

NGT Upholds Rights of Pastoralists in Banni Grasslands

Why in News

The <u>National Green Tribunal (NGT)</u> ordered all encroachments to be removed from **Gujarat's Banni** grasslands within six months.

■ The court also said the Maldharis (Pastoralists) will continue to hold the right to conserve the community forests in the area, granted to them as per the provisions in Section 3 of Forest Rights Act (FRA), 2006.

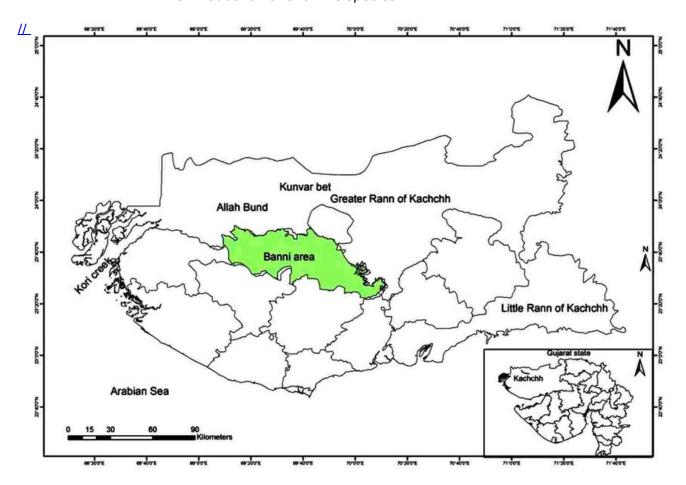
National Green Tribunal

- It is a specialised body set up under the National Green Tribunal Act (2010) for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources.
- NGT is mandated to make disposal of applications or appeals finally within 6 months of filing the same.
- The NGT has five places of sittings, **New Delhi** is the Principal place of sitting and **Bhopal**, **Pune**, **Kolkata** and **Chennai** are the **other four**.
- Being a statutory adjudicatory body like Courts, apart from original jurisdiction on filing of an application, NGT also has appellate jurisdiction to hear appeal as a Court (Tribunal).

Key Points

- About Banni Grassland:
 - Location:
 - Banni is the largest grassland of Asia situated near the Great Rann of Kutch in Gujarat.
 - It is spread **over 2,618 kilometres** and accounts for almost **45% of the pastures** in Gujarat.
 - Ecosystem and Vegetation:
 - Two ecosystems, wetlands and grasslands, are mixed side by side in Banni.
 - Vegetation in Banni is sparse and highly dependent on rainfall.
 - Banni grasslands, traditionally, were managed following a system of rotational grazing.
 - Banni is dominated by low-growing plants, forbs and graminoids, many of which are halophiles (salt tolerant), as well as scattered tree cover and scrub.
 - The area is **rich in flora and fauna**, with 192 species of plants, 262 species of birds, several species of mammals, reptiles and amphibians.
 - Reserve Forest:
 - In 1955, the court **notified that the grassland will be a reserve forest** (the most restricted forests classified according to **Indian Forest Act 1927**).
 - In 2019, the **tribunal ordered** to demarcate the boundaries of the Banni grassland and restricted non-forest activities.

 Wildlife Institute of India (WII) has identified this grassland reserve as one of the last remaining habitats of the cheetah in India and a possible reintroduction site for the species.



About Maldharis:

- Maldharis are a tribal herdsmen community inhabiting Banni.
- Originally nomads, they came to be known as Maldharis after settling in Junagarh (mainly Gir Forest).
- The literal meaning of Maldhari is keeper (dhari) of the animal stock (mal).
 - The livestock include sheep, goats, cows, buffalo, and camels.
- The Gir Forest National Park is home to around 8,400 Maldharis.

Provisions of the Forest Rights Act 2006:

- Under the provisions of <u>the Act</u>, forest dwellers cannot be displaced unless the rights settlement process has been completed.
- Moreover, the Act has a special provision for setting up 'Critical Wildlife Habitats (CWH)', for the conservation of the species.
- It strengthens the **conservation regime** of the forests while ensuring livelihood and food security of the FDST (Forest Dwelling Scheduled Tribes) and OTFD (Other Traditional Forest Dwellers).
- The Act identifies four types of rights:
 - **Title rights:** It gives FDST and OTFD the right to ownership to land farmed by tribals or forest dwellers subject to a maximum of 4 hectares.
 - Use rights: The rights of the dwellers extend to extracting <u>Minor Forest Produce</u>
 , grazing areas etc.
 - Relief and development rights: To rehabilitate in case of illegal eviction or forced displacement and to basic amenities, subject to restrictions for forest protection.
 - **Forest management rights:** It includes the right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting.

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Source: DTE