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Pastoralists need rights beyond welfare

Karnataka's new law pushes welfarism, but real outreach is in securing access to land and grazing rights.



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Pastoralism, which involves the seasonal movement of livestock and their herders to access forage and water, produces output (mainly milk, meat, and manure) worth an estimated Rs 1.3 trillion annually in India. This accounts for 3% of its agricultural GDP. It is a truly nature-based livelihood that sustains on naturally occurring grasslands and with little input other than labour. Yet, pastoralism is an occupation in serious decline.

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While settled livelihoods might seem to represent a civilisational trajectory, pastoralism coexisted and thrived in the subcontinent alongside agricultural and pre-industrial societies. Movement across long distances was a choice shaped by ecological, economic, and cultural factors, particularly in the semi-arid Deccan, the desert landscapes of western India and the hilly tracts of the lower Himalayas. Colonial rule, however, brought severe disruption by sedentarising and criminalising nomadic pastoralists who operated beyond its administrative logic of territory and "order".

But this is not just history. Even after the repeal of laws criminalising nomadic tribes, the social stigma attached to pastoralism persists. And though the colonial rulers are gone, India's Weberian bureaucracy still struggles to accommodate mobility. The government lacks solutions for delivering services such as healthcare and education to people constantly on the move, and its go-to tool of (input) subsidies holds limited relevance for pastoralists. The most serious challenge to pastoralism, however, has been land-use change. Over the past century, India has lost nearly as much grassland as forest cover, but unlike the latter, a protective legal framework is lacking for grasslands. Their unabated conversion, for agriculture, industry, afforestation and, of late, large-scale solar and wind power installations, continues to extinguish grazing lands and commons, intensifying pastoralists' precarity.

The Karnataka government's recently enacted law, the Karnataka Traditional Migratory Shepherds (Welfare Measures and Protection against Atrocities) Act, 2025, must be understood in this context. While it deserves praise for acknowledging the issues faced by pastoralist communities and taking steps to address them, it falls short in addressing the deeper, structural problems involved.

A key feature of the Act is the formal recognition of pastoralists and their occupation through a registration process that also entitles them to government benefits. Its actual usefulness depends on another provision that requires the government to frame welfare schemes covering matters such as healthcare, education, housing, livestock support, and compensation for livestock loss. By creating a justiciable obligation on the state, this advances several Directive Principles of State Policy, much like Karnataka's recent legislative actions for gig and domestic workers. Continued pastoralist mobilisation, which helped bring this law into being, will be crucial to turn this into action. However, the creation of a welfare board composed entirely of officials, with no representation from pastoralist groups, is a missed opportunity on the government's part for sustained engagement.

The Act contains penal action for various offences against pastoralists, including by public officials. Curiously, some of these restate existing penal provisions and are perhaps more a symbolic gesture in support of pastoralism. Certain new offences related to the denial of access to public property, forest lands (excluding reserved forests), and customary grazing routes are noteworthy, given the exclusion and restrictions faced by pastoralists. While these are positive steps at first glance, the conditions for their effectiveness require closer scrutiny.

Root causes unaddressed

The penal provisions relating to denial of access overlook the more fundamental issue: the availability of grazing lands. The case of Amrit Mahal Kavals in Challakere, once covering four lakh acres but now reduced to just 58,000 acres, illustrates this stark challenge. The administrative tendency to categorise vast open spaces as “wastelands” in need of productive use is rooted in the neglect of pastoralist production.

The Act's treatment of forest lands is similarly inadequate. It excludes reserved forests, which constitute nearly 75% of Karnataka's forests, from the protective provision even though the justification for outright grazing bans is tenuous. In doing so, it directly contradicts the landmark Forest Rights Act, 2006 (FRA), which recognises grazing rights of pastoralists across all forest lands. The protection of customary grazing rights, without their formal recognition through the FRA or state land laws, risks becoming vague and unenforceable. The Himachal Pradesh forest department's efforts to map and notify grazing routes to prevent afforestation in those areas offer a useful precedent.

A fundamental weakness underlying these issues is the government's siloed approach. While this new law, anchored in the Animal Husbandry Department, has been enacted, it fails to integrate with existing laws relating to land, forests, and, crucially, the FRA. This highlights the need for a more coordinated approach involving the revenue, forest, and tribal development departments, respectively, to address the loss of (access to) grazing lands, which is central to the problem. In particular, Karnataka's seeming reluctance to seriously implement the FRA must be addressed, both for pastoralists and forest-dependent communities, some of the most marginalised sections of society.

It is perhaps fitting that, in the land that reveres Lord Beerappa, the government has enacted this pioneering and progressive law, which could nudge action in other states. However, penal provisions and welfare programmes will only go so far in securing the well-being of Karnataka's pastoralists. Fostering their livelihood by securing the state's remaining grasslands and their rights over these lands is necessary to truly improve their lot. The environmental benefits of doing this are significant. A law that protects pastoralists without securing their grazing lands is incomplete.

(The writers are with the Centre for Policy Design at the Ashoka Trust for Research in Ecology and the Environment [ATREE])

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