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ADOPTION AND IMPLEMENTATION OF SUSTAINABLE LAND MANAGEMENT PRINCIPLES IN INDIA: A LEGAL ANALYSIS

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Abstract:Land is the base for the existence of all living things and without land there can be no environment. Land needs to be managed and utilised properly to avoid damage to the land. India has a large area of land that needs to meet the socio-economic and developmental needs of the population. By implementing sustainable land management practices, India will be able to maximize its economic and social advantages while improving the ecological support function of its land resources. Land management is an integral part of many laws in India, but it's time to define and implement a well-thought-out land utilisation strategy for good land management. Failure to do so will have serious and far-reaching consequences for the Indian society and the natural environment within India's borders. Implementing integrated land management strategies in India isn't easy, but a tailored approach to land planning can help. This paper reviews the current state of the art of sustainable land management in India and discusses the challenges faced by the implementation of a sustainable land use strategy in India.

Keywords- Land, Land management, Land degradation, Sustainable Development, Sustainable Land Management

INTRODUCTION

Environment plays a vital role in the existence of life on earth as it helps all the living things to grow and develop. One among the most important natural resources of environment is land. Living things especially humans perform almost all their activities on land. Land is that resource on which the entire living system depends upon and hence we can say that without land there can be noenvironment.

Rights and liberties have been around for a long time. Their concept travelled a long way with the advancement of world. Third-generation rights, including environmental rights and developmental rights etc., are the inheritors of the twenty-first century. Of these, the right to a clean environment and the right to development, are two of the most sought-after yet contradictory rights. The need for balance is the hour. The concept of sustainable development as developed by international jurisprudence necessitates the right balance of development with environmental protection.

The concept of sustainable development simply means *'using of resources to meet the needs of the present society, in such a way as to enable the future generations to meet their own'*[1]. Preservation and conservation of the present resources and this environment is the major objective of the concept of sustainable development. Natural resources, especially land based resources can potentially be used in a

1.*Report of the World Commission of Human Environment*, Brundtland Commission Report, 41,(1987).

sustainable way if appropriate land management is applied. The very concept of sustainable land management (SLM) evolved as a measure to help society to conserve the land for future generations at the same to cater to the needs of the developing society.

SUSTAINABLE LAND MANAGEMENT AND ITS EVOLUTION

In order to understand the concept of sustainable land management it is essential to analyse the meaning and scope of the term 'land'. Land is the base for the existence of many known living being. The concept of land is not exhaustive and is ever evolving. In the ancient times, land was considered to be an asset which gave man the right to utilize the resources within his boundaries to whichever extent he likes. There is ample evidence to suggest humanchanging the terrestrial ecosystems through hunting, foraging, land clearing, agriculture and other activities began about 12,000 years ago[2].Many people defined their culture and social values through the lands they occupy and it worth was appreciated beyond their exchange valueThe usage of land in the earlier times to a significant extent was smaller and localised than those who came later.

Over the years, societies depended on land and its resources to subsist. For food, shelter and for all like needs, humans used and often overused land. Over the years, men,to meet his needs and greed, exploited the land and its resources in all probable ways to all possible extent. The land, over the years, has lost its warmth and productivity due to overexploitation. Human activities have exceeded the maximum tolerable limit of this nature.

With the advent of time human mind realised that land is not something that they can claim for absolute enjoyment. Hence application of proper land management became indispensable. Land management refers to the management of land by such person in such a manner as it is useful for all. The concept simply refers to managing and regulating the activities of individuals with respect to land for the beneficial enjoyment of all persons in the society. Land reforms regulations, building rules and regulations, paddy field regulations etc are some of the examples which have adopted the concept of land management. All these legislations and regulations aims at the welfare of the society and management of land for the well-being of every individual, including coming generations. Little is the concept of environmental protection behind land management policies and principles. The primary aim of the concept of land management is the development of the society.

Sustainable land management derived from the idea that there can be no life without an environment, especially land. It keeps the preservation of the land and its resources as its main goal. It seeks to regulate land use in such a way that it does not become unmanageable with the cycle of nature. It seeks to preserve the natural environment as it is, and to prevent any future degradation. Contrary to land management, it does not focus on private holdings or individual land management. Instead, it looks at all land as part of a system and regulates it together. It puts emphasis on the interests of society and the protection of the environment. People are not the main focus of it, as is the case with land management. Furthermore, it does not differentiate between private land and public land, and it goes beyond the national boundaries. When the land management differs from society to society, the principles remain the same.Sustainable land management considers all land as a part of one system and regulates together. It places importance on the interests and development of society and protects the environment. Human beings are not the primary subject of sustainable land management, whereas in land management it concentrates only on human needs. It does not distinguish between private and public land. Sustainable land management goes beyond national boundaries, and when the land management varies from one nation to another even though the principles might be the same across the world.

