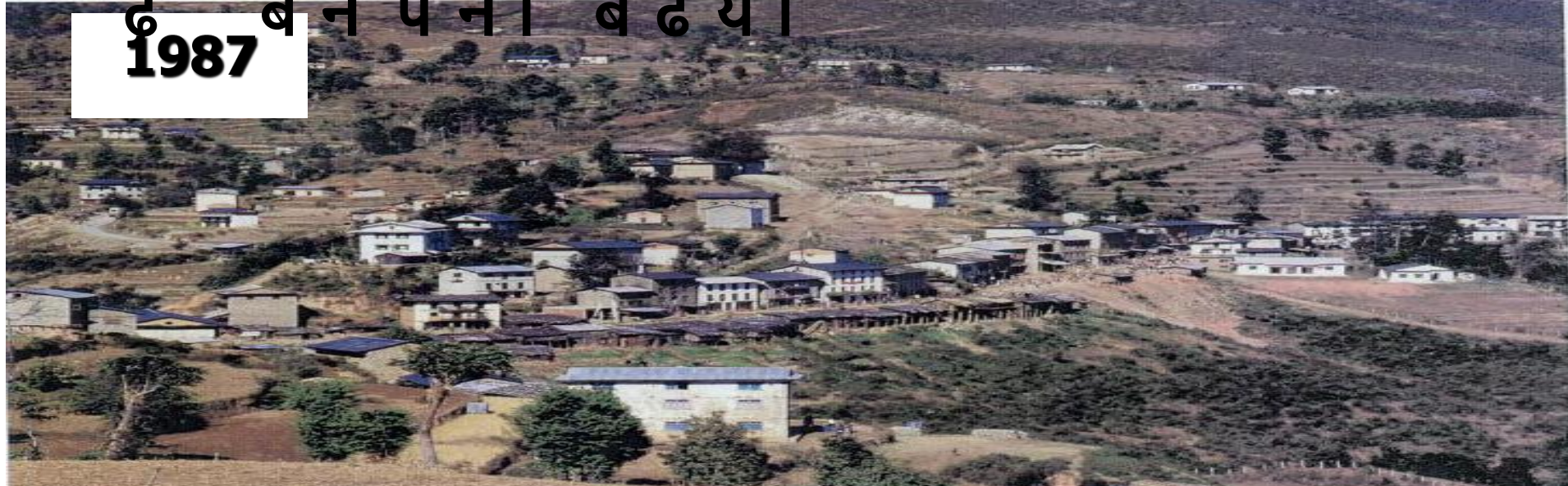
Direct democracy

Power sharing

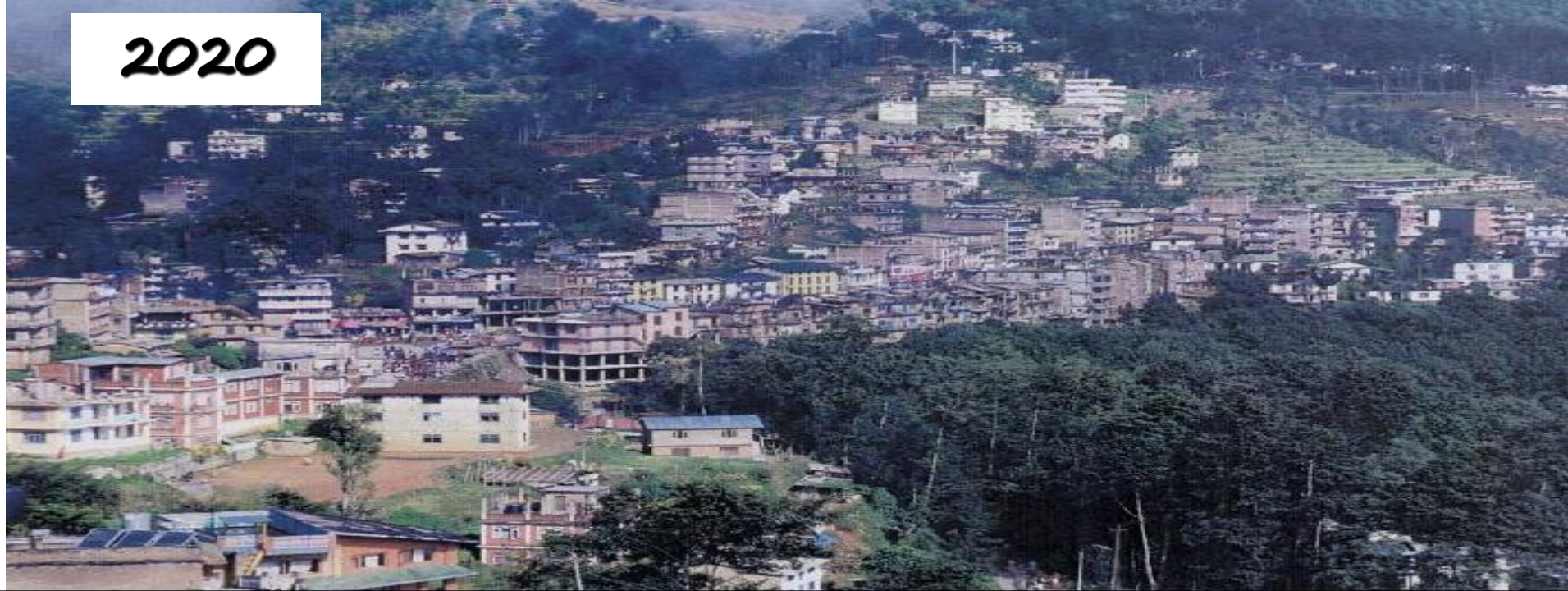
Basic needs as human rights

