

VANA PREMI

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Special issue on Forest Martyrs



Saluting the real heroes

**Vana Premi Salutes and Pays Rich Tributes
to all those brave foresters who gave up their today
for our better tomorrow and attained martyrdom**

JOURNAL OF THE ASSOCIATION OF RETIRED FOREST OFFICERS
TELANGANA & ANDHRA PRADESH



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EDITORIAL

Forest Martyrs: - All the countries of the globe have forest and wild life which are necessary for the continuation of the human life on this planet. According to the Forest policy adopted by our country there should be a minimum of 33% total land area under forest in the plains and 66% in the hilly area. But unfortunately on an average we have only 23% of total geographical area under forest. It is an established fact that without forest and wild life human beings cannot survive on this planet. Forest produces Oxygen which we inhale and again absorbs Carbon dioxide which we exhale, without which survival of any organism is impossible on this planet. Wild animals pollinate many species of the plants which produce our food; it may be in the shape of grains, fruits, or vegetables. Some of the wild animals also serve human population by consuming the dead and decaying animals and save us from deadly diseases. This action of the wild animals keep the planet clean, without which this planet would have become a stinking place with many diseases. These animals are known as scavenging animals. There are many other direct and indirect benefits of forest and wild life which I am not enumerating here as readers are well aware of it.

About few hundred years back human populations were much less compared to the present population and the natural resources like forest, wild life, water and minerals were abundantly available. There was not much of pressure on our forests and wild life (natural resources). Human beings were using these natural resources in a sustainable way. Slowly human population increased and natural resources started diminishing. Pressure on the forest, wild life and other natural resources increased many folds. The Forest Department was established in India during 1864, to protect and scientifically manage our forests. The first Indian Forest Act was enacted in the year 1867 and we tried to protect our natural resources by enacting laws. Initially laws were implemented and natural resources could be protected well but of late when

human population increased abnormally and natural resources decreased, it became very difficult to protect our natural resources with the help of laws also. The reason is man has become greedy.

Readers might have read under heading "news and notes" a news item in VanaPremi of October 2014 issue which said "India loses more forest rangers to poachers, smugglers and attacks by wild animals each year than any other country. This is alarming news. According to the statistics made available by International Rangers Federation, an organization to raise awareness of the work of Park Rangers as many as 72 Forest Rangers were killed in India in the past three years. Other forested countries in Asia, Africa and the Americas lost less than 10 Rangers in the same period, India lost 34 Rangers in 2012, a year in which United States which had the second largest number of forester's death lost only six. India recorded 14 forester's death in 2013 and 24 in 2014, the largest among all countries for both years". This was reported by International Rangers Federation President Sean Wilmore. He is extremely concerned that Rangers continue to face high level of violence and are being murdered (by poachers and smugglers) at an alarming pace in India. Nearly 60% of Rangers killed are in Asia, said the federation's report. Other countries lost 10 Rangers or fewer in the same period. The Philippines and Congo lost 9 Forest Guards each in 2013, Uganda 7, and Kazakhstan and Chad 6 each. Kenya has recorded 10 Foresters death this year, Thailand 6 and Tanzania 3. Wild animals and poachers were responsible for most Rangers death but some have also been claimed by diseases like Dengue and Malaria, as well as Forest fires and road accidents. "India's forests establishment must be the largest in the world." We have thousands of forest Officials, Guards and Rangers. Our countries Tiger reserves are manned by thousands of people employed by the states and Central Forest Departments. As they come in contact with wild animals while pa-

trolling, often their job involves putting their lives on the line. Though wild animals are much better than the poachers and smugglers yet they are risky.

The country, by demarcating protected areas, has been successful in protecting wild animals from hunters but this has also led to officials, coming under attack. Armed poachers and smugglers at times have no compunctions about gunning down Forest Rangers and other staff. The smugglers and poachers must be doing this for pecuniary gains, but majority of the common people who are not benefited by this poaching or smuggling of the illegal forest produce, often becomes silent spectators without helping the forest staff. Whenever any forest or wild life offence case is booked for trapping and selling small game which is listed in schedule III or IV or for selling minor forest produce every person present on the scene of offence will support the poachers, and smugglers and none will come forward as witness or come to the rescue of the staff of the forest department, knowing fully well that forest and wild life is very important and essential for all the human beings including the offenders and their supporters.

Red sander (*Pterocarpussantalinus*) of Andhra Pradesh is a classic example of natural resource which is not found throughout the world except in the Tirupathi hills of Andhra Pradesh. Forest staff is trying to protect and save this species. In the last few months the department has taken help of Police officers, who are opening fire if smugglers are sighted in the reserve forest. Yet smugglers are coming even from adjoining States and penetrating in to the reserve forest and destroying the species. If the local people who were born and brought up in this locality want to save the species they can definitely save it but they are not at all concerned. Some time back Sri Sridhar Dy. R.O and Sri David Kumar Karunakar A. B. O were killed in this locality when they were patrolling the forest to protect it. Therefore the forest staff is becoming the target of smugglers, poachers and land grabbers who at times, when they are protecting for-

ests, wild life and forest land have to sacrifice their lives also, though they are not going to stay there permanently. Forest staff is posted and after few years of working will be transferred from that area. Yet they are sacrificing their lives. The local people for whom and for whose future generations forest staff is protecting and sacrificing their lives are not coming forward to protect it. I am sure if local people take interest and protect forest no one can enter into the R.F. and destroy natural resources. Whenever any member of forest staff is killed by smuggler, poacher or land grabber when he was discharging his legitimate duty, did the smuggler or poacher think that he has eliminated the bread earner of that family and how his family members will survive, how his sons and daughters will get education, how his daughters will get married.

After enactment of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 the demand for Forest land has increased many folds. People are encroaching upon the forest land illegally in the hope that it will be regularized in future as was done many times earlier. There was an assault on the forest team in the Kamareddy division, who went there to protect the land and Sri Gangiah FRO was killed. Foresters are facing challenges to protect the forest, wild life, and even forest land and many a times sacrificing their lives and attaining martyrdom, while protecting our natural resources.

Vana Premi pays rich tributes to all those brave foresters who sacrificed their lives trying to protect the forest and its wild life and wishes that good sense will prevail on the common men and stop them from destroying the forest & wild life of our country. Vana Premi also wishes that forest staff of our country discharges their duties safely, fearlessly, bravely, confidently and protect our forest and wild life without risking their lives as human life is much more valuable than any other thing. **QMK**

LETTERS TO THE EDITOR

Sir,

Sub: - **MY TRYST WITH VANA PREMI**

I had written an article under the above caption and it was published in the Souvenir of our Association at Page 28. While recounting my “**TRYST**”, I had mentioned how I labored to nurture and nourish the magazine against several odds. I mentioned in brief in Paragraph 5, the ordeal I faced and “remembered with gratitude the moral support I received from friends”.

I should have acknowledged specially the extraordinary support and encouragement I received from my revered friend and well-wisher Sri L. Lohit Reddy. He not only gave me suggestions at every stage to run the magazine but also provided financial support by arranging advertisements from Industries known to him; that helped the magazine to stand on its own feet. I made inadvertently a serious lapse by omission. I therefore thought it fit through your medium, to tender my sincere apology to him.

I must also acknowledge the support and encouragement I received from Sri M. Kamal Naidu, who donated substantial amounts and enlisted many subscribers from the North.

I feel indebted to all the well-wishers, but for their support when it was an infant, VanaPremi would not have grown up to the present enviable status.

K.B.R. Reddy

LAUGHTER IS THE BEST MEDICINE

One day, Bill and Tom went to a restaurant for dinner. As soon as the waiter took out two steaks, Bill quickly picked out the bigger steak for himself.

Tom wasn't happy about that, "When are you going to learn to be polite?"

Bill, "If you had the chance to pick first, which one would you pick?"

Tom, "The smaller piece, of course"

Bill, "What are you whining about then? The smaller piece is what you want, right?"

Missed being a Martyr

By

M. Kamal Naidu

On getting the editors reminder to send articles on martyrs, I got tickled for I missed being one, thrice during service. A martyr is one who dies for a cause while on active his duty, like Srinivas who was beheaded when pursuing a noble cause to protect wildlife and forests, against the most notorious brigand.

In the first instance happened 10th August 1972, when I lost an opportunity of becoming a martyr of the department, and my name missed on the martyr's memorial. This incidence happened when I discovered a large scale cultivation patch in the forest near Mangur, in Burgampad Range of Polwancha division, on my first Ricky round of division after taking charge. I asked for the extent of clearing, and was told it must be around 500 acres, but I felt it was much more. I asked the concerned staff including the Range Officer to get down from the jeep, and demarcate the cultivated patch, and notify to everyone that they stop cultivation and to plant forest seedlings to be supplied from our nursery. On survey, the extent of clearance was over 2000 acres. On checking the records of cases booked, it revealed as being done since over 10 years after paying 'C' fees annually for new areas extended. I test checked the survey amidst strong representations and protests by CPI (M) activists. I told them I could not help them, and they should get orders from above to allow them to cultivate. However protests continued even at the office gate led by local MLA of CPI (M). Since I was unyielding they made bold to attack me at the nursery on my scheduled visit. While at the nursery the naxal activists appeared threateningly calling me the big 'Monagaddu' (Crudely means boss). I did not the formalities of responding to them, as is adopted by lower staff of falling at their feet, and taking an order from them to comply, whatever they desired. Since I did not do the formalities, they came to me, pointed the gun at me, and started

belaboring me with lathies. On my retaliatory protesting, I was shot twice, unloading both barrels of double bore gun. One bullet got me in my right cheek and breaking three of upper and two lower grinders and lodged itself in my left salivary gland, and another entered my right upper arm, travelled through the flesh of the arm and shoulder and got lodged on my left shoulder blade. This left me bleeding profusely, but not incapacitated, and I did not slump to ground as we see in pictures when one is shot. I was forced to walk staggeringly to the gang leader a distance away, where all five of the gang started belaboring me with lathies and rifle butts while abusing me in filthy language for stopping cultivation by poor farmers. One blow fell flat on my mouth, broke three of my front upper teeth and two lower, making me appear a toothless old man to youngsters, and the second blow landed on my head, which required 17 stitches, which made me dizzy and slump to ground. I faintly remembered being carried thereafter to Alliguda Forest guest house by my staff, and laid on the bed, to recover. After about two hours, I was up, during this period of semi-unconsciousness, my clothing was changed and I was temporarily draped in local forest guards shirt, on recovery we proceeded by jeep for Kothagudem for treatment. The jeep got stuck in the Kinnersani River, and was dragged out by quickly acquired village bullocks and ropes. We reached hospital five hours after the episode to be put on tranquillizer and relief from severe pains. I was operated expertly at Collieries Hospital and came back to myself at night 2.00am to ask for my son Srinath. Thus I was successfully able to hood-wink Lord Yamaraj, and thus missed becoming a dept. martyr. The Collector, SP and Conservator recommended I be suitably awarded for missing being a martyr. Those days CCF was empowered to give only Rs. 1000=00, so he recommended to govt. to give me Rs.3000=00.