The United Nations defines sustainable land management (SLM) as "*the useof land resources, including soils, water, animals and plants, for the production ofgoods to meetchanging human needs, while*

2.*Brief History of Land Use- Data & Knowledge*, GLO(UNCCD) 30, 30 (1st ed. 2017),https://knowledge.unccd.int/sites/default/files/2018-06/GLO%20English_Ch2.pdf

simultaneously ensuring the long-termproductive potential of these resources and the maintenance of their environmentalfunctions"[3].

SLM is based on four principles-

- land-user driven and inclusive approaches;
- integrated natural resource utilization at ecosystem and farming system levels;
- multilevel and multi-stakeholder engagement;
- targeted policy and institutional engagement, including the development of incentives for SLM adoption and revenue generation at local level[4].

India is the world's second largest democracy and its demographics are constantly changing. However, one thing that has remained constant is the degradation of the land. According to reports from the Indian Space Research Organization (ISRO)[5], almost 30% of India's land is degraded and with the increasing effects of climate change, this figure is likely to rise in the future. This is happening all over the world, which is why sustainable land management is so important. Sustainable land management aims to balance the objectives of providing environmental, economic, and social benefits to present and future generations while maintaining and improving the quality of the land resource. Implementing these principles into the land management system of developing countries like India will help meet the country's developmental needs without compromising and damaging the land.

SLM was first introduced more than two decades ago and has since then been widely promoted. SLM was introduced to deal with technical, ecological and biophysical aspects as well as economic, socio-economic and socio-cultural aspects. SLM also promotes an integrated, holistic view of land management, including environmental, economic and socio-cultural aspects.The concept of sustainable land management thereafter developed to great extent through international, national and regional discussions and deliberations.

INTERNATIOANL MEASURES

Land management is an essential component of sustainable agricultural development and a key component of Agenda 21's objective of sustainable development. The World Bank's new rural investmentprogram – From Vision to Action [6] – focuses on sustainable agricultural development, natural resource conservation, and the promotion of sustainable land management, and these objectives are increasingly being incorporated into all agricultural development projects and natural resources management. Sustainable land management combines technology, policies, and practices that integrate socioeconomic principles with environmental considerations in order to:

- Maintain and improve productivity
- Decrease the level of production risk, and enhance soil capacity to buffer against degradation processes
- Protect the ability of natural resources and prevent degradation of soil quality and water quality
- Be economically practicable
- Be socially acceptable and ensure access to the advantages of improved land management

3.*Sustainable Land Management*, FAO, https://www.un.org/esa/sustdev/csd/csd16/documents/fao_factsheet/ land.pdf.
4.*Id.*
5.Manish Parmar et al., *Desertification and Land Degradation Atlas of India* (Assessment and analysis of changes over 15 years based on remote sensing), SAC.ISRO. (2021), https://vedas.sac.gov.in/static/atlas/dsm/DLD_Atlas_SAC_2021.pdf.
6. Herweg, K. et al.,*Sustainable Land Management Guidelines for Impact Monitoring*, 1 CDE, 253 (1998).

Often, the lack of a precise, measurable definition of sustainable land management is seen as a major deficiency[7]. This term is commonly used in regional planning, soil or environmental protection, but also in real estate and property management. According to the World Bank, Sustainable Land Management (SLM) is a process that operates in a complex environment, where environmental protection is on the one hand, and the guarantee of ecosystem services is on the other[8]. Additionally, SLM is important for agricultural and forestry productivity, taking into account demographic growth and the increasing pressure on land use[9]. In order to meet the needs of a rapidly expanding population, SLM is essential. Poor land management can result in land degradation, as well as a significant decrease in the productive and service functions of wetlands and landscapes[10].

The term 'land management' is used by the United Nations Economic Commission for Europe (UNECE) in a much broader sense, encompassing not only agriculture and forestry, but also the mineral extraction sector, property, and estate management. 'Land management' is the process of using the resources of land in a positive way. It includes all activities concerned with managing land as a resource from an ecological and economic point of view. This can include, but is not limited to, agriculture, mineral extraction, real estate, and physical planning of cities and rural areas[11].

