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NGT Upholds Rights of Pastoralists in Banni Grasslands

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Why in News

The **National Green Tribunal (NGT)** 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**.

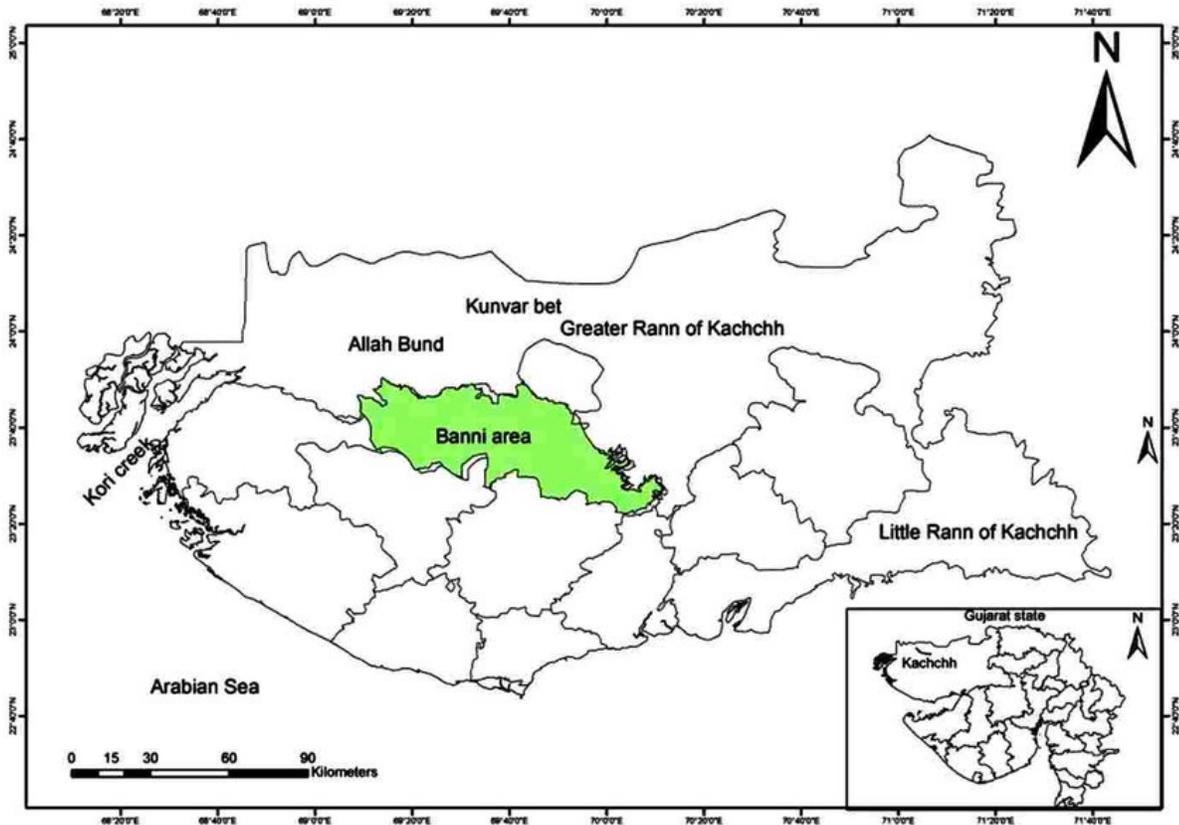
National Green Tribunal

- 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 **the Act**, **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 **Minor Forest Produce**, 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.

Source: DTE