After nine months I got a generous letter with following wording: "Service appreciated but it does not merit an award". Thus I lost being martyred and the award, and left with 14 precious teeth missing, all because of my audacity of hood-wing Yamaraj Maharajji, and not going with him meekly, when called after careful planning by him of the situation and circumstances.

My second chance to accept Lord Yamaraja's invitation was on 12th September 1985. I was working in Dehra Dun and was going on a holiday to Chennai to attend my Salli's wedding. At Delhi on getting down at Bus Depot in Old Delhi I had to go to station at New Delhi Connaught place. The auto I and my wife travelled got his call from Yamaji, so was recklessly ripping across until he went head on into a Lorry coming from a by lane and was severely injured, and taken to a hospital as brought dead. My wife fell off the auto and rolled on the ground with minor injuries. I shot out like a bullet through the canvass roof top of auto, tearing through it between the supporting bars and fell along with the auto, with no injuries, but only a numbness and semi unconsciousness, from which I got over after a strong chai given by locals. This time I had no regrets in hoodwinking Yamaji for there was nothing for martyrdom in his episode.

The third occasion I missed fire is as Director Delhi Zoo was on 3rd. July 1986. A large cobra got into the Indian Lion enclosure and was being teased by the three half grown cubs, as though a new toy was provided to them to toss around. Seeing the grim situation of sure death for them, I put my hand inside the cage for the snake was easily accessible. It was not possible to kill it with a stick because of cross bars of cage, and it being at striking distance of cubs. I ceased it by the tail and pulled it out happy at saving my precious cubs from sure death and an adverse publicity for the zoo. The cobra was quick in its response to turn around and strike my hand for my interruption. I rushed to AIMS after tortiquing my hand above the bite. I reached hospital, and they did not have anti-venin so I had to go across to

Safdarjung hospital, for AIMS never had a method of procuring anti-venin from Safdarjung, nor sending me there, because of Yamarajas meticulous planning, who was bent on taking me to his 'lok' as per the task entrusted to him. I was asked not to sleep, so a pretty talkative nurse was asked to entertain me till the drug arrived. However I walked out of AIMS with a discharge certificate, and walked down to the gate, for my car had gone in search of drug from medical shops. The auto-wallah walked me across the busy road stating it would take longer to go by auto because of traffic. At Safdarjung they promptly put me on anti-venin, after a good three hours after the bite. While in the process I slide to coma without the pretty talkative nurse to keep me awake. Mr. Seshan, Forest Secretary could do nothing, but told my wife to pray along with him. Four hours later a body was brought out of ICU, which on enquiry by my wife was said to be due to snake bite. Again six hour later another body was brought out with same reason to make my wife believe I would be the next. The ICU nurse told my wife that nobody in bed No. 3 had died so far, and I was in it. Great relief to my wife, while poor Lord Yamaraj was getting impatient outside the ICU with me safely lodged on bed No. 3. Towards midnight I came to myself, to relief of doctors as a surprise and I asked for my daughter Swati. I fell off asleep again and got up at morning 8.00am to have my last laugh at poor old Yamaraj at his failure once again, but with regrets I can never become a martyr to be remembered annually with my name carved on the martyr's memorial now located in the Zoo, my favorite posting in my career.

Thus I went on in service like an unsung martyr posthumous. In 2011, the bullet lodged in 1972 became a cyst and needed to be removed lest it was cancerous. Here again Yamrajji sat beside me but the doctors successfully removed the cyst and sewed up my jaw with 32 stitches and consequent disfigurement. So I am watching my friend Yamrajji as to when he will plan successfully to have my company he so eagerly desires.

Revival of degraded forests in Andhra Pradesh- a new approach

By

S. D. Mukherji

The forestry situation in the newly formed State of Andhra Pradesh needs urgent attention. The forest covers only 15.20 per cent of the total geographical area of the State against the optimum requirement of 33 percent to maintain the environment and ecological balance. The most worrisome part is that out of the forest cover of 24357 km² the good forests, forest cover of more than 0.7 density, is only 366 km² or 1.58 per

cent of the total forest area. It means 98.42 percent of the forests are in degraded to much degraded condition. Moreover, substantial land is covered by scrub growth, crown density of less than 10 percent, that includes forestlands that are completely degraded due to excessive biotic pressure. A complete picture of the 'State of Forest' is given below.

District wise forest cover in the State of Andhra Pradesh as per 'Indian State of Forest Report 2013' released by Forest Survey of India, Ministry of Environment and forests, Government of India.

Area: in square kilometers.

District	Total geographical Area	Very dense forest +0.7	Moderately Dense Forest +0.4 to 0.7	Open Forest +0.1 to 0.4	Total forest cover	% of total area	Change with respect to 2011 assessment	Scrub
Anantpur	19130	0	143	543	686	3.59	0	718
Chittoor	15151	0	1251	1320	2571	16.97	0	1562
Cuddapah	15359	8	2449	1640	4097	26.67	-2	1145
East Godavari	10807	72	2513	962	3547	32.82	-2	167
Guntur	11391	0	219	645	864	7.58	0	310
Krishna	8727	0	83	230	313	3.59	0	213
Kurnool	17658	72	1488	549	2109	11.94	0	623
Nellore	13076	4	428	758	1190	9.10	-3	734
Prakasam	17626	198	1687	1416	3301	18.73	-6	1142
Srikakulam	5837	0	108	508	616	10.55	0	471
Vijayanagram	6539	0	145	604	749	11.45	2	342
Visakhapatnam	11161	0	2053	1386	3439	30.81	0	1064
West Godavari	7742	12	596	267	875	11.30	-11	24
Total	160204	366	13163	10828	24357	15.20	-26	8515

With the demand for land increasing for the establishment of the capital for the new state, plans for the smart cities, development of infrastructure like roads, railways, airports and ports along the sea there is bound to be increased demand on the forestlands. The first task, therefore, for the government would be to protect and develop the existing forest areas. The degraded forestlands should be protected from the biotic interference such as grazing, fires, cutting of trees for fuel wood, smuggling of wood, poaching, encroachment on forestlands and unscientific method of collection of non-timber forest products. The type of protection measures taken to save the Red Sanders forests of the state, where police is helping the forest personnel in the protection of forest and apprehending the smugglers, should be extended to all the forest areas of the state.

The enforcement of the existing forest laws alone would not be sufficient to tackle the problem of forest degradation. There is need to involve the local people, especially the tribal communities, living in and around the forest in the protection and development of the forests. **It must be appreciated that poverty is the biggest enemy of forest.** Unfortunately, the people living in remote forest regions are generally the poorest of the poor. The naxalites had taken advantage of the government failure to develop these remote villages and established their sway over the poor people on false promises. Lately, the people have realized that only a good democratic government can do justice to them and they came out in large numbers to vote for the political party on which they have put their faith. Government, therefore, must keep the faith of the people and do everything possible to give a better livelihood to the people living in remote forest areas. The long neglected villages must be developed to give a sustainable livelihood to the people. The experience in the

implementation of joint forest management (JFM) in the state of Andhra Pradesh stands witness to the fact that villages that had gained from the implementation of the World Bank forestry projects were leading in revival of the degraded forests. Unfortunately, there was no continuity of the programme and people were left high and dry with the closure of the project. Many of the thriving JFM committees were closed down. Some of the people indulged in the encroachment of the forestland that was once developed by them in the hope of survival.

The government, therefore, must ensure that all poverty alleviation programmes- including health, education, agriculture, communication, skill development, and employment – must reach the intended beneficiaries living in the forest fringe villages. Role of forest officers must include the responsibility to ensure the implementation of all government programmes in these villages through regular reviews and keeping the implementing agencies informed of the progress. Government must empower the forest officers to take up the reviews on regular basis and it must be included as an item to assess the annual performance of the forest officers. This is necessary as it is the forest officers who have to pass through these villages while attending to its forestry works. Forest officers also have to meet the villagers to involve them in forest protection and development under the JFM programme that can only ensure revival of the forests to its pristine glory. This will also enhance the value of Indian Forest Service that remains unattractive in absence of its involvement in providing better life to the forest dependent people. It will be a win- win situation for both the people and the forest service if they forest officers are involved in enhancing the livelihood of the forest dwellers while developing their forests.

IS N.D.A. GOVERNMENT ENVIRONMENT-FRIENDLY?

By

J. V. Sharma

Surest way of identifying a tiger is by its stripes. NDA assumed power at Centre in late May 2014 and there were no clear signals of their policy on environment except usual exhortations of paying requisite attention to it. The Nation had bitter experiences of UPA regime and hoped that NDA would provide some respite to the forests at least to show that they are different from UPA. Environmentalists who expected a better deal for forests with change of guard at Delhi are in, perhaps, for bigger disappointment. Those who knew the working of the political outfits had their own reservations about the NDA and were not prepared to accept their professed good intentions about forests on face value. In fact, in a paper presented at a Meeting of Forum for Good Governance on 21st June 2014, I said "The arrival of a new Government with a clear mandate is no solace to the people of India. The proof of pudding is in its eating." I never thought my doubts will be confirmed so early.