Following are some of the major international policy framework dealing with sustainable land management:-

Food and Agricultural Organization (FAO)

FAO is the custodian of UN agency for 21 of the Sustainable Development Goal's indicators and it assists the countries to meet their SDGs[12]. FAO implements various Sustainable Land Management (SLM) programs, including farmer field schools and conservation agriculture, integrated plant and pest management and sustainable forest management, etc. Activities involve country-level collaboration to develop indicators on land, land degradation, soils and droughts and sustainable forests and mountains as well as sustainable land management and others[13].

In September 2015, the Food and Agriculture Organization (FAO) launched a Global Environment Facility(GEF) supported project with 15 participating countries, entitled "Decision support for Scaling up and Mainstreaming Sustainable Land Management" (DS-SLM). The project will build on SLM practices and experiences in each partner country's target landscapes, providing appropriate tools and methods for planning, management, monitoring and impact assessment, as well as sharing experiences between regions. The global environmental objective of the project is to contribute to the global effort to combat desertification, land degradation and drought (DLDD) by scaling up best-practice sustainable land management practices. The project's development goal is to increase the provision of ecosystem-based goods and services, as well as enhance food security in DLDD-affected countries and regions, by promoting SLM and integrated management to efficiently utilize natural resources. Additionally, FAO provides regular technical advisory services to the UNCCD Committee on Science and Technology and the UN Environment Management Group on Land, including preparing SLM inputs[14].

7. Cocklin.C et al., *Public policy, private landholders: Perspectives on policy mechanisms for sustainable land management*, 85(4) J. ENVIRON. MANAG.,389 (2007).
8.*Sustainable Land Management Sourcebook*, WORLD BANK PRESS, (2008), https://documents1.worldbank.org/curated/en/495041468338511373/pdf/448340PUB0Box3101official0use0only1.pdf.
9.HERWEG, K. et al., *supra*note 6.
10. Hans Hurni, *Assessing sustainable land management (SLM)*, 81(2) AGRI. ECOSYST. ENVIRON. 83 (2000).
11.COCKLIN, *supra* note 160.
12. FOOD AND AGRICULTURAL ORGANIZATION OF UNITED NATIONS, https://www.fao.org/home/en (last visited Nov. 19, 2023).
13.*Sustainable land management decision-making*, FOOD AND AGRICULTURAL ORGANIZATION OF UNITED NATIONS,http://www.fao.org/land-water/land/ sustainable- land-management/slm-decision-making/en/ (last visited Nov. 19, 2023).
14.*Supra* note 12.

United Nations Convention to Combat Desertification (UNCCD)

Founded in 1994, the United Nations Convention to Combat Desertification (UNCCD) is the only legally binding international agreement that integrates environment and development with sustainable land management. UNCCD is also the only convention that is based on the Rio Conference's direct recommendation, AGENDA 21, to fight desertification and mitigate the effects of drought through long-term national action programs. UNCCD is founded on the principles of participation, partnership and decentralization. UNCCD has been ratified by 196 states. UNCCD focuses on the arid and semi-arid/dry sub-humid regions, referred to as the drylands, where some of the world's most fragile ecosystems and peoples are located. UNCCD takes a top-down approach, promoting the involvement of local people in the fight against desertification and against land degradation[15].

UNCCD's permanent Secretariat is located in Bonn Germany and was established during COP1. UNCCD's secretariat works with developed and developing countries to promote cooperation on knowledge and technology transfer related to sustainable land management[16].The Convention also has a committee on science and technology (CST) made up of government representatives from the relevant fields of expertise to propose measures to fight desertification and mitigate the effects of drought. The CST acts as a subsidiary body of COP to provide scientific and technical information to meet the objectives of the Conventions. The CST meets parallel to the ordinary COP sessions[17].

UNCCD's National Action Programs are the key tools for implementing the Convention. These NAPs are created through a participatory approach involving various stakeholders such as governmental offices and scientific institutions and it lays down outline measures to be taken in specific ecosystems to combat desertification[18].