Ambition of prosperity in terms of economic, social and environmental goals

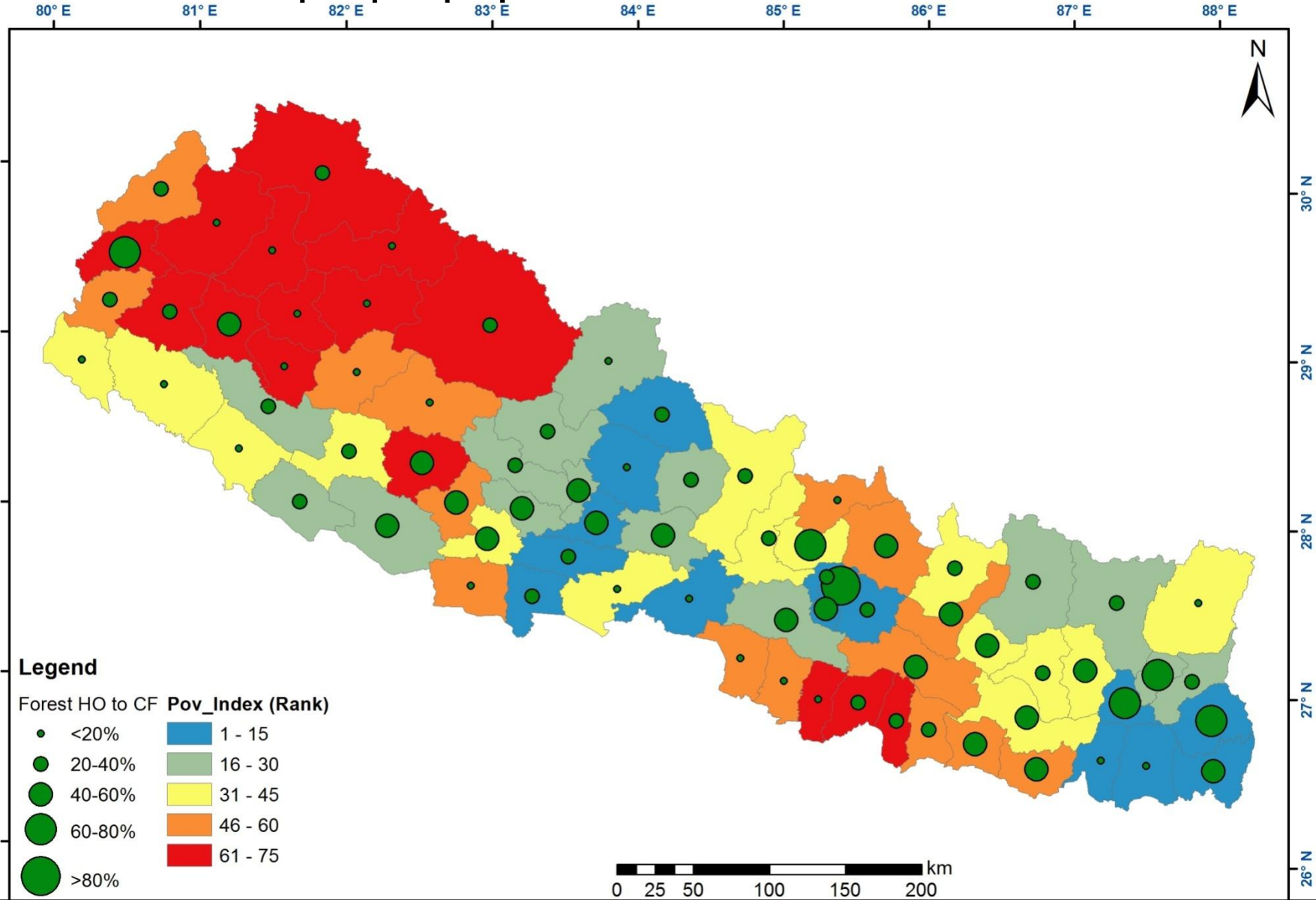
तु य सै ले त हो ला घर प न ि ब
है बन प न ि ब ढ यो
1987