The Deccan Herald gave out very disturbing news on 13th October 2014 of the possibility of the Central Government revising the existing laws to facilitate diversion of large extents of forest areas for mining purposes.

According to the said news, "the National Democratic Alliance government is reviewing the process of identifying "inviolable" forest zones in order to free up more mines for production of coal, iron and manganese ore that are required to boost the economy. During the review - details of which have been kept under wraps - experts are looking at the recommendations made by a ministerial panel in 2012 while determining the criterion for marking a patch of forest land as an "inviolable" area where mining would never be permitted. Set up during the United Progressive Alliance regime, the previous panel, headed by former environment secretary T R Chatterjee used six parameters to determine an inviolable zone. These were: Forest type, biological richness, wildlife value, forest cover, landscape integrity and hydrological value. The infrastructure ministries were upset with the panel's suggestions but could not do much. After the change of guard in Delhi, the Coal Ministry asked Environment and Forest Minister Prakash Javadekar to have a re-look at those suggestions. The ministry asked the Dehradun-based Forest Survey of India to do the review and there are now unconfirmed reports suggesting that FSI has recommended prohibition of coal mining in 11 per cent of forest areas, leaving almost 90 per cent of forest areas, open to commercial exploitation. FSI is believed to have struck down two of those six criteria used by the Chatterjee panel. It clubbed biological richness with wildlife and hydrological values with forest type to find out more space for mining. Mining would not be permitted in national parks and wildlife sanctuaries. When asked, FSI Director-General Anmol Kumar, however, denied sending such a report to the ministry. "I have no idea from where this has cropped up. The FSI has not sent any such report to the ministry," Kumar said. As it has been now left to Javadekar to take a call, he has asked a high level panel to review Indian Forest Act, 1927, that defines the procedure to be followed for declaring an area to be a reserved forest, a protected forest or a village forest. This

high level panel, chaired by former cabinet secretary T S R Subramanian, was asked to review five green laws. The Indian Forest Act, 1927, was added later to the list. The panel will meet in Delhi for the next two days to hear individuals and institutions. India's total forest and tree cover increased marginally between 2011 and 2013 to cover 24.01 per cent of the total geographical area. This includes a marginal increase of 31 sq. km in very dense forest cover (more than 70 per cent forest cover), loss of 1991 sq. km of moderately dense forest and enhancement of 7,831 sq. km of open forest."

In this regard, I may humbly remind the readers that I anticipated more than 18 months ago that these initiatives prejudicial to forest conservation were imminent and discussed the issue in great detail in my article "Inviolate Forests-A ruse to usurp Forest Lands" published in March 2013 Issue of *VanaPremi*. I request the Editor, *VanaPremi* to re-print the same along with this article now, for its relevance and importance, given the threat the forests are exposed to and the emerging urgency.

This entire issue acquires importance because of the haste with which the Central Government wants to proceed with its agenda which, unfortunately in this case, is the likely diversion of vast chunks of forest lands for mining. It is for this reason; the appointment of Subramanian Committee needs to be seen with suspicion. The High Level Committee under chairmanship of Mr. T S R Subramanian was constituted on 29th August 2014 to review the five legislations of environment in force and suggest appropriate amendments to bring them in line with their objectives. The legislations are; i) Environment (Protection) Act, 1986, ii) Forest (Conservation) Act, 1980, iii) Wildlife (Protection) Act, 1972, iv) The Water (Prevention and Control of Pollution) Act, 1974 and v) The Air (Prevention and Control of Pollution) Act, 1981. The Terms of Reference are; i) To assess the status of implementation of the said Acts *vis-à-vis* objectives, ii) To examine and take into account various Court orders and judicial pronouncements relating to these Acts, iii) To recommend specific amendments in each of these Acts and iv) To draft proposed amendments in each of the said Acts. The Committee has been asked to submit its report within two months.

The Deccan Herald news now provides further information that Indian Forest Act, 1927 has also been added to the list. That a legislation which stood the test of time for almost nine decades is now being called for review, is of no mean significance and it forebodes paradigm shift of perception of forests in the overall framework of environmental security. Even the other legislations have been on statute for about three decades and any jurist will agree that if a change is needed, it should be to make the laws more stringent, given the inadequacy of law and its disastrous consequences in the recent past.

The HLC is given only two months, time to cover all the Terms of Reference. A critical study of six existing legislations and their implementation and detailed analysis *vis-a-vis* objectives, and charting out future road map and providing a blue print, covers the entire gamut of environmental law in India. The Govt. expects the HLC to cover the entire field in 60 days of which 30 days are allowed for receipt of Comments & Suggestions. It was further made clear that the responses from the public should not exceed 1000 characters in computer language which effectively means they should be restricted to half a page. It is anybody's guess whether the whole exercise was meant seriously. The little we hear about the on-going process is not encouraging either. There

are reports that those who attended the public consultation at Bangalore were disappointed and the Chairman left the venue midway.

The HLC comprises of four Members including the Chairman assisted by two Secretaries drawn each from MoEF and Gujarat Pollution Control Board. The Chairman is a former Cabinet Secretary, Govt. of India and the other Members are a former Secretary, MoEF, a former Judge of High Court and a Senior Advocate of Supreme Court. Absence of professionals from the field of environment, forest, wildlife, industry and technology is conspicuous. General understanding in India is that while the bureaucrats are adept at getting things done, the advocate accepts brief only from one party. Only the judge will be inclined to look at matters dispassionately and with equanimity. This apart, the task before the Committee is to review the laws made by the legislature. The purpose would perhaps have served better with experts in respective fields contributing to inputs.

There was reason for me to entertain fears for environment from BJP Government. It is not to say that BJP *per se* is anti-environment. What is very well known is their strong preference for high-end development with other sectors relegated to back seat. UPA had at least a legacy of being environment savvy until it lost its way in UPA-1 when the CPM happened to occupy the driving seat without however being an accountable partner. Having jettisoned the environment-friendly policy evolved by Ms. Indira Gandhi, her political as well as natural heir Ms. Sonia Gandhi as Chairperson of UPA and her nominee Prime Minister considered it no sin to go full throttle to the other extreme of damaging the forests and environment. Dr. Manmohan Singh gave it a respectable description of “compulsions of coalition”. Never in history had the forests suffered as much as they suffered in UPA rule. Forests have gone through a virtual nightmare. Some years ago, I wrote an article “Myths of Tree Felling” which highlighted a myth that whoever damages the forests will pay a heavy price and that it is the curse of trees. In hindsight, we have reason to believe that it was perhaps not a mere myth and it could even be a fact. Soniaji and her comrades are shamed in the recent elections as never before. A party that ruled the country for a decade could not muster even 50+ seats in 543-member Lok Sabha to qualify for a recognizable opposition. Wise people take lessons from history and this time round, it will be the turn of the ruling BJP to be cautious.

The new Government at Centre unveiled its broad policy parameters through President’s address to the joint sitting of both the Houses of Parliament on 9th June 2014. As for Environment & Forests it is said:

- Environment and forest clearances will be more predictable, transparent and time-bound.
- Sound appraisal processes to be introduced and strict compliance of clearance conditions, especially relating to rehabilitation of displaced communities and forest regeneration, will be ensured.
- It will closely work with the global community to meet climate change challenges.
- It will launch a National Mission on the Himalayas to conserve the Himalayan ecology; it will establish a Central Institute of Himalayan Studies.
- It will take steps to ensure a perennial, clean and pristine Ganga.

The message conveyed is, at best, a cautious optimum about unsure agenda rather than forthright presentation of a roadmap. That a clearer and definitive picture is made available on other sectors implies that the environment & forests is not even on par with others and is not in its priorities.

Suave and soft spoken Minister for Environment & Forests, who as spokesperson of the BJP till recently is well experienced in moderating inconvenient situations, said soon after becoming Minister that the Ministry would ensure transparency and expeditious Environment and Forest Clearances reducing the existing timelines. Revealing that he inherited thousands of pending files from the previous regime and an impression gained ground that the Ministry is an obstacle to development and substantial investments, internal and external, had gone back. He said the country suffered incalculable loss due to delays in according clearances. He promised to issue clearances within two months.

I think the Minister jumped the gun. He could have waited a little more to become familiar with the turf he is going to perform. One symptom of headache is not enough for the doctor to diagnose the disease. Headache can be for a thousand reasons. This is a similar case. Common complaint against the MoEF in UPA regime was that it was unduly solicitous to investors. It cleared 90% and 99% of the claims received in 2011-12 and 2012-13. The pace of clearances in the last year of tenure was simply fierce to put it mildly. Mr. Moily who was the last to stand guard at the Ministry had cleared 70 cases in 20 days! Forest Clearances during the 10-year tenure of UPA was more than double the area cleared in 24 years preceding their regime.

I also think that the Hon'ble Minister has not been briefed properly by his Ministry. The Supreme Court of India went into the issue of according Clearances under Forest Conservation Act and Environmental Protection Act by MoEF and ruled in their Orders dated 6th July 2011 and 6th January 2014 (T. N. Godavarman Thirumalpad Vs Union of India & Ors.) that the National Forest Policy, 1988 which lays down far-reaching principles must necessarily govern the grant of permissions under section 2 of the Forest (Conservation) Act, 1980 as the same provides the roadmap to ecological protection and improvement under the Environment (Protection) Act, 1986. The principles / guidelines mentioned in the National Forest Policy should be read as part of provisions of the Environment (Protection) Act, 1986 read together with Forest (Conservation) Act, 1980. The Apex Court clarified that this direction had to be given because there is no machinery even today established for implementation of the National Forest Policy read with the Forest (Conservation) Act. It is further said that section 3 of the Environment (Protection) Act confers a power coupled with duty and, thus, it is incumbent on the Central Government, to appoint an Appropriate Authority, preferably in the form of Regulator, at the State and Central level. The Supreme Court went further to say that the power to accord Clearances under these two legislations cannot be exercised by the MoEF because of conflict of interest. The Court said that procedures prescribed for Environmental Clearance in Environment Impact Assessment Notification, 2006 are deficient in many respects. The Apex Court directed the Central Government to create an institution of Environment Regulator independent of the MoEF. The Court was to be informed of the steps taken in that direction and further information is not forthcoming. Such a situation cannot permit the Minister to make promises which are no longer in his domain. Instead of initiating steps to comply with the directions of the Supreme Court, to set the house in order in

accordance with the provisions of Forest Policy, the Central Govt. appears intent to modify the existing laws to facilitate diversion of forest lands.