The new United Nations Convention to Combat Desertification (UNCCD) Strategic Frame-work (2018 – 2030) is the world's most comprehensive effort to achieve Land Degradation Neutrality (LDN), restoring the productivity of large areas of degraded land, improving the livelihoods of over 1.3 billion human beings, and reducing the effects of drought on vulnerable communities. The framework was the result of COP13, and the conference also saw the establishment of the first globally-based private sector fund for the implementation of Sustainable Development Goals (SDGs), known as the Land Degradation Neutrality Fund (LDN).

As land, climate, and biodiversity dynamics are closely interlinked, UNCCD seeks to work closely with the two other Rio Conventions the Convention on Biological Diversity(UNCBD) and the United Nations Framework Convention on Climate Change (UNFCCC) address these complex challenges through an integrated approach and optimal use of natural resources[19].

Scientific Conceptual Policy Framework for Land Degradation Neutrality (LDN)

LDN was created at Rio+20 Conference and is based on the principle that the cost of doing something is much less than the cost of not doing something. Land Degradation Neutrality is a key component of SDG15[20] which includes the key SDGs of poverty reduction and hunger reduction, gender equality, climate change mitigation, and sustainable resource utilisation. SDG 15 focuses on protecting, restoring, and promoting sustainable land use, sustainably managing forests, combating desertification, halting and reversing land degradation, and halting biodiversity loss.

15.*Convention*, UNCCD, https://www.unccd.int/convention/overview (last visited Nov. 19, 2023).
16.Silke Schwedes,*Land degradation versus sustainable land management*, ELD INIT., 25 (2019), https://www.eld-initiative.org/fileadmin/user_upload/Module_02_Land_degradation_191011_www.pdf.
17.*Id.*
18.*Supra note* 16.
19. Silke Schwedes, *Supra* note 16.
20. SDG 15.3 says: '*by 2030, combat desertification, restore degraded land and soil, including land affected by desertification, drought and floods, and strive to achieve a land degradation-neutral world'*, SDSN, https://indicators.report/targets/15-3/ (last visited 19 Nov, 2023).

The Scientific Conceptual Framework for Land Degradation (LDN) is designed to help countries implement strategies to achieve Land Degradation Neutrality (LDN). The framework clarifies that the scientific practices and principles that contribute to the achievement of LDN, as well as providing a solid scientific foundation for understanding LDN. The framework is focused on the achievement of the objectives of LDN, and is designed to be applicable to all forms of land degradation, allowing it to be implemented by all countries in accordance with their specific circumstances. The framework acts as a link between the vision of LDN and the practical implementation through the implementation of National Action Plans (NAPs)[21].

UN Decade (2021 – 2030) on Ecosystem Restoration

The UN Decade 2021-2030 on Ecosystem Restoration is a global call to action for the preservation and recovery of ecosystems around the world for the benefit of humanity and nature. The Decade is led by United Nations Environment Programme (UNEP) and Food and Agricultural Organisation (FAO). The UN Decade spans 2021-2030, which is the deadline for achieving the Sustainable Development Goals (SDGs) and the timeframe scientists is defined as the "last chance" to avert catastrophic climate change.

The UN Decade on Ecosystem Restoration aims to:

(i) Demonstrate successful governmentled and private initiatives to halt ecosystem degradation, restore those ecosystems that have already been degraded

(ii) Intensify knowledge exchange on what works and why (policy, economics and biophysical aspects), and how to implement restoration at scale

(iii) Bring together initiatives working in the same landscape, region, or topic, toincrease efficiency and impact

(iv)Create links between ecosystem restoration opportunities and initiatives with businesses interested in building a solid portfolio of sustainable production and impact investment

(v) Bring a wider spectrum of actors on board, especially from sectors that are not traditionally involved, by demonstrating the importance of ecosystem restoration to conservation as well as generation of social and economic benefits.

G20 GLOBAL LAND INITIATIVE

The Group of 20 (G20) is a global intergovernmental forum made up of 19 countries. The G20 is made up of the world's largest developed and emerging economies. The G20 includes 19 countries which are Argentina; Australia; Brazil; Canada; China; France; Germany; India; Indonesia; Italy; Japan; Republic of Korea; Mexico; Russia; Saudi Arabia; South Africa; Turkey; United Kingdom; United States; and the European Union. The G20 launched its Global Initiative on Decarbonization of Land in November 2020 at the G20 Summit in Riyadh (Virtual). The objective of this Global initiative is to: Prevent Decarbonisation of Land; Reverse Decarbonization; Reduce Decarbonization by 50% by 2040. The major objectives are listed below;

1. Protecting land and preventing habitat loss, fragmentation, and land degradation, in particular by sharing knowledge and best practice on conservation incentives and implementing other policies and best practice to improve land conservation and prevent land degradation.