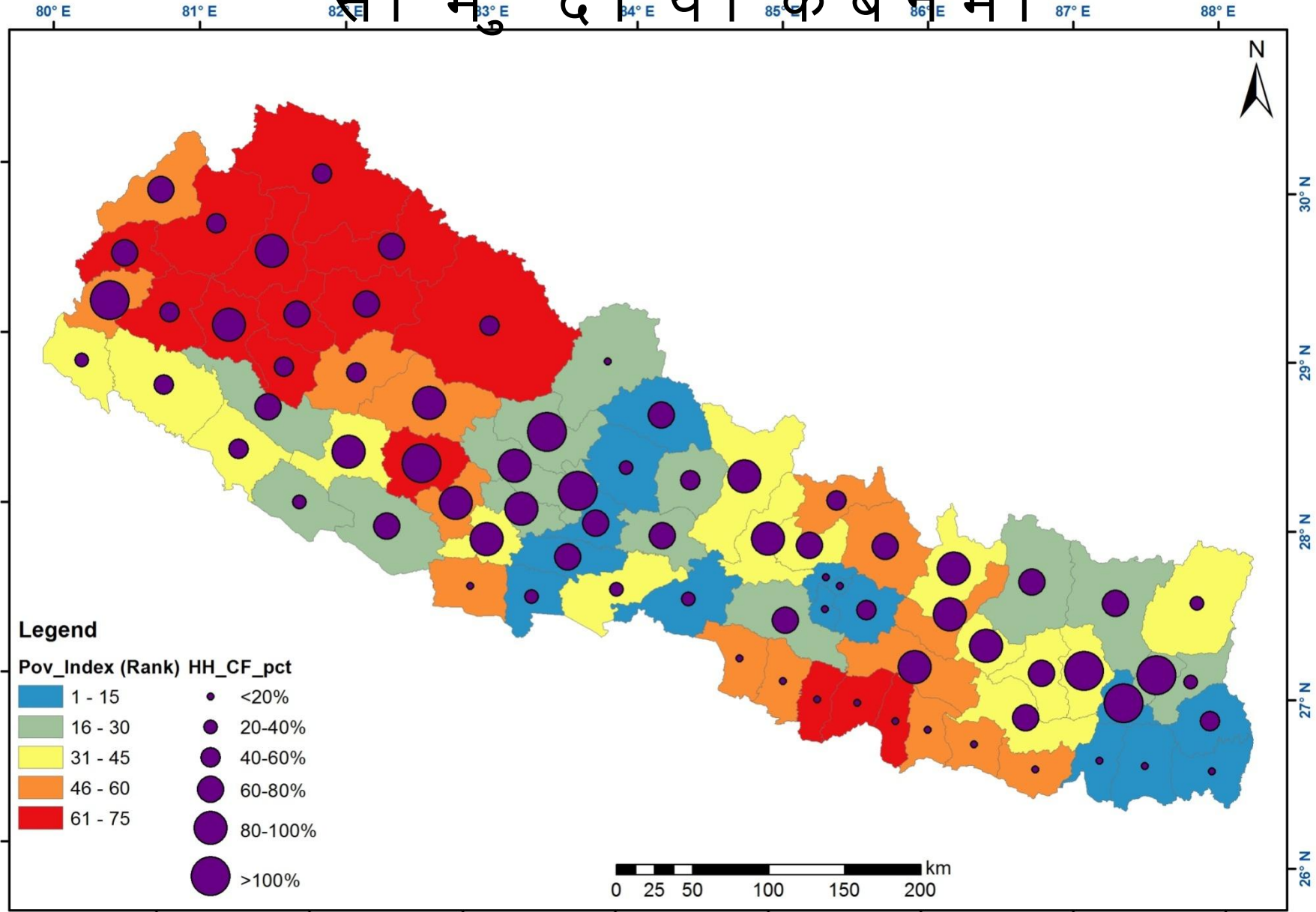
2020



देशी शैल भरिसा मुदाय किबन



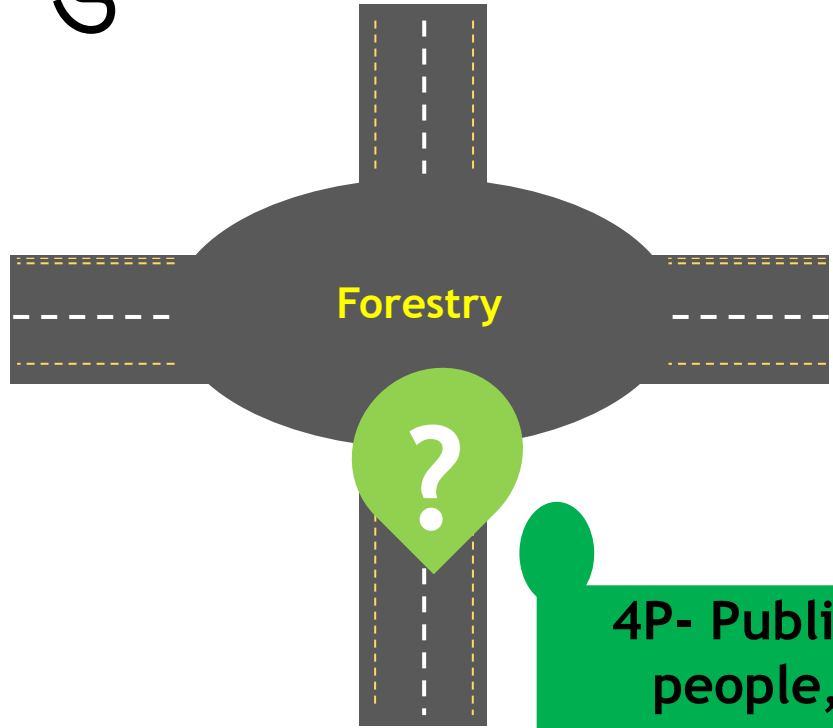
देशै भरिका मान्छे सामुदायिक बन्मा



बन को सा सक
यि पद ध त ति
मा सब मो ड
ल छन

Community
(35%)

Private (15%)



Government
(>50%)

4P- Public,
people,
private
partnership

मुख्य उपलब्ध हिरु

1. Increased forest cover and **natural** capital formation – 45%
2. Institutional development and **social** capital formation – 30,000 group; 330,000 community leaders, 100,000 women leaders, most inclusive sector
3. Peoples' livelihoods and resilient development of forests and people – **human** capital formation – capacity enhancement
4. Ecosystem services – **physical** capital formation
Top 10 ecosystem Services to people, jan, Janata
jal, jangal, jameen, jaibik urja, jaibik bibidhata, jaibik mal, jadibuti, janawar,
jalbaayu and jalaadhar
5. Economic development through business development services and enterprises – **financial** capital formation – high potential
6. Climate change Adaptation, Mitigation, Disaster reduction and management – capacity enhancement to **vulnerability** – **policy initiatives**



The Disaster Risk Reduction and Management Act, 2007
 /fii60 k\$fk hfiyd Ggls /of gllt @ &%
 /fii60 hnj fo'kl/j tg gllt @ &^
 j ft fj /of ; A fo Pg @ &^

:yfglo cgs'hg ofhgix? sfjnfuL /fii60
 i kVf @ &^
 Local Disaster and Climate Resilient Plans (LDCRPs)
 guidelines, 2017

bf] fj /fii60 lgwif/t ofubfg @ &&
 gk-z G pT; hgsf nflu gkfnf f]bl3\$ fnlg /of gllt @ &&



:yfglo ; /sf/ ; ~r fng Pg, @ &\$
 :yfglo txsfij sf; ofhgfdfulgblz g @ *)
 बन ऐन २०७६, बन नियमावली

जला वायु जो खमि बारे चा सो बढ् दो छ/
नी तनि नियम बना इ एको छ

न यु
निकर
ण

अनु
कुल
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lj kb\
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स वा पता पछा बनना पुना
त हिरु थपिए

अनु सन् धानर आं कडा ले के बोल् छ?