Coming to the Minister's statement that thousands of files are pending clearance in the Ministry, it could as well be true. There can be any number of claims for diversion of forest land but what matters is the genuineness of the claim and the justification there-for. India is a populous country and land is the most precious community. There is total change in the economic climate. The GDP which was Rs. 4,10,270 Crore in 1960-61 has since increased to Rs. 55,05,437 Crore by 2012-13. But there is a steady decline of the contribution of agriculture to the GDP over the years. Industry's share in GDP of the country which was 60.59% in 1961-62 has gone up to 88.35% by 2012-13 with agriculture reduced to 11.65%. There is strong tendency in favor of industrial development which in turn is linked to urbanization with more and more pressure on land.

In a different development, the Supreme Court of India, held on 25th August 2014, that 218 Coal Block allocations made since 1993 to 2011 suffer from the vice of arbitrariness and therefore illegal. It is not clear whether the constitution of HLC on 29th August 2014 is a fall out of the Apex Court order. It can however be said that the BJP govt. at the Centre got an opportunity to have a fresh look at the allocations. Though the possibility cannot be ruled out, it is premature to conclude that the Government desires its way to be cleared by the HLC. It is not yet clear as to how many of these blocks are in the forests. It is time for Government to probe whether Coal can be mined from areas outside forests without tapping the dwindling environmental asset. If the Government has any concern for environment, the least they can do is to ban opencast mining and encourage mining outside the forests if it cannot be totally avoided. Expenditure on import of fossil fuels and minerals, seemingly heavy to look at is worth paying for, compared to incalculable losses arising out of environmental degradation.

Development in Indian context is made to understand Industrial development. Land is the prime resource required for any development activity whether industry or mining. Thus, whenever we talk of development, a bogey is raised that the Forest and Environmental Clearances are the real impediments for development, though the fact is otherwise. Most of the Clearances sought were accorded in UPA regime as they were extra solicitous to industrial lobby and bent over backwards to please them. The cases pending must be very hard cases lacking justification. This apart, it is time the people ask; why should any industrialist expect the Govt. to provide the land? Industry is a commercial venture entirely run for profits. It is an investment for those who have money. He has to sow the money to reap the harvest of money. It is neither charity nor social service. We are yet to see an industry slicing prices in competitive market to pass on the benefit to the common man. Instead, we see some corporate hospitals enjoying sops in the form of land and other services at concessional rates, charging exorbitantly for Medicare they provide. It is always one-way traffic which is against public interest. The industrialists can afford to purchase the required land in open market. The Govt. does not realize its governance deficit when it passes on the public trust to few individuals; a blatant disservice to society.

Note: My article "Inviolate Forests- A Ruse to usurp Forest Lands" published in March 2013 issue of VanaPremi is reproduced below:

“INVIOULATE” FORESTS – A RUSE TO USURP FOREST LANDS?

By
J. V. Sharma

Against the general trend of news of sustained onslaught on forests in different ways, there appeared a news item in *The Hindu* dated 26th January 2013 that according to a report of the Committee to formulate Objective Parameters for Identification of Inviolable Forest Areas. The wild-life sanctuaries, tiger reserves, national parks as well as buffer zone of one kilometre around such protected areas, compact patches of very dense forests, the last remnant of a forest type and forests very near perennial rivers will all be automatically placed within the inviolable zone.

The news report informs that the said Committee is a high level panel formed by Ministry of Environment & Forests in the wake of the demise of the “no-go zone” approach, conceptualised by the former Environment Minister, Mr. Jairam Ramesh, which identified dense forest areas in nine major coal fields where forest clearances would be denied. The news story also reveals that a ministerial group headed by then Finance Minister Mr. Pranab Mukherjee vetoed the idea.

However, the news report says that the group of Ministers suggested in September 2011 that “identified pristine forest areas, where any mining activity would lead to irreversible damage, should be barred from any kind of non-forestry activity.” And consequently, Ms. Jayanthi Natarajan, the incumbent Minister for MoEF, formed a panel to formulate parameters to identify such “inviolable” forest areas. The panel sub-

mitted its report in July 2012 but the Ministry made the report public on 24.01.2013. The Panel suggested a formula of scoring of forest areas based on following six principles:

1. Forest Type,
2. Biological richness,
3. Wildlife Value,
4. Forest Cover,
5. Landscape Integrity,
and
6. Hydrological Value.

The procedure of identification of ‘inviolable’ forest areas suggested by the Panel is to divide the entire country into grids of one square kilometre each and scores assigned basing on the existing data. An average score of 70 out of a possible 100 will be declared inviolable. The suggestions include automatic exclusions mentioned earlier i.e. Wildlife sanctuaries etc. The implementation actually starts with preparation of geo-referenced maps of inviolable areas using this formula.

It is said that as far as the fate of mining blocks are concerned, a block would be “considered inviolable if the majority of grids falling within a block have been labelled as inviolable.”

The reporter (Priscilla Jebaraj) deserves compliments. She not only filed the news story with salient facts but also provided enough material in between the lines for inquisitive readers to explore the unstated avenues of the story. A

casual look at the caption or a cursory reading of the report may appear as a welcome development for any forest lover and lead him to believe that the Government had at last appreciated the need to conserve and protect forests and had also initiated concrete action in the direction. But a careful reading will see that there are more skeletons in cupboard which the Government conceals. What should be more agitating is the fact that it is doing all it can to destroy the forests with sugar-coated destructive strategies.

To start with it is difficult to digest the very concept of categorization of forests as “inviolable forests”. A final word has already been said by the Supreme Court as far as definition of forests. An occasion arose where the Apex Court had to remove misconception in certain quarters about the true scope of the Forest Conservation Act, 1980 and the meaning of the word “forest” used therein. The Supreme Court in its order dated 12.12.1996 held that the Act was enacted with a view to check further deforestation which ultimately results in ecological imbalances and therefore, the provisions made therein for forest conservation must apply to all types of forests irrespective of the nature of ownership or classification. The Court also held that:

- a. The word “forest” must be understood according to the dictionary meaning. It was also clarified that this description covers all the statutorily recognized forests whether designated as reserved, protected or otherwise for the purpose of Section 2 (l) of the Act.
- b. The term “forest land” as occurring in Section 2 will not only include “forest” as understood in the dictionary sense, but also

any area recorded as forest in the Government record irrespective of ownership.

- c. The provisions enacted in the Act, for the conservation of forests must apply clearly to all forests so understood irrespective of the ownership or classification thereof.

The Supreme Court, having thus extended the scope of the Act by including diverse categories as “forest”, directed each State Government to constitute an expert committee within a month to identify areas which are forests irrespective of whether they are so notified, recognized or classified under any law, and irrespective of the ownership of the land of such forest and to identify the areas which were earlier forests but stand degraded, denuded or cleared and also to identify areas covered by plantation trees belonging to the Government and those belonging to private parties. Needless to say that the Apex Court, with these directions, wanted all the forests, as defined by them, are properly inventoried to ensure that they are not tampered with in future on the pretext of ownership or classification or otherwise. However, State Governments or the Central Government have not adequately responded to these directions. Instead, instances galore where large chunks of land which would come within the definition of the Supreme Court, have been diverted for non-forest purposes.

The Supreme Court specifically directed that in accordance with Section 2 of the Forest Conservation act, “all on-going activity within any forest in any State throughout the country, without prior approval of the Central Government, must cease forthwith.” The felling of trees in all forests is to remain suspended except in ac-

cordance with working plans of the State Governments. This order of 12.12.1996 is of very great significance in that the Apex Court directed that it would operate and be implemented notwithstanding any order at variance, made or which may be made by any Government or any authority, tribunal or court, including the High Court. This order was further reiterated by another order dated 04.03.1997.

In the light of legal position enunciated by the Apex Court, there cannot be any ambiguity about what constitutes the forests. The definition is very clear. Notification, recognition or classification under any law or the ownership cannot take away any land from out of the ambit of definition of forests. What is of greater importance is the Supreme Court's assertion that their order dated 12.12.1996 will operate and be implemented notwithstanding any order at variance, made or which may be made by any Government, or any authority,.....including High Court (Repetition for context and emphasis). It otherwise means there is a virtual embargo against any action which is at variance with the orders of Supreme Court.

The latest proposal of the Central Government to identify the "involute forests", seen in the context of Supreme Court order dated 12.12.1996 and discussed in detail above, has to be treated as irregular.

Looking at the issue from a different angle, identification of "involute forests" necessarily means and even amounts to identification of forests which can be interfered with. I hesitate to use the phrase "forests which can be violated" as that would convey an extreme interpretation. But,

unfortunately, this is the crux of the problem whether we agree with it or not.

Going back into sequence of events that led to the proposal of identification of "involute forests", the issue has to be traced to its origin when a "no-go zone" approach was conceptualized by Mr. Jairam Ramesh for award of licenses for coal-mining. This idea of "no-go zone" was shot down by a Ministerial Group headed by the then Finance Minister Mr. Pranab Mukherjee who is now the President of India. It can be safely concluded that primarily the concept of 'no-go zone' was not acceptable to the Ministerial Group and more importantly, given the weight Mr. Mukherjee carried, the Government at Centre too held a different opinion to that of the then Minister, MoEF. Expressed in positive phraseology, the Government of India was not in favor of locking up any forest areas against coal-mining. And the natural consequence is to find ways to open the gates to facilitate mining in forest areas.