2. Encouraging Integrated, Sustainable, and Resilient Land and Landscape Management through Nature-Based Solutions or Ecosystem-Based Approaches, as well as Promoting Sustainable Land and Water Management Policies and Sustainable Agricultural Practices, including Traditional Practices, to sustain and improve ecosystem function.

21.Silke Schwedes, *Supra* note 16.

3. The recovery of degraded land can be achieved through a variety of sustainable and regionally or locally appropriate methods, such as reforestation and afforestation; natural regeneration/revegetation; ecosystem services restoration; sustainable agricultural practices; and the implementation of nature-oriented or ecosystem-oriented strategies for biodiversity conservation. These methods can help to restore the functionality of ecosystems in a landscape.[22]

LAND DEGRADATION AND SUSTAINABLE LAND MANAGEMENT IN INDIA

India's environmental policies have evolved significantly over the past 3 decades. India also participates in several important international initiatives related to the environment. India is a party to many key multilateral agreements and recognises the interdependent nature and Trans-boundary nature of several environmental issues. This can be seen in the Constitution of India as well as in the relevant amendments made over the years to strengthen the policy and legal framework for sustainable development[23].

The Constitution's Preamble sets out the fundamental elements and remains the essence of the Constitution.[24] Justice for all Indian citizens is guaranteed in the Constitution. Justice includes social, economic, and political, equality of Status and Opportunity and dignity of the individual. The pillars of social justice are laid down in the Constitution. The right to life guaranteed under Article 21[25]has been interpreted by the judiciary in the broadest terms to include the right to a clean environment[26], the right to a livelihood[27]the right to life with dignity[28] and many other like rights. The directive principles of State Policy, which are often called as the 'conscience' of the Constitution aim to ensure 'distributive Justice' and that political democracy is parallel to social, economic democracy in India[29]. The Directive Principles also entrust the state with the responsibility of protecting and improving the environment as well as forest and wildlife conservation. In response to the demands of the people, national and international demands, the Executive, the Judiciary and the Legislature have expressed these norms in innovative ways.[30]

The present legislative framework for environmental protection is broadly contained in theumbrella Environment Protection Act 1986, the Water (Prevention and Control of Pollution)Act, 1974, the Water Cess Act, 1977, the Air (Prevention and Control of Pollution) Act, 1981.The law in respect of management of forests and biodiversity is contained in the IndianForest Act, 1927, the Forest (Conservation) Act 1980, the Wild Life (Protection) Act, 1972; and the Biodiversity Act, 2002. There are several other enactments, which complement the provisions of these basic enactments.

The present national policies for environmental management are contained in The National Forest Policy, 1988, the National Conservation Strategy and Policy Statement on Environment and Development, 1992, Policy Statement on Abatement of Pollution, 1992, Some sector policies such as the National Agriculture Policy 2000, National Population Policy 2000, and National Water Policy, 2012, have also contributed towards environmental management. All of these policies have recognized the need for sustainable development in their specific contexts and formulated necessary strategies to give effect to such recognition.

22*G20 Global Land Initiative*, UNCCD, https://www.unccd.int/our-work/flagship-initiatives/G20-Initiative (last visited Nov. 19, 2023).
23. Ashok A. Desai, *Constitutional Accountability towards Environment*, 42 JILI ,160(2000).
24.INDIA CONST, Preamble.
25. INDIA CONST, art. 21.
26. M C Mehta v. Union of India, (1987) 1 SCC 395; M.C. Mehta v. Union of India &ors, (1998) 6 SCC 60; Subhash Kumar v. State of Bihar, AIR 1990 SC 420.
27. ReSant Ram, AIR 1960 SC 932; Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 180.
28. Paramananda Katara v. Union of India , AIR 1989 SC 2039; Coralie Mullin v. Administrator & Union Territory of Delhi, AIR 1981 SC 746; Kharakh Singh v. State of Uttar Pradesh, 1963 AIR 1295.
29.D K BASU, CONSTITUTION OF INDIA,388 (LexisNexis, 2020)
30.*Id.*