बनमा नी तिनियम दिएको दियै ग
रनि छ

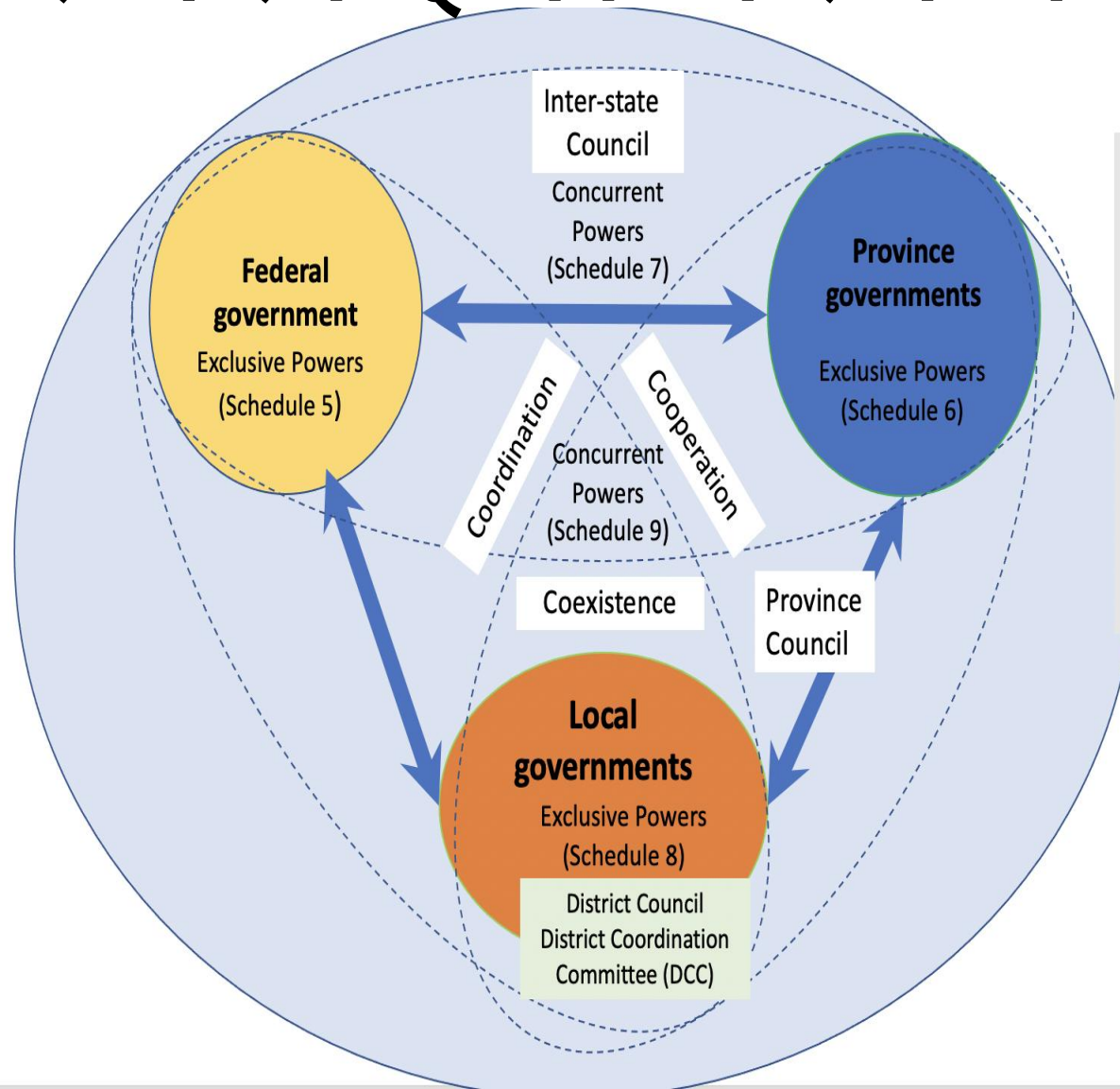
तर न त दरबन्दी दिइनु छ, न बजे ट,
न त अरु लाई काम गर, न बातावर
ण न

जसले गर, दानरा जस व छ, न उद्, य
म, न री जगारी / डडे ली लाग् छ बन

भरि /

बनमा संघियता आउने बाकि छ/भना इ रगरा ईमा फरक भयो !

The 3 Cs of the Constitution



Federal Nepal

- 3 spheres of government
- Exclusive and concurrent powers

Coordination
Cooperation
Coexistence

6Cs in practice

Control and command
Conflict and contested
Confrontation
Contradictions
Competition (unhealthy)
Complex and complicated

बनमा का म गर न द्वा इ द न! बनबा ट फा इ द्वा लिन दी इ द्वा न : ANSAB को एक अनु सन् धा न ल भन् छ

- का ठ द्वा उरा बा ट - ३ ख
र बरु पै या र ३० ल
ा खरो जगारी सरि ज
ना गर न सकनि छ /
- जडि बु टि - ५८ अर ब
रु पै या र ३ ला खरो
जगारी
- पर या पर यटन - २०
अर बरु पै या र ५ ल
ा खरो जगारी
- जै विक उर जा - ९ अर
- का र वनबा ट - १५ अर
बरु पै या र री जगारी
- जै विकमल - अर बौ को र
ा सा यनिकमल विस था
पन र री जगारी
- बनमा कृ षि र नग दे ब
ाली खर बौ को आम दा
नि (कफी , गा जा)



य सर ि j i f i g L	To: s f i !) k l t z t
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l f i q n]	

CF can earn at least 40% of it



; lhn}! # nfv
 /f]huf/L; hgf
 ug{; Sg]of]l fqn]

clxn]s]n ! nfv
 #) xhf/sf]
 xf/xf/Ldf /f]huf/L
 lbP/ lr Q aempg'
 k/\$f]5 .

