



EDITORIAL: THE HINDU

GENERAL STUDIES 2: SOCIAL JUSTICE
TOPIC: VULNERABLE COMMUNITIES

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The way to protect orans

Supreme Court's Recognition of Orans and Their Significance

1. Supreme Court's Acknowledgment of Orans:

- In December 2024, the Supreme Court recognized the socio-ecological and cultural significance of orans (sacred forests) in Rajasthan.
- It issued orders to protect orans by integrating them into legal frameworks related to biodiversity conservation.

2. Court's Protectionist Orders:

- The Supreme Court's directive focused on formalizing the governance of orans through biodiversity laws, ensuring their conservation while involving local communities.
- The goal is to integrate traditional knowledge and practices with legal frameworks for effective conservation.

3. Importance of Orans:

- Orans are sacred groves that have been preserved by local communities for centuries. These forests hold cultural, spiritual, and ecological value.
- They are linked with local deities, and there is a deep belief in the divine consequences of cutting trees in these areas.
- Orans enhance biodiversity and provide critical ecosystem services, such as water conservation.
- These sacred groves play a significant role in recharging groundwater levels by trapping surface runoff, leading to better water availability in surrounding villages.
- In certain villages, informal community institutions manage orans as part of watershed management, preserving both water sources and biodiversity.

4. Challenges of Formalizing Orans' Legal Status:

- **Under the Forest (Conservation) Act, 1980:**



- The Supreme Court declared orans as ‘forests’ under this Act, granting them legal protection.
 - However, the Act includes exemptions allowing the diversion of forest lands for purposes such as zoos, safaris, and ecotourism.
 - These exemptions could potentially expose orans to commercial activities, contradicting conservation goals and traditional community practices.
 - Local communities fear that this formalization may restrict their traditional access to orans for religious, cultural, or practical purposes.
- **Under the Wildlife (Protection) Act, 1972:**
 - The Court recommended considering orans as ‘community reserves,’ which would establish a management committee with both local and state representation.
 - While this would formalize the governance, the committee’s role would be limited to administrative tasks without decision-making authority.
 - This could reduce the control of local communities over the management of orans, as the ultimate authority would rest with the state.
 - **Under the Forest Rights Act, 2006:**
 - Another proposal was to classify orans as ‘common forest land’ under this Act.
 - However, rights under the Forest Rights Act are granted only if communities or individuals meet specific eligibility criteria.
 - Some local community groups, particularly informal institutions that currently manage orans, may not meet these criteria, potentially excluding them from legal protections.

5. Recommendations for a More Effective Approach:

- The Supreme Court advised the Ministry of Environment to develop a comprehensive policy for oran governance that could be applied uniformly across states.
- Given the diverse methods currently used to manage orans, a unified governance approach is necessary to ensure consistency while respecting local practices.
- Instead of enforcing legal formalization, the Court suggested identifying successful community-led governance models and replicating them across different regions.
- Policies should empower local communities to take the lead in oran conservation efforts, with support from the state and civil society organizations.



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- Any new governance framework must be developed in consultation with local communities to ensure that traditional practices are preserved while ensuring ecological protection and biodiversity conservation.

This comprehensive understanding of orans highlights their cultural, ecological, and economic importance. The Supreme Court's recommendations aim to balance traditional community practices with legal frameworks to ensure both the protection of sacred groves and the empowerment of local communities.

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