There is National Environmental Policy (NEP) of 2006 that articulates the spirit ofsustainable development; it states that only such development is sustainable, which respects ecological constraints and the imperatives of social justice. The National Environmental Policy highlights the consensus around the sustainable development concept through three foundational aspirations: first, that human beings should enjoy a decent quality of life; second, that human beings should become capable of recognizing the finiteness of the biosphere; and third, that neither the aspiration of a good life, nor the recognition of the limits of the biophysical world should preclude the search for greater justice in the world. The NEP 2006 also asserts that the most viable basis of environmental conservation is to ensure that people gain better livelihoods from the act of conservation of natural resources than from environmental degradation. Part 1 of the book documents some of the key elements of the evolving framework of sustainable development in India: policies and programs; legal provisioning; institutional arrangements; and financial provisioning. The National Environment Policy seeks to extend the coverage, and fill in gaps that still exist, in light of present knowledge and accumulated experience. It does not displace, but builds on the earlier policies.

According to FAO, India is the seventh largest country in the world. It is characterised by a wide range of climatic, topographical, ecological, animal and plant diversity, land use and socio-economic conditions.[31] The main uses of land in India are agriculture, growing of forests, grazing of animals, mining, installation of industries and construction of homes, roads, railway, etc. Due to the rapid growth of population and development, the way in which land is used has changed.

As a result of change in mode of land use and over pressure it has led to land degradation in India. The meaning of 'land degradation' according to UNCCD is as follows;

> "reduction or loss in arid, semi-arid and dry sub-humid areas, of the biological or economic productivity and complexity of rain fed cropland, irrigated cropland or range, pasture, forest and woodlands resulting from land uses or from a process or combination of processes, including processes arising from human activities and habitation patterns such as: soil erosion caused by wind and/or water; deterioration of the physical, chemical and biological or economic properties of soil; and long-term loss of natural vegetation".[32]

The process of land degradation is defined as the alteration of soil over a given period of time and space. This process has been exacerbated by a variety of factors, such as faulty agricultural practices, land clearing and inadequate forest management, deforestation, excessive grazing, the mishandling of industrial waste and effluents, surface mining and industrialization, which have all contributed to the degradation of soil in India.

In 2019, the Conference of Parties to the United Nations Convention on the Law of the Sea (UNCCD) 14 met in India and concluded that the Sustainable Development Goal (SDG) should be achieved by the end of 2030 by achieving land degradation neutrality (LDN). The Delhi Declaration was adopted by the Conference, in which stakeholders pledged to address a variety of topics, such as gender and health; ecosystem restoration; climate action; private sector involvement; the Peace Forest Initiative; and the rehabilitation of 26 million ha of degraded land across India[33]. During the COP-14 of UNCCD in the Prime Minister of India announced the creation of Centre of Excellence for Sustainable Land Management(CoE-SLM) at the Indian Council for Forestry Research and Education (ICFRE). The Centre of Excellence is aimed at promoting South-South cooperation and addressing land degradation issues by implementing sustainable land management practices (SLM).On 20th May 2023, at ICFRE Dehradun, the Centre of Excellence on SLM was inaugurated by Union Minister of Environment, forest and climate change and

31. *India at a Glance*, FAO, http://www.fao.org/india/fao-in-india/india-at-a-glance/en/ (last visited on 19 Nov., 2023).
32. United Nations Convention to Combat Desertification in those countries experiencing serious drought and/or desertification, particularly in Africa, part I.art 1. cl. (f), 1994 (UN), https://catalogue.unccd.int/936_UNCCD_Convention_ENG.pdf.
33.*The New Delhi Declaration: Investing in Land and Unlocking Opportunities*,UNCCD (2019),https://www.unccd.int/news-stories/press-releases/new-delhi-declaration-investing-land-and-unlockingopportunities (last visited on 20 Nov, 2023).

Labour and Employment.[34] The major initiate undertook by the Government which focused on the concept of sustainable land management is the National Land Utilization Draft Policy 2013.

National Land Utilization Draft Policy, 2013

The National Land Use Policy seeks to promote the improvement of livelihoods, food security, water security, and the optimal implementation of various developmental objectives in order to ensure India's sustainable development. It also seeks to optimise the use of India's limited land resources, taking into account social, economic, and environmental factors, and to create a framework for States to develop land utilisation policies that address specific concerns and priorities. Specific objectives are outlined below.