CF can contribute half of it



; lhn}j ifgL##
nfv Solj s ld6/
sf7sf]3/n' dfu
cfkl't {ugkg}j g
lfqn]

s}n ! nfv !#
xhf/ Solj s ld6/
sf7 pTkfbg
lfdt fdf vld g'
k/\$f]5 .

CF can easily contribute half of it



; lhn}j ifg L ##	s j n ! nfv ! #
nfv Solj s	xhf/ Solj s
ld6/ sf7s f]	ld6/ sf7
3/n' dfu	pTkfbg l fdt fdf

cfklt {ugkg}	vidr g'k/\$ fl5
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gkfns f]h#ns f] l fdt f] j ifg L () nfv Solj s ld6/ sf7 pTkfbg ug{; Sg]

cf\$ng ul/Psf]5

CF can easily contribute one third of it

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t |s fn}j g | f|n]

sf7 bfp/f र

झिजा

मिजा sf]

प र सो

ध न र

pTkfbgaf6 dfq

#va/2k0ff

रा ज् य उ ल् टो द
शि मा हा डि के को
छ / झिजा मिज हा
गा बिं गा मा
VAT लगा ए र पै सा
कमा उन ला गे को
छ

s f j g J o f k f / M l h n f j c f D o f g L M



j i f g L p T k f o g x g] j g s f]
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o ; a f 6 j i f g L ! % c a { ? k o f f
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. जै विक्रम ल ब
ना उने का म
सु न् य छ

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प र सो ध ि
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v i d r g ' k / \$ f i 5 .

हय प्रनरुतत कय/सतुन (Coal) ला:यकग

हय प्रनरुतत कय/सतुन (Coal) ला:यकग गरु न सकनरु छ .

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ने पालका उदयो गलाइ मारे र समिपारी का उदयो गलाइ फाईदा हुने बजेट आएको छ

नी ति ग त ब द मा शी को प रा क
ा ष् ठ : ए क उ द ा ह र ण

hij s phrj; foL; 3 gkfn र ने पा ल प ल
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सं बिधा न बदलियो , समय बदलियो ,
हा मि बदलियो को खो इ ?

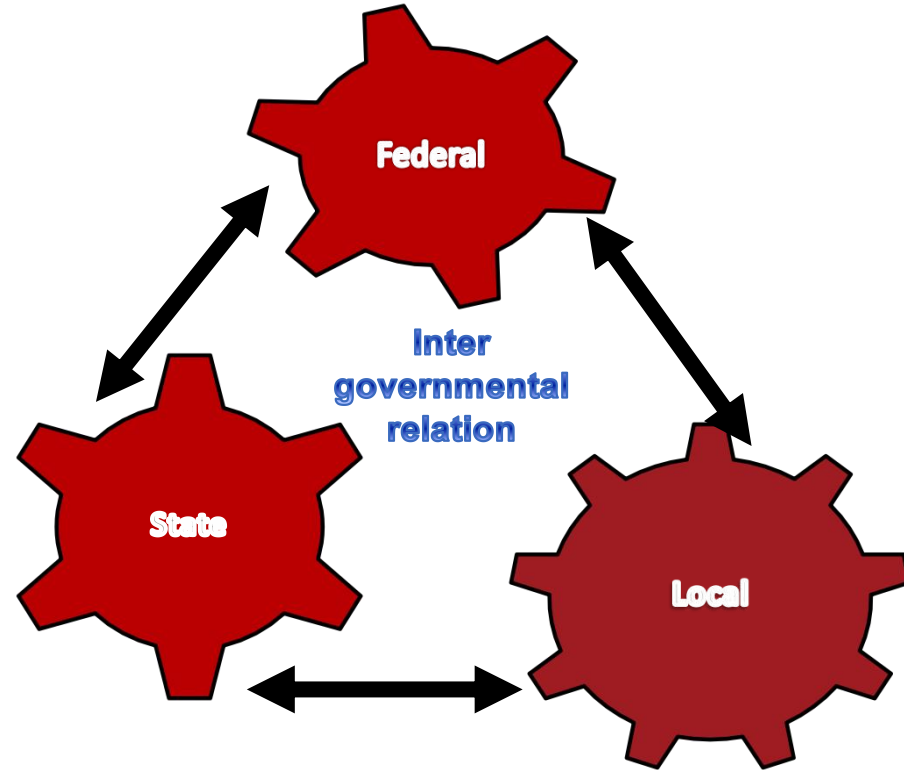
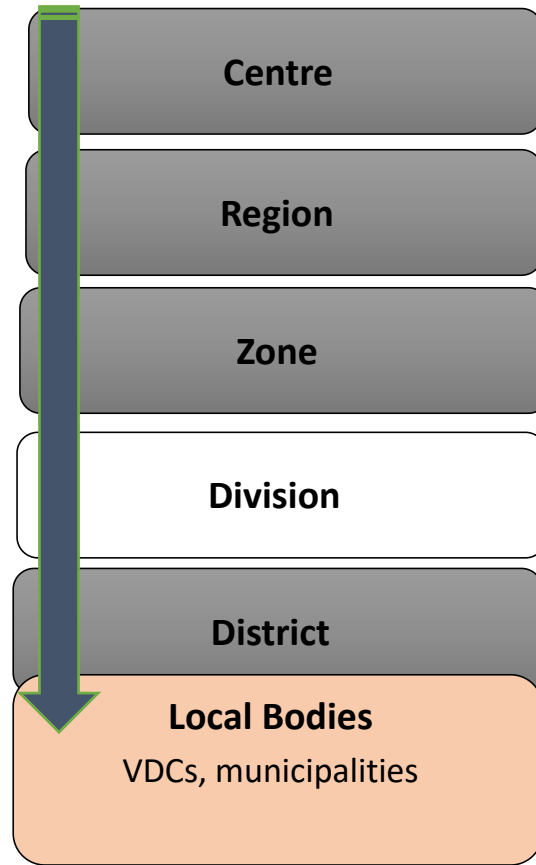
1. Youth in foreign employment and remittance economy
2. Urbanisation and changing demography
3. Land fragmentation and changing pattern of farmland and wild animals in community forests
4. Food insecurity
5. Vibrant local community groups
6. Changed role of forest administration in federal context

संघियता मा बन कसरि चल नु परने हो ?

