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Panel looking into pastoral communities' forest rights to visit J&K



Members of a newly appointed committee to facilitate legal recognition for particularly vulnerable tribal groups (PVTG), decided to visit four states, including Jammu and Kashmir. The committee — constituted by the Ministry of Tribal Affairs (MoTA) on February 21 with former MoTA secretary Hrusikesh Panda heading it — met for the first time on March 16, 2020. “It was felt that FRA automatically extends to J&K with the abrogation of Article 370. It was therefore decided that the committee will visit the union

territory,” a source told Down to Earth.

The union government, on August 5, 2019, revoked Article 370 of the Constitution, which granted special privileges to Jammu and Kashmir, bifurcating the state into two union territories. The other states committee members decided to visit were Odisha, Madhya Pradesh and Uttarakhand. The committee was divided into two sub-committees: One to look into the recognition and vesting process of habitat rights of PVTGs and the second to look into the seasonal resource access to nomadic and pastoralist communities. The meeting was attended by the officials from MoTA, Ministry of Environment, Forest and Climate Change and the Ministry of Minority Affairs. Non-official members, including members of state governments were absent, however, reportedly because of the novel coronavirus disease outbreak. Committee members will also visit the Simlipal Tiger Reserve in Odisha where habitat rights of the Mankidia community were in limbo since 2016. The community's rights were approved by a district level committee (DLC) on

August 8, 2016.

Land titles have, however, not been granted since then. Although the community has the DLC's legal approval, Odisha's forest department is not willing to part with land. Under FRA, habitat rights are given to PVTGs and pre-agriculture communities and it gives them access to the resources in the area recognised as their habitat. Despite repeated clarifications by the ministry, no progress was reported by states in recognising habitat rights, the order that constituted the committee had said.

MoTA, through the order, had constituted two committees on February 21: one, under NC Saxena, a former Planning Commission and National Advisory Council member and the other under Panda. The committee under Saxena will give recommendations for the creation of model guidelines for conservation, management and sustainable use of community forest resources

(CFR guidelines) under the FRA. The guidelines — according to the MoTA order — provide, “a clear understanding of the concept pertaining to CFR and also conceptual framework on CFR and detailed procedural aspects to encourage implementation of the community forest management and conservation regime in the spirit of the Act.”