1. Protection of agricultural lands from land use conversions so as to ensure food security and to meet consumption needs of a growing population and to meet livelihood needs of the dependent population.
2. Identify and safeguard land that is necessary for social development, especially for the livelihoods of tribal communities and disadvantaged groups.
3. The Preservation of Places/Sites of Religiously, Archaeologically, Scenic and Tourist Importance
4. Ensuring the conservation and management of land under essential ecological functions, including those designated as National Parks, Wildlife Sanctuaries, Protected Forests, Eco-sensitive Zones, etc., and guiding land use around such protected and conserved areas to avoid land use conflicts and adverse environmental effects.
5. Maintaining the ecological regions and their associated resources that contribute to the functioning of the ecosystem.
6. Ensuring that all development sectors, from agriculture to infrastructure and mining, are properly managed and coordinated in order to promote sustainable development and to reduce land use conflicts and adverse environmental impacts.
7. Recommend a general framework for the implementation of land utilisation policy at all levels, including national, state and regional and local levels, as well as undertaking capacity building.[35]

Although the land management policies have evolved significantly, the visible impact of these programs is not very visible. The draft National Land Utilization Policy (NLP) incorporates sustainable development principles in land management policies, but it is still a draft policy. Due to financial and technical constraints, the government programs do not adequately cover sustainable agricultural practices. This is important as a large portion of India’s economy is derived from the agricultural sector. There are a few examples of the sustainable land management practices in the country, but they are still not sufficient. The legislation regarding with land management policies still does not apply the principles of sustainable soil management in an effective manner. According to the reports[36], almost 30% of the soil in India is degraded, and with the rapid increase in population, it will only get worse. To effectively implement sustainable land management, an integrated and unified land management system in India is required.

34. PIB Delhi, Shri *Bhupender Yadav Inaugurates Centre of Excellence on Sustainable Land Management at Indian Council of Forestry Research and Education in Dehradun*, PIB, (MAY 20, 2023 9:35 PM), https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1925988#:~:text=Shri%20Bhupendra%20Yadav%2CUnion%20Minister,Research%20and%20Education%20in%20Dehradun.

35. Department of Land Resources,*National Land Utilisation Policy Framework for Land Use Planning & Management* (draft), SMARTNET, https://smartnet.niua.org/content/b74035e9-e2bb-4112-898e-dace0b9e8cd1#:~:text=The%20goal%20of%20the%20National,ensure%20sustainable%20development%20of%20India (last visited on 20 Nov., 2023).

36*Supra* note.4 at.2.

CONCLUSION

In order to create and implement effective and sustainable land management strategies, it is necessary to classify the land and land area according to its characteristics, such as water storage capacity, soil fertility, soil productivity, land use and so on. While it is possible to classify a land as dry land or wet land, or fertile land or barren land, such a classification will not help to define strategies to manage land in a sustainable manner. It is essential to assess the chemical, biological, and environmental characteristics of each area as well as classifying land in terms of minerals, chemicals, biocapacity etc.

In addition, consider the nature of the damage that has been done to each land area. While categorizing land into different sub-sects, consider the degradation that has happened to it as well. When formulating sustainable land management strategies, consider the character of the land area, the degradation or harm that has happened to that land area, and the methods to restore that original character. A well-constructed land use plan, based on well-established scientific, and technical practices, and land use strategies, can provide a rational summary of the future needs.

A well-thought-out land use plan, based on well-developed scientific and technical processes and land use strategies, can contribute to meeting future needs. This plan should be supported by a robust planning process that can enhance the decision-making process on land allocation and utilization. However, countries that lack well-developed and integrated land-use planning or the tools of land-use planning are used to a limited degree, which will impede proper and optimal land utilization. The absence of policy framework, institutional structures, organizational and human capabilities, and financial resources will impede a systematic land-use planning and management.

India cannot afford to compromise between development activities. Therefore, the only option left to India is to incorporate sustainable land management practices into its land management policies. India is among the countries that need large-scale and effective land management strategies. Land needs to be managed and utilised properly to avoid damage to the land. India has a large area of land that needs to meet the socio-economic and developmental needs of the population. By implementing sustainable land management practices, India will be able to maximize its economic and social advantages while improving the ecological support function of its land resources.

Land management is an integral part of many laws in India, but it’s time to define and implement a well-thought-out land utilisation strategy for good land management. Failure to do so will have serious and far-reaching consequences for the Indian society and the natural environment within India’s borders. Implementing integrated land management strategies in India isn’t easy, but a tailored approach to land planning can help.