1. Nine principles of federal constitution including **principles of subsidiarity**
2. Eight principles of good governance in government, community and market
3. Non linear and non hierarchical governance structure – no command and control from the top
4. Circular government structure based on 3C – cooperation, coordination and co-existence but 5c in practice
5. Three pillars of development (state, private sector and communities)
6. 4Ps approach – Public, Private, People Partnership
7. Implementation of the constitution based on 4Fs (Functions follows functionaries and fund)

परणालीनयासो चपरानो, कनि?

New federal set up



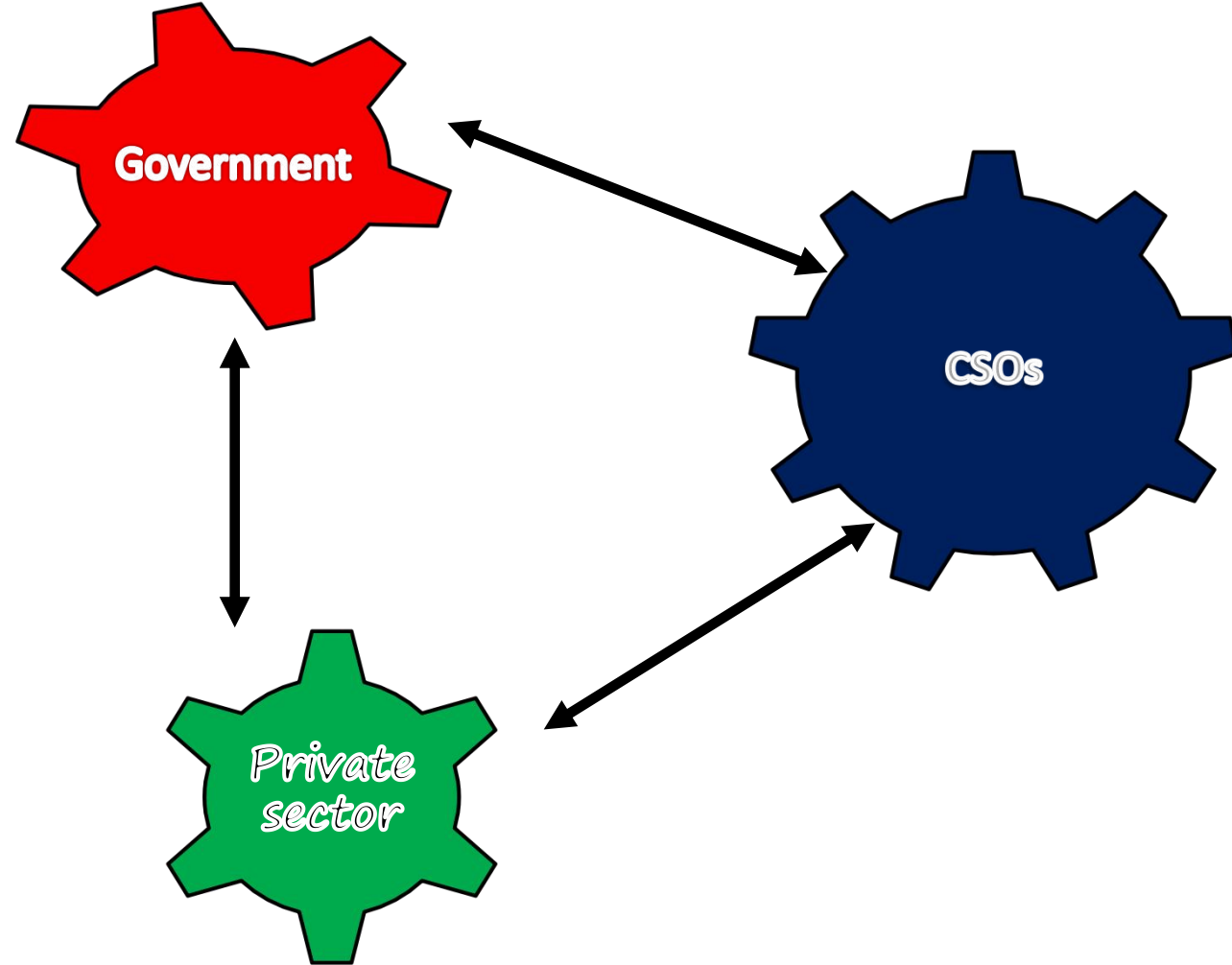
Coexistence

Cooperation

Coordination

The major challenge is its new political system and structure but the old mindset of centralism and 4C

तनि खम् बे नी ति अनु सा र सर का र समु दा य
र ब जा र म लि र का म गर, नु पर, ने है न?



People's aspiration is to get service from the closest government and entity

Nine principles of federal constitution – सिदिा न्, त ठु ल ठु ला , का र्, या न्, वयन खै ?

- 1. Efficiency and subsidiarity**
2. Economies of scale
3. Externalities and spillover jurisdiction
4. Equity and inclusion
5. Economic stability
6. National interests and goals
7. Accountability and capacity
8. Policies, standards, quality, regulation, financial resources, service delivery production and distribution of services
- 9. Cooperation, Coordination and Co-existence**

बनमा त नया सं
ल टै झगडा को
दिदियो, कसरि ?