There is an old adage "Call it rabid before you kill a dog". It comes very handy in such circumstances. If only it is your wish to make a chunk of forest a sacrificial goat, classify it as "a forest which can be interfered with" – the opposite of involute in practical sense. But the Ministerial Group very cleverly suggested that "identified pristine forest areas, where any mining activity would lead to irreversible damage, should be barred from any kind of non-forestry activity." It is a cue for incumbent Minister for MoEF to proceed ahead to identify such "pristine forest areas". It otherwise means the Ministerial Group believes that mining would not lead to irreversible change in non-pristine forest ar-

areas or in other words these less gifted forests are immune to irreversible changes or to be more frank, are expendable.

The suggestion looks and also sounds benign on the face of it because it only calls for separation of grain from the chaff. Once the grain is separated, it can always be argued that chaff is valueless and therefore trifled with. But the chaff in this case is “forests which are not pristine” which are no different from the areas defined as forests by the Apex Court. The real motive behind identification of inviolate forests is in fact to identify the forests which can be tinkered with. The Government is obviously bidding for the mining lobby in the instant case and also concurrently preparing an inventory of the “not pristine forests” for diversion to various other non-forest purposes. As far as mining is concerned, the activity is essentially subterranean and the actual requirement is land and not the over ground vegetation. Land being the most precious commodity in a populous country like India, there are any number of activities which require land and it is always in great demand. It should be noted in this context that the emphasis in these days is to promote Public-Private Partnership (PPP) in almost every conceivable venture –thanks to the pet economic policy of (Hon’ble) Montek Singh-Manmohan Singh Combine. It appears that the PPP had rather become a fad and obsession than a policy to them. Most of the scams which surfaced in the recent past in the country are land related.

The suggestion to identify the “pristine forests” is a God-sent opportunity to the Hon’ble Minister for MoEF. Her zealous defense of forests in different fora notwithstanding, she appears to have definite bias for PPP and the private inves-

tors. In the case of an eco-tourism project in Andhra Pradesh, she had appointed a Committee under a retired forest officer to review the same after it was considered unacceptable by her predecessor in office and the project components were negated by the Forest Advisory Committee. Obviously she is batting for an objectionable project. It is necessary in this context to clarify that the Forest Conservation Act, 1980 and the Rules made there under are very clear in respect of the procedure to be adopted in matters of diversion of any forest land for non-forest use. Points relevant in this connection are:

- a) Section 2 (ii) of Forest (Conservation) Act, 1980 places restriction on the de-reservation of forests or use of forest land for non-forest purpose to the effect that no State Government or authority shall make, except with prior approval of the Central Government, any order directing that any forest land or any portion thereof may be used for non-forest purpose.
- b) Section 3 of the Act empowers the Central Government to constitute an Advisory Committee to advise the Government with regard to –(i) the grant of approval under Section 2; and (ii) any other matter connected with the conservation of forest which may be referred to it by the Central Government.
- c) Forest (Conservation) Rules, 2003 are made and promulgated under Section 4 (1) of the Act.
- d) Rule 5 (v) of the Rules stipulates that every question upon which the Central Government is required to be advised shall

be considered in the meeting of the Forest Advisory Committee. The word “shall” used in the rule is significant. It expressly means that every case of diversion of forest land for non-forest use has compulsorily to be referred to FAC and its considered opinion obtained.

- e) The Sub Rule (1) of Rule 7 of the Rules makes it more explicit saying that “The Central Government shall refer every proposal, complete in all respects, received by it under sub-rule (6) of Rule 6 including site inspection report, wherever required, to the Committee for its advice thereon.” Thus there is no ambiguity about the process to be gone through for Forest Clearance. Briefly said, the Central Government is bound by law to place every proposal for diversion of forest land before the Forest Advisory Committee for advice and do not have any power to appoint any other Committee or seek opinion. Constitution of a Committee other than the FAC and seeking advice on issues of diversion of forest land, as in the Andhra Pradesh example given above, is patently illegal. No Committee can enjoy legal sanction over and above the Committee constituted under statute.

Provisions of Forest Conservation Act are discussed in such detail here to focus on the fact that the issue of identification of “inviolable” forests arose in the context of “no-go zone” conceptualized by Mr. Jairam Ramesh. Issue central to whole episode is diversion of forest land for non-forest purpose (in this case –mining). It was an issue to be dealt under Forest Conservation Act and the Rules made there under. It was only

fair and proper it was dealt so. Leaving aside the course prescribed in statute, the government now seeks to invent a new course of action which is bound to raise eye brows. Given the Government’s track record, the environmentalists and forest lovers have reasons to look at the issue with suspicion.

The concerns of the environmentalists are not unfounded. The Panel formed by Ms. Jayanthi Natarajan, the incumbent Minister for MoEF, to formulate parameters to identify the “inviolable” forest areas submitted its report suggesting a formula of scoring of forest areas based on the six principles of Forest Type, Biological richness, Wildlife Value, Forest Cover, Landscape Integrity, and Hydrological Value.

It is necessary in this context to turn focus on to the state of forests in the country which will have a bearing on the proposed identification of “inviolable forests”. S/Sri Bhibhu Prasad Nayak, Priyanka Kohli, and Dr. J.V Sharma (Not this writer, please) have published a paper with very interesting and useful statistics in this regard. Factors contributing to degradation of forests are identified as; (i) Critical livelihood–forest linkage of a huge forest dependent population, (ii) Demand and supply gap of forest products, resulting in exploitation beyond its carrying capacity and (iii) Forest fires, over–grazing, illegal felling, and diversion of forest land. The Paper provides very valuable information to focus on the quantum and magnitude of pressure they exert on the forests and their quality.

- § There are 246.693 million households in the country (2011).
- § There are around 1.73 lakh villages located in and around forests.

- § Though there are no official census figures for the forest dependent population, different estimates put the figures from 275 million to 350-400 million. People living in forest fringe villages depend upon forest for a variety of goods and services.
- § India's total fodder consuming livestock population as per the 2007 Livestock Census is estimated to be 518.6 million. Of these 199.6 millions of livestock, depend, partially or fully on forest for fodder.
- § ICFRE estimates suggest that India's forests support 270 million cattle for grazing against its carrying capacity of 30 million.
- § Different estimates for area under shifting cultivation ranges from 5 million ha. to 11.6 million ha., involving 3 to 26 million people in 16 different States. The practice is more prominent in North-East States. This could be in addition to forest lands under encroachment.
- § The total annual consumption of wood in constructions and furniture –both in commercial and household sector – as well as agricultural implements, is estimated to be 48.0 million cubic meters in round wood. But the total production of timber is 45.95 m cum. Showing a gap of 2.05 m cum annually. Of the total production of 45.95 m cum, production from forests is estimated to be only 3.175 m cum. It is a huge gap which trees outside the forests cannot offset and the burden obviously is on the forests.
- § More than 853 million people depend upon firewood for cooking energy. The total volume of firewood use is estimated at 216.421 million tons per annum of which 68.747 m tonnes (27.14%) are sourced from forests. The balance requirement, barring the quantity available outside the forests has to be met unofficially from the forests only.
- § Country's total fodder consuming livestock population (2007) is 518.6 million of which 199.6 million of livestock depend, partially or fully, on forest for fodder.

The statistics given above are good enough to paint an alarming picture of the pressure the forests in India are subjected to. Added to this catalogue of woes is populism and governance deficit. Cumulative effect of all these factors on forests is to promote and accelerate degradation in quality and content of forests and reflected in tree cover. According to the information provided in the paper referred to, India's current forest and tree cover is estimated to be 78.29 million ha, constituting 23.81 per cent of the geographical area of the country. Forest cover alone amounts to 69.20 million ha, against the recorded forest area of 76.95 million ha. Of the total forest cover, 12.06 per cent is very dense forest (more than 70% crown density), 46.35 per cent is moderately dense forest (40% to 70% crown density), and the remaining 41.59 per cent is open forest (10% to 40% crown density). Tree cover outside forest areas is assessed to be 9.7 million ha, and is experiencing an increase over the last few assessments, indicating a rise in green cover in non-forest land in the country. However, forest degradation of natural forest due to several factors remains a major concern of forest management.

The forest degradation is quite evident from low level of growing stock in forest and declining trend of dense forest in the country. The growing stock per ha of forest area is estimated to be around 58.46 m³ per ha of forest area. This is far below the global average of 130.7 m³/ha and the south and Southeast Asian average of 98.6 m³/ha. More than 40 per cent of the forests in the country are degraded and under-stocked. The National Forest Commission report (2006) indicated that around 41 per cent of total forest in the country is already degraded, 70 per cent of the forests have no natural regeneration, and 55 per cent of the forests are prone to fires change has also been negative to the preceding assessment in that the moderately dense forest has declined by 936 sq. km from 2005 to 2007. India has traditionally been characterized as a low forest cover - low deforestation country exposed to significant human-induced deforestation and degradation in past few decades.

So, in the end analysis, there is every possibility of only 12.06% of the dense forests having more than 70% crown density being identified as "involute forests." Even these dense forests will be classified involute if only it scores 70 out of possible 100 points in the one square km grids. The six principles of Forest Type, Biological richness, Wildlife Value, Forest Cover, Landscape integrity and Hydrological value are inextricably linked to crown density, soil, geology, land & Forest Management, protection, topography, compactness and security of forests. The writing on the wall is more than 80% of the forests face imminent threat of being usurped for non-forest use.

It is thus evident that that there is immense pressure on the forests in India. It is also evident that

large population is not the only cause for degradation and reduction of forests. There are any numbers of reasons which can come for reckoning but most crucial are unfortunately man-made. Firstly, the Government is not honest in its duty under Article 48-A of Constitution. Its policies and practices are patently prejudicial to forests. Secondly, the citizens too are equally irresponsible for deterioration of forests and environment and they are guilty of being unfaithful to the Constitution in so far as Article 51-A (g) is concerned. And thirdly, the attending factors like lack of political will, erosion of ethical values, scant respect for law of the land, mindless populism, proliferation of anti-social elements and their nexus with political class and regulatory agencies to name the few. There remain only a handful number of environmentalists who do not count for anything but continue to cry in the wilderness like professional mourners. This trend has to reverse, but how? And when? All that glitters is not gold. Benign objectives and attractive terminology by the Government are often deceptive. I hope the Nation learnt the lessons the hard way. Forests in particular suffered immensely at the hands of the present Government. Even the Forest Rights Act, inarguably, the most harmful legislation for forests in the recent history, is shown in good light as if it is going change the fortunes of forests and tribes forever and their safety and security lies in the legislation. The Government's move to identify involute forests is nothing but a ruse to dilute the Forest Conservation Act which may ultimately lead to extinction of forests.