बिधा नले उ
बिउनै रोप

संघियता मा बनः अब नसि, क
रुषतरि ला गौ

Who holds the functions, functionaries, fund in forests?

का म ए उ टा ला इ, कर, म चारी अ
रुको ला इ,
बजे ट ए का तरि अनि बन चा ही
आगो तरि,
जंगली जना वर गा उतरि अनि
युबा जति खा डी तरि
ला गा उ भ या ट झिक रा झिक

सं. बंधि धा न ले बन कस क
ो जमि मा मा दियो ?
अनु सू ची ले को भन
छ ?

Federal power

National and international environmental management, national parks, wildlife reserves and wetlands, national forest policies, carbon services (5-27).
Land use policies, human settlement development policies, tourism policies, environmental adaptation (5-29).

Provincial power

Use of forests and water and environmental management within the province (6-19).

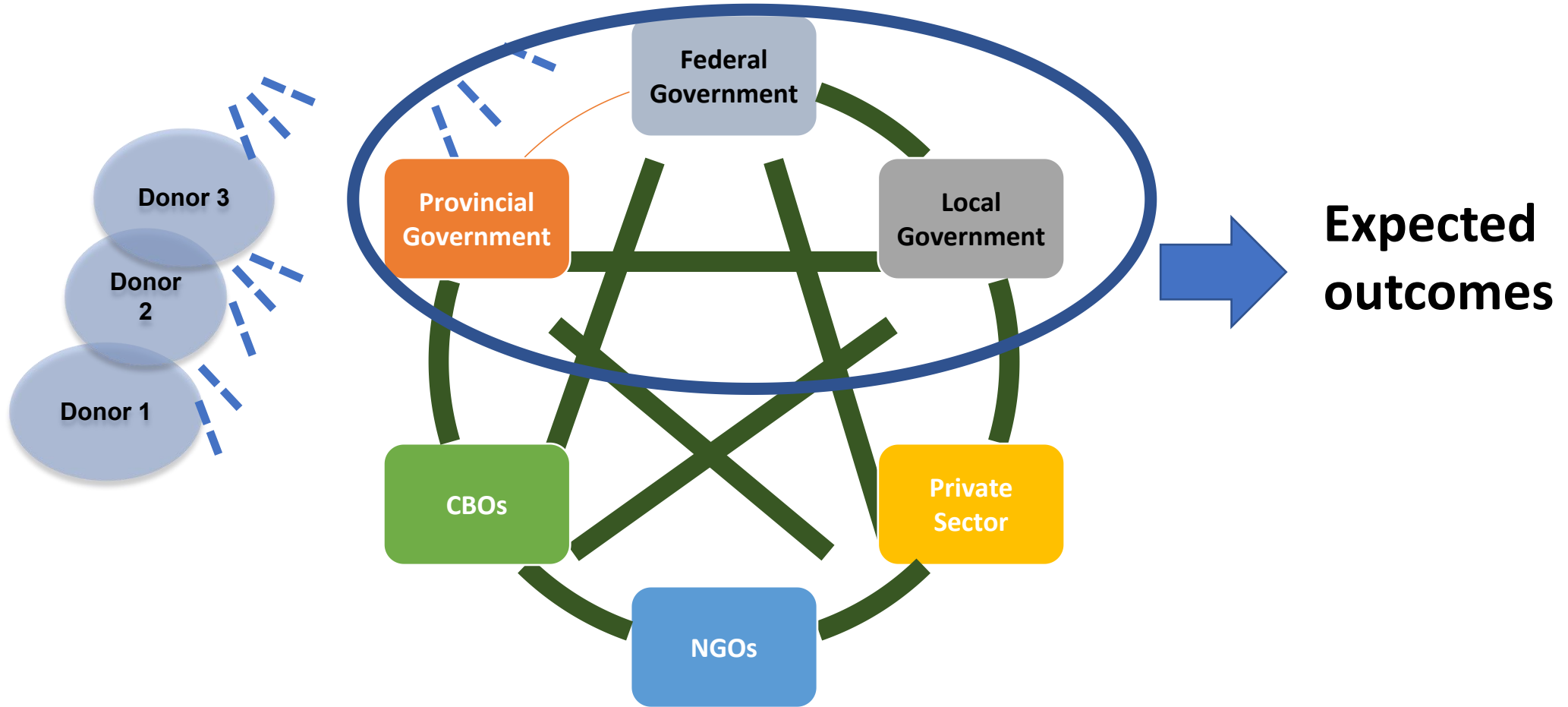
Federal and provincial

Environmental protection, biological diversity (7-13).
Utilization of forests, mountains, forest conservation areas and inter-state waters (7-23).