CAN WE PREVENT UNWARRANTED MARTYRDOM?

By

J. V. Sharma

Forest Martyrs' Day is observed by the Forest Department on 10th of November every year in Nehru Zoological Park, Hyderabad. It is an occasion to remember the sacrifices made by foresters in the line of their duty. It is the duty of this and coming generations to pay homage to those heroes and express gratitude for their supreme sacrifice made to save the environmental assets. We are indebted to them and there is no second opinion in this regard.

But I always felt that the occasion conjures up painful thoughts and memories to an extent that it is better that they are better forgotten. And these thoughts make us ponder whether such horrific incidents could ever be avoided. Whenever I wrote on this subject I requested for serious quest into causes to find credible solutions. But, it has always been the case that we become very vocal in the heat of the sad incident and make big noises only to forget soon after.

Many of the incidents of martyrdom are on account of murderous attacks on the forester who digs in his heels to protect the forests and wildlife. Every person knows that killing a person is a very serious crime with equally grave consequences. The attacker cannot muster courage to commit the heinous crime unless he is either confident of escaping the punishment or desperate to a point that he had to kill. Forest law is not so stringent as to drive an offender to commit a murder. Thus, the mindset of any offender in such cases is his confidence that he can get away with it. This is a serious situation which should never be seen in a society wedded to Rule of Law.

Martyrdom while defending the honor and se-

curity of the country is understandable. To become a martyr in the hands of a fellow citizen while discharging a legitimate duty is a travesty of established principles of civilization. That it is happening quite too often is shameful and unacceptable. Such martyrdom is totally unwarranted and avoidable.

We have known a number of instances where the political class, particularly those in power, misbehaving with the public servants and even assaulting them. We did not however hear that the so called long arm of law ever reaching these ruffians in respectable positions. These incidents, seemingly insignificant, are the nucleus for lawlessness. Those who perpetrate such unacceptable deeds breed a tendency of aggression, violence and lawlessness. The public servant is virtually helpless in such occasions. What the political leaders unwittingly encourage for petty political reasons graduates into a tragedies which cannot be reversed.

So, the root cause for offences of such extreme nature is essentially governance deficit. Like charity begins at home, the State should muster necessary political will to stand up to the challenges of good governance and reign in the political class at all levels and force them to desist from resorting to vindictive action against duty-minded public servants. First step in this direction would be to insulate the public servants from any kind of pressure from any source and allow them to do their assigned job without fear or favour. Once this culture sets in, the people prone to opt for violent methods to further their interests will not have the courage to break the law.

MARTYRDOM OF GANGAIAH

(A Horrendous Story)

By
K. B.R. Reddy

Mob Attack and End of Ranger's Life: It occurred on the night between 14th and 15th September 2013. Range officer Gangiah set out in a jeep from his Hqrs. Indalwai, under Kamareddy Forest division in Nizamabad district of Telangana state, along with forest staff, on information that some miscreants are trying to encroach forest land in Nallavelli Extension Forest Block – a proposed reserved forest. He was ignorant of the fact that he was being shadowed by a group of assailants from Indalwai.

On the way, not far from the destination (the scene of offence in forest), the vehicle in which, he and the party were travelling got stuck in mud. The assailants finding this as an opportune moment approached the stranded vehicle and sprinkled chilli powder in the eyes of the R.O. and others accompanying him. Not satisfied with that, they brutally attacked the Range Officer and his staff with axes, boulders, and sickles. Gangaiah was their sole target as he was zealously trying to prevent the encroachment.

He succumbed to the injuries inflicted on him. The other members of the party, seven in number, escaped with injuries and yet they had to be given medical attention in hospital. The party in addition to the Range Officer consisted of seven members; forest beat officers, forest watchers and driver.

Tribute to the late Gangiah: Earlier, VanaPremi Editor Sri Qamar Mohd. Khans paid, rich tribute in the following words, vide VanaPremi of November 2013 (V. 14, No. 11):

“It is really unfortunate that a duty minded, sincere, efficient and an honest officer was brutally murdered when he was discharging his legitimate duty. This act of brutality needs to be severely condemned. In fact the forest staff should be protected like army personnel as their duty starts from a point where the civilization ends.”

The editor has also made some good suggestions which deserve to be considered by the authorities concerned. The India Forest Service Officers Association also expressed sorrow and conveyed sympathy and condolences to the bereaved family. The Association also made valuable suggestion to the Government which is worth of consideration

Action by Police: On complaint to Police made by Sri Mohd. Maqbool, Forest Beat Officer of Gowraram, to the Station House Officer of Darpally Police Station, criminal cases under the Indian Penal Code, 1860, were registered for the following offences against the villagers of Nallavelli village including K.K. Tanda:

Rioting (Sec.147); Rioting with deadly weapon (Sec. 148); Murder (Sec. 302); Attempt to mur-

der (Sec. 307); Voluntarily causing hurt to deter public servant from his duty (Sec. 332; Assault or use of criminal force to deter a public servant from discharge of duty (Sec. 353); and Criminal conspiracy to commit an offence (Sec. 120-B).

Besides the above, cases were registered for offences punishable under—

Sec., 15 of Unlawful Activities (Prevention) Act, 2008; Sec. 4 & 5 of A.P. Land Grabbing (Prevention) Act, 1952; and Sec. 3 (1) & (2) of S.C. / S.T. (Prevention of Atrocities) Act, 1989.

The culprits were identified as Vaddera Bhaskar and others. They are all said to be sympathizers and followers of C.P.I. (ML) and were instigated and encouraged to encroach on forest lands. This piece of forest land was under constant threat of unlawful occupation by the people. Forest offences were being detected and reported intermittently since 2011.

On 14.9.2013, the accused made desperate attempt to occupy the forest land by engaging tractors & tillers from Karimnagar district. It was a mob attack on unarmed forest officials by as many as 50 – 60 men and women.

A doubt may be expressed as to why police help was not sought. Range Officer Gangaiah did ask for police assistance from the Sub-Inspector, Darpally. But Gangaiah was told that the Sub-Inspector was at Hyderabad on *bandobasth* duty during *Ganesh nimajjanam*. When Gangaiah approached the Inspector, Dichpally he expressed his helplessness as he did not have sufficient force.

After the ghastly incident and on complaint by the Beat Officer, the Police arrested some 30 or

33 accused persons and seized property involved in the case, namely four tractors, auto rickshaws, cycles, etc. The alleged offences undoubtedly are grave. It is up to the Police department to complete investigation and prosecute the accused. The law takes its own course; the department must however pursue the matter with diligence. The case is triable by the Sessions Judge of the district after the committal proceedings are completed by the Magistrate concerned.

About F.R.O. Gangaiah; Relief & Succor to the Bereaved Family:

Rodda Gangaiah was a young, upright and promising officer known for his dedication, integrity and commitment. He was 44 when he was hacked to death. He was born in a poor Dalit family. He rose from ranks by dint of hard work and sincerity. He is survived by wife, Smt. Hemalatha, (working as a teacher) and two sons aged 11 and 8.

Soon after the death of Gangaiah, a sum of Rs. 1.10 lakh was sanctioned by the D.F.O., Kamareddy and paid to the widow. The Government sanctioned, though belatedly, ex-gratia amount of Rs. 12.00 lakh on 26.3.2014, with order to pay the widow, an amount equal to the last drawn salary every month until his superannuation if he had survived. It is gratifying to note that the department is keenly following it up to give all the benefits that are due to the deceased.

Illegal Assignments and need to bring Harmony:

In the instant case there appears to be grant of *patta* by Revenue department and the accused claim ownership of the land of an extent of 20 ha., under the garb of the grant of

patta. It would be in the fitness of things to resolve the dispute by mutual consultation between the Forest and Revenue departments, as otherwise protection of the piece of land will be always in peril.

It is understood that the M.R.O, Darpally made an irresponsible statement to the press saying that the land in question is not a forest land and that the *pattas* were validly granted. Action should be taken for cancellation of illegal *pattas*, if they are assigned after the forest notification in the Government Gazette.

For illegal grant of *patta*, forest officers must resort to legal action exercising their powers under the Forest Conservation Act if the *pattas* are not cancelled. There is a legislative mandate that no *patta* shall be granted after the preliminary notification is issued under Sec. 4 of the Forest Act. The D.F.O, Kamareddy addressed the Collector of the district time and again to update the Prohibitory Order Book in the Mandal offices. There is no response to the request of the D.F.O. It is almost like **AranyaRodhan** or a cry in wilderness. There is need to harmonize the administration between the Forest and Revenue departments, if peace and tranquility is desired in the forest.

Forest Conservation Act: The Supreme Court has declared unequivocally for the purpose of forest conservation that lands notified under section 4 of the Forest Act are 'FOREST' and they cannot be used for non-forest purpose without the prior approval of the Government of India. The authorities who granted *patta* are liable for

penal action under the Forest Conservation Act without consulting the Forest department. Forest Officers must wake up and exercise their powers to prosecute the erring officers of the Government.

Forest protection – a hazardous duty: Forest protection and forest management have become hazardous task. Protection staff in the front-line at the cutting edge of the administration is in danger of criminal assault and in the course of discharging their duty in riotous conditions, they are getting killed. I must add as a tail-piece to Gangaiah's tragedy, the gruesome death of two forest employees of Chittoor district of Andhra Pradesh.

A vast forest land with valuable trees of red sanders covering an area of 85,000 sq.kms., of Seshachalam has to be protected by the Forest Department against organized gangs, some local and some others infiltrators from Tamil Nadu. The killing of Dy. R.O. Sridhar and A.B.O. David Kumar Karunakar is fresh in our mind. F.R.O. Chandrasekhar Raju narrowly escaped from the throes of death.

To remedy the situation some drastic and deterrent action is necessary to change the mindset of the people and increase the awareness among them for forest conservation and protection of environment. Let us hope that woes and voices of the forest personnel in the civil society will not go unheard and uncared.

Swadharme Nidhanam Shreyaha!

MAN KILLED FOR FIGHTING TIMBER SMUGGLING

By
FAHEEM ASLAM

There is a gruesome crime that a village in this central Kashmir district has just experienced, rendering the villagers shocked. It is the killing of Sanaullah Zargar, whose mission to protect the Valley's green gold ended up in his killing.

According to the villagers of Basant Woddar in Khansahib constituency, Zargar fell to the "ruthless beating by timber smuggling mafia and some officials of the Forest Department" in the Arizal area of Budgam on June 21, 2011—an angle which the police is "mainly investigating."

"He had made it a mission to protect the forests in Budgam. He would vehemently oppose timber smuggling and resist any such malpractice," says Nazir Ahmad (name changed), a resident of Basant Woddar. "He used to report instances of timber smuggling to the officers in the Forest Department. This was not liked by the timber smuggling mafia in the district, which has been on rampage to loot the green gold."

For over a year, Sanaullah Zargar alias Sona Zargar was working in Sukhnag Forest Range in Arizal. "By dint of his conviction, he curbed timber smuggling in the area to a great extent. He had volunteered for the mission of protecting the environment," Ahmad, who is a relative of Zargar,

says. "This conviction led to his association with the Forest Department as a contingency worker."

The Arizal residents mince no words in blaming the timber mafia for Zargar's killing. "There were marks of injury on his head. He was apparently beaten to pulp with some blunt object," said a group of residents, insisting not to be named. "Nobody is investigating the real story. You just cannot rule out the involvement of some Forest Department officials in the killing who happen to be working in league with the timber mafia. The case is being deliberately down played to shield the culprits."

Zargar's body was recovered from a Water Mill (Chakki) near Nallah Sukhnag. He is survived by his 28-year-old wife, Saleema, and four children aged seven, five, four and two. "So far people in Kashmir would die of conflict and road accidents. But now it seems greed is making us kill each other," the residents said. "Such gruesome crimes would never happen in Kashmir in the past. And it is time for police to investigate the case sincerely and seriously to bring the real culprits to book," a local resident said.

Locals say some senior politicians in the district are “directly involved” in timber smuggling. “They (politicians) are encouraging timber smuggling in forest areas of Budgam. With the result, everyone seems to be helpless. Some-time back the Forest Minister intervened to end the malpractice, but he too gave up afterwards,” said Ghulam Qadir, a resident of Budgam. “The Government must take the issue seriously and ensure that the law enforcement agencies and officials do their job sincerely rather than succumbing to the pressure from politicians.”

“We are mainly investigating the timber mafia angle of the killing,” said the Superintendent of Police, Budgam, Uttam Chand. “Once the investigation is complete, we will share the details with you,” he told Greater Kashmir.

The Station House Officer of Khansahib Police Station, Asif Iqbal, said: “We have ascertained that timber smugglers are involved in Zargar’s killing. We have identified the accused and are likely to make the arrests in a few days.”

Iqbal said police is investigating all angles of the case. “It is just 5th day of investigation. We are examining all the angles, including the alleged involvement of Forest Department officials. But for now, we are certain that timber smugglers are involved in the case,” he said.

Zargar’s killing has triggered a debate on the social networking site, Facebook, where the SHO says they have cracked the case. “We have cracked the case and soon you will know everything about it. But this is not the right medium to discuss it, Yes he was a forest lover and this proved fatal for him,” the SHO writes in response to a post.

In another post, he says, “FIR stands lodged and culprits have been identified. Yes some have been arrested and others will be arrested soon. It is the job of court to punish the culprits.” Police sources in the district said the cops were gathering evidence against the accused timber smugglers to make the case fool-proof.

Courtesy: Greater Kashmir dated July 1, 2011
K.B.R.

***They may torture my body, break my bones,
even kill me.***

***Then they will have my dead body,
but not my obedience.***

- Mahatma Gandhi

“HUDHUD” – a real nightmare

By

V. Santhaseelababu

During the first week of October, there was a newscast in the TVs and in Newspapers about the possibility of a cyclone hitting the southern peninsula between North coastal Andhra Pradesh and Odisha. The news was taken by me casually as it was quite common to see such news items during the months from July to December. Somewhere around 8th October or so, it was announced that the Cyclone is named this time as “HUDHUD”. The name itself sounded unique and interesting. So I browsed the internet and gathered the following information.

“The practice of naming storms (tropical cyclones) began years ago in order to help in quick identification of storms because names are presumed to be far easier to be remembered than the numbers and technical terms. A name helps people and the media to identify each cyclone and become more aware of its implications. It also does not confuse people if there is more than one tropical cyclone brewing in the region. These cyclones often prove to be deadly and their names resonate for a very long time. In the beginning, storms were named arbitrarily but from mid-1900s the practice of using feminine names for storms was initiated. In the pursuit of a more organized and efficient naming system, meteorologists later decided to identify storms using names from a list arranged alphabetically. Thus, a storm with a name which begins with A, like Anne, would be the first storm to occur in the year. Before the end of 1900s, forecasters started using male names for those forming in the Southern Hemisphere. Since 1953, Atlantic tropical storms were being named from lists originated by the National Hurricane Center.

They are now maintained and updated by an international committee of the World Meteorological Organization. Hurricanes and tropical cyclones in the Atlantic have had their own names since 1953, a convention begun by Miami’s National Hurricane Centre and maintained and updated by the World Meteorological Organization (WMO), a Geneva-based agency of the United Nations”.

“But naming came to South Asia and the Middle East only recently. It was just too controversial to do the same around the North Indian Ocean. For years cyclones that originated in the north Indian Ocean were anonymous affairs. One of the reasons was that in an ethnically diverse region we needed to be very careful and neutral in picking up the names so that it did not hurt the sentiments of people. But finally in 2004 they clubbed together and agreed on their favorite names. That was when an international panel on tropical cyclones led by the World Meteorological Organization sat down and decided to name their cyclones as a committee in the spirit of co-operation and consensus.”

“Eight countries - India, Pakistan, Bangladesh, Maldives, Myanmar, Oman, Sri Lanka and Thailand - took part. They came up with a list of 64 names - eight names from each country - for upcoming cyclones”.

“The list goes alphabetically, according to each country. The last cyclone in the region was “Nanauk” in June, a name contributed by Myanmar. Names can be suggested by the general public in the member country or by

the government. India, for example, welcomes suggestions on the condition that the name must be “short and readily understood when broadcast, not culturally sensitive and not convey some unintended and potentially inflammatory meaning.” “A storm causes so much death and destruction that its name is considered for retirement and hence is not used repeatedly,” a statement by India’s weather office says. Last year, **Phailin**, the name for a massive cyclone which battered India’s south-eastern coast and led to the evacuation of more than 500,000 people, was provided by Thailand. Some of the Indian names in the queue are the more prosaic Megh (Cloud), Sagar (Ocean) and Vayu (Wind). ”

“So this time, following the alphabetical order, it is Oman’s turn. Oman has suggested the name **“HUDHUD”**. The ‘HUDHUD’, or hoopoe bird, is an exotic creature noticed for its distinctive crown of feathers and is widespread in Europe, Asia and North Africa. Next time a cyclone hits the region, it’s Pakistan’s turn to give it a name and it will be called Nilofar. Last time Pakistan named a cyclone as ‘Nilam’ in November 2012. The names will not dry up anytime soon. ‘HUDHUD’ is possibly the 34th name of the list, which means there are 30 more in the queue. The panel of cyclone experts meets every year, and they will be replenishing the list whenever the need arises. It’s not that the list of 64 names has been without controversy. Cyclone Mahasen, which hit in 2013 was named by Sri Lanka, was changed to “Viyaru” after protests by nationalists and officials in Sri Lanka. They said “Mahasen” was a king who had brought peace and prosperity to the island, and it was wrong to name a calamity after him. Nevertheless, it is important to name cyclones, say experts.”

“The cyclone that is heading towards the Andhra Pradesh and Odisha coast along the Bay of Bengal

is named “HUDHUD”. The cyclone ‘HUDHUD’ is expected to intensify in the next few hours, bringing heavy rain and gusting winds of about 100-110 km/hour as it inches closer to the coast of Andhra Pradesh and Odisha. So, what does ‘HUDHUD’ mean? The storm has been named after the national bird of Israel as suggested by Oman. ‘HUDHUD’ is a colorful bird found across Afro-Eurasia. The name ‘HUDHUD’ in Arabic refers to the Hoopoe bird.”

After I have gone through the above information, I have planned upon the precautions to be taken for facing the eventuality of cyclone hitting our area. My wife and I proceeded to the vegetable market in the early morning of 10th October and purchased the vegetables that will suffice for our family for about a week. In the evening we went to the Supermarket and purchased the required provisions sufficient for a month. Drinking water cans and sufficient quantities of Tetra pack milk pouches were also brought and stocked. As I am the President of our Apartment Owners’ welfare Association, I have arranged for keeping sufficient stock of Diesel to run the generator in case of power failure. The Television Channels have been telecasting that the cyclone is going to cross near Visakhapatnam only and the speed of winds at the time of its land fall would be around 150 to 200 kms. per hour. However in heart of hearts we were feeling that there may be least possibility of a direct hit of cyclone towards Visakhapatnam and Vizianagaram as in majority of the previous incidents when the warnings were issued about crossing of cyclone in these areas, either the cyclone took a different course of movement and hit either Odisha coast and adjoining Srikakulam District (as it happened when the cyclone “Phailin” during the same time in the last year) or they took a different route towards West Bengal and Myanmar.

On 10th October the climate was quite normal and on 11th the sky was a little bit cloudy and light drizzling was there for some time. We retired to bed normally by about 10 pm. Around 2.00 am on 12th October I woke up and observed through my bedroom window that it was raining outside and there was no electricity. By observing the rain I fell asleep and by 4.00 am the wind started blowing heavily and all of us got up from our beds and started shutting down all the windows. We attended to our morning routine and were observing the rainfall and the blowing of winds outside from the glass panes of windows and the balcony.

Sri Qamar Mohammed Khan, the Editor of VanaPremi who happens to be my batch mate was kind enough to give me a ring and enquire me about our welfare in the morning itself and I told him that it was a normal cyclone. But it was around 8 a.m. the winds started gusting with high velocity and a peculiar sound was being produced while blowing. We were sitting in the balcony and were observing the rain and blowing of winds through the glass panes fixed to the balcony. It was about 10 a.m. the nature started to be unkind towards its own creation and began to show its fury. The wind direction was from the north-east and from the window of the "*puja*" room, through the gap between the window shutters and its frame; the rain water started gushing inside and was spreading in to the hall and dining place. We took out bed sheets and started spreading them on the water. Also from the windows of the kitchen the same phenomenon started occurring. By about 12 noon, the wind velocity must have been between 150 to 200 kms and it started uprooting the trees all around. The windows and the glass panes were vibrating and water started entering the flat with a heavy pressure from the

crevices of windows, ventilators and the doors. In spite of all this, my wife cooked some food amidst the flowing water in the kitchen.

Things became worst when the Apartment building started wobbling now and then due to the ferocious velocity of the winds. Sri Q.M. Khan and my other batch mate Sri K. Muralidhar Rao from Mancheri and Sri P. Subrahmanyam our senior Retd. DFO from Tirupati also have phoned up and enquired about our welfare. I told them about the terrific situation and in turn with an intention to boost up my morale, they advised me not to get panicky and everything will be alright. My flat is located in the 5th floor of the building and all of us lost hopes on our survival. My wife out of agony packed the food cooked by her and some clothes and important and valuable things and wanted all of us to leave the building forthwith and go to some relative's house located nearby which is an independent portion. But when we came in to the cellar of the building with the other residents of the flat, it was highly impossible for anybody to stand there as the winds were sweeping away everything. The velocity of the wind was such that the cars parked south-north have been moved and taken the direction of east-west and those parked east-west have moved away from their original parking places. All the two wheelers have fallen down on the floor of the cellar. Under these circumstances I told my wife that it is impossible to move out of the building and it is safer to remain here only and come what may we decided to face the circumstances. The situation in some of the other flats in our apartment was still pathetic. Their window glass panes have broken due to the heavy wind velocity and the entire rain water was flooding in to their flats and there was about 6" to 1 foot deep water in their flats.

Then all of us sat in a flat located in 4th floor and were pondering over the situation waiting for the Nature to cool down its wrath. As there was no power and no TV programmes, Sri Q.M. Khan Sri. P.Subrahmanyam and My brother-in-law from Sullurpet SriMurali Krishna, and my younger brother from Anantapur SriSreepathyBabu and other relatives and friends were posting us frequently, from time to time, with the updates on the direction and movement of the cyclone and other details whenever they were able to connect to us on mobiles. Fortunately I had a 'Power Bank' of 14000 mAh, with which I can charge my mobile of 1650 mAh battery for about 8 times. Though the power was not there, this came to our rescue in keeping in touch with outside world. Of course our mobiles were being connected after a series of trials due to the bad weather.

By 4 p.m. or so, the direction of the winds took an opposite turn and started gusting from south-eastern side. Now it was the turn of our bedroom windows to spray the rain water in to the flat. Here also we repeated the process of spreading the bed sheets on the floor and squeezing the water from the bed sheets in to buckets. The situation did not improve even by evening and it became dark and there was terrific echoing of the winds blowing with high speed. We were continuing with the operation of squeezing the rain water out of the bed sheets in to the buckets and disposing the same in the bath rooms.

We were in touch with the friends and relatives whenever the Mobile phones were connected and it was about 6 p.m. we were informed that the blowing of winds may subside after 6 to 8 hours and rain will continue. We retired to bed, but without sleep, hearing the roaring sounds of the blowing winds and unable to guess our future. The velocity of winds started reducing

from 11 p.m. onwards and finally around 3 a.m. or so gradually the gusting winds started subsiding and slowly we went in to sleep. By 6 a.m, when we woke up, the climate was so normal that it was unbelievable to realize that there has been such a havoc caused by the cyclone yesterday, but for the uprooted trees and electric poles which were synchronizing with the warriors lying in the battle field after a war.

Since there was no power, the inverters were utilized for lighting and finally they also became defunct as the batteries got discharged completely and were dead. However it was a plus point that the Apartment was provided with a Generator and was connected to the Lift, Common areas of the Apartment for lighting and the Motor for pumping the water from the Bore well. As sufficient quantity of diesel was stocked beforehand, there was no problem in pumping the water to the overhead Tank so that all the flats had sufficient water supply. From the power point provided for the bulbs in the corridor, we took out a plug connection and were charging our Mobile phones during the period when the Generator was running for pumping the water in to the overhead Tank. All the Tenants of the apartment tried and arranged for a Battery charger which was run with the Generator and got all the batteries of the Inverters charged for about 6 hours by burning Diesel worth Rs. 1000/- , but the batteries functioned for just an hour with the usage of one CFL bulb and one Fan. We are still spending our life in candle lights and torch lights during the nights since last Sunday (12-10-2014). Today when I am writing this article it is 18th October and since 7 days we are without electricity. Today morning Power was restored by 7.00 a.m. and was again cut off by 8-30.a.m. itself. We are not sure when it will be restored completely.

Yesterday, when I went to Visakhapatnam I could notice the vast devastation caused by the cyclone “HUDHUD” wherein the entire tree growth in such a “Green City” has been reduced to shambles and it took the shape of a “Brown City” with exposed top broken and up rooted trees. Even the power was not restored in the major part of the city and we find twisted electric poles and shapeless, curled hoardings. The landscape of Kailasagiri, the prestigious tourist spot of Visakhapatnam was initially developed by me as D.F.O, Visakhapatnam Urban Development Authority during the years 1992 to 1995 and so many trees were got planted by me. It is now presenting a ghastly look with entire Kailasgiri looking like a battle field with fallen warriors of trees. This is the place where the killer cyclone has crossed the coast. The Avenue plantations throughout the city are completely damaged either by uprooting of trees or by broken branches. I could not find greenery anywhere in the city. While passing through the Indira Gandhi Zoological Park I noticed that the compound wall and the entry gate of the Zoo were damaged. The heavy toll due to the effect of cyclone was on the plant life and majority of the trees planted in Vizag city either by VUDA or Municipal Corporation have been smashed.

In my observation during my journey from Vizianagaram to Vizag and back I found that the majority of the trees were either up rooted or the tops was broken and damaged. The crowns of Coconut trees were damaged and their branches were drooping. But the Palmyra trees (*Borassus flabellifer*) have withstood the rage of the cyclone and were standing as the victorious soldiers who fought the war with the cyclone “HUD-HUD”.

Prior to the cyclone every day in the early morning I used to sit in the balcony adjoining my bedroom reading the newspaper and sipping my coffee. At that time the birds like Parrots, Mynahs and Sparrows were coming there and were chirping and making noise playing among them. I was observing the Common Crows and Eagles flying in the sky in pursuit of their daily routine before me. But from the next day of the cyclone all these poor creatures were not to be seen around me and I am feeling their absence very conspicuously.

Here I would like to point out that when I first came to Vizag during 1992 there were thick shelterbelt plantations around Vizag city and all along the costal belt. Subsequently all those plantations have been felled and the entire area is exposed. If those plantations would have been there, they would have minimized the damage caused by the cyclone.

I have been in the coastal area right from the past 22 years and never had I come across such a cyclone. This is the first time that I experienced the wrath of the cyclone which was horrendous. Whenever there are warnings of Natural calamities, one should never take them light or easy. That is the lesson learnt with the cyclone ‘HUDHUD’. Man can claim of conquering Moon and Mars but he is an atom before the Nature. Once the Nature rebels, the human being is worse than an Ant before it. Now it is the primary responsibility of all concerned and especially the Forest Department to see that all the ‘HUDHUD’ affected areas are re-clothed with vegetation and the greenery is brought back with a high degree of devotion and dedication.



H. Basavanni ForestGuard

TRIBUTE TO A MARTYR

By

B. M. T. Rajeev

I wish to remember and pay tribute to martyr H.Basavanni, Forest Guard who was working under

me in Sorab Range of Shimoga District in Shikaripur Taluk in Sagar Division (Place of famous Jog Falls) during 1981-84. He was with village background and not a shrude or intelligent or talkative person but he had all other qualities of a field staff with interest in, commitment and dedication to duty. He was in charge of a very major beat of open forests with plenty of sandal wood (SW) trees (Santalum album)- Basavanandihalli RF from where, the wealth of SW trees were said to be smuggled in 1970s by leaving dead stumps for extraction in 1980s. There was profuse regeneration of SW trees without any heart wood. This area had high potential for afforestation and not tackled due to presence of SW trees.

The new scheme of MNP (Minimum Needs Programme) came for implementation in Sagar Division in 1981 in the fag end of the monsoon and I took it for implementation in Basavanandihalli beat in a big way. I could recognise H Basavanni's talents when I saw him in the field with labourers- supervising the trenching and other planting works in the field with shabby clothes from morning till evening. He used to love beetle leaves/ areca with tobacco after food. He managed to get the manual

work of 75 ha planting in August and September in the open track of Gomal at Malavalli village in the border area of the Shimoga district adjoining the plains of Dharwar. The plantation came up well and he and Section Forester got recognition for this good work. They continued to do this type of good work with extraction of SW stumps till I got promotion as ACF and left to Mysore FMS in 1984.

I came back to Sagar Division in 1987 as ACF. The situation in Shikaripur taluk- the home of famous SW trees was different. I was shocked to see the loot of SW trees all over the taluk including Chandrakala RF where I