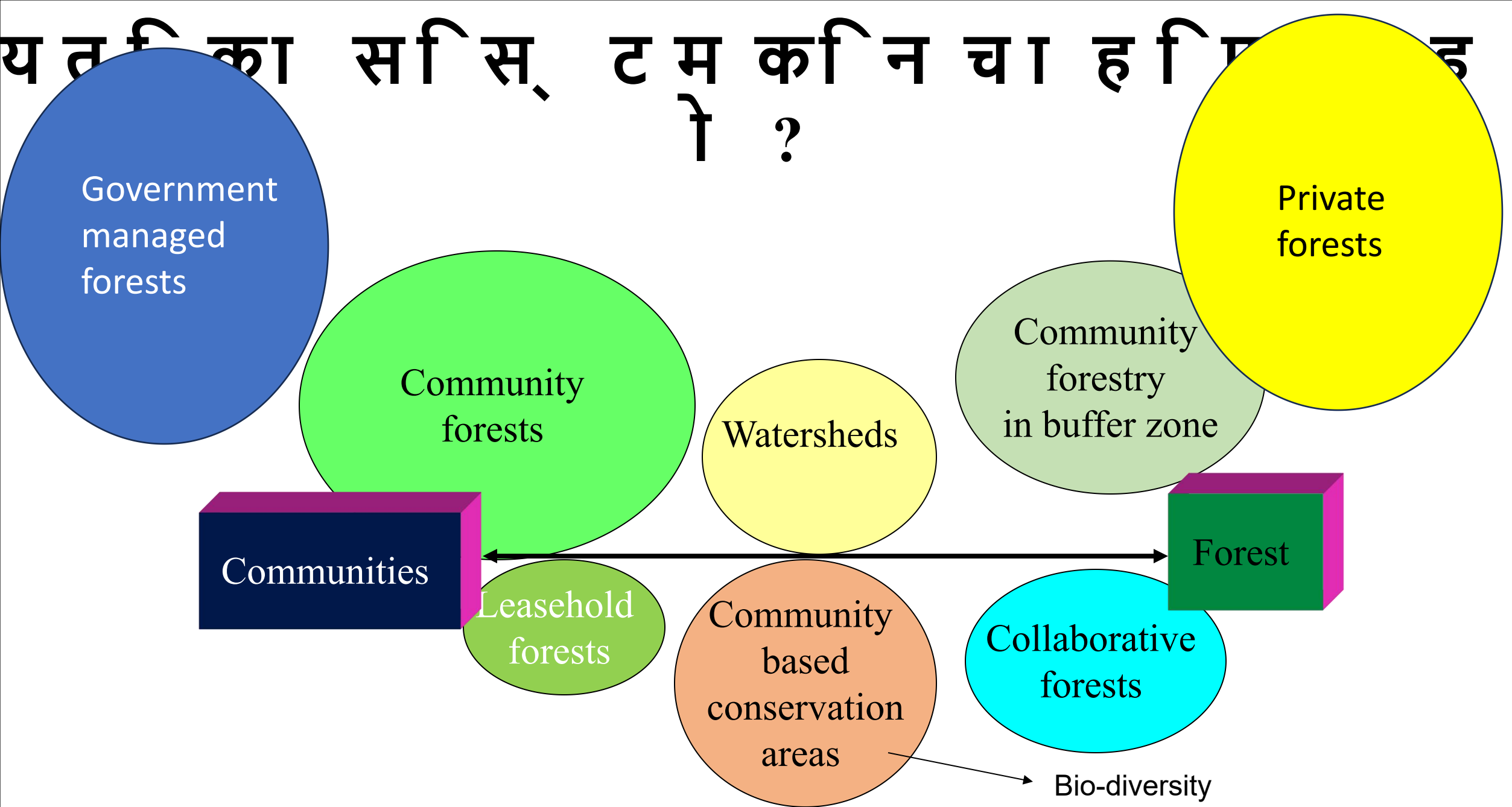
Local power

Management of local services (8-5).
Local-level development plans and projects (8-7).
Environmental protection and biodiversity (8-10).
Disaster management (8-20).
Protection of watersheds, wildlife, mines and minerals (8-21).
Forests, wildlife, birds, water use and ecology (8-7).
Royalties from natural resources (8-14).

3C vs 5C गर्को खो इ सह का र्, य



य तिका सिस, ट म कनि चा ह ि ह ो ?



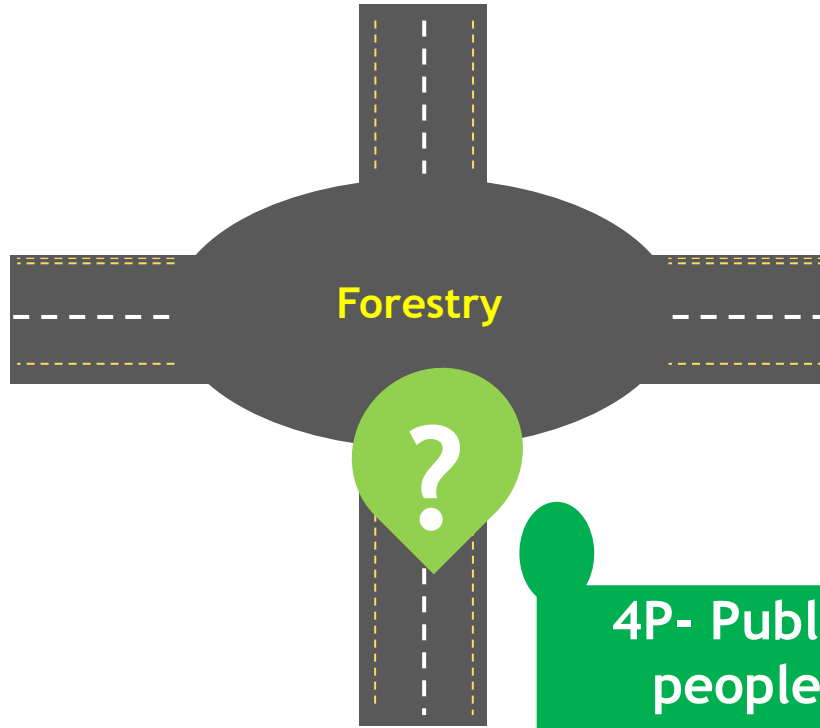
- भूमिका र सैली पुरा नै किनय
ता ? कुन का म कसले गर्दा पुरभ
वका री हुन छ ? जान्नु परे द
न ?
- ✓ Administration पुर सन सन
 - ✓ Sustainable forest management technology पुर बधि
 - ✓ Advisory सलाहा कार
 - ✓ Facilitation सहजकर्ता
 - ✓ Extension पुर सारक
 - ✓ Policy नीति निर्माता
 - ✓ Judicial न्यायाधिस
 - ✓ Law enforcement (policing) पुलिस
 - ✓ Enterprising and marketing उद्यमि ब्यापार
- ी

बन को गंत
यब्यकता ?
Confusion में !

Collectivization

Privatization

Nationalization



4P- Public,
people,
private
partnership

Question time please?

Bharat K Pokharel PhD

pokharelbk@gmail.com

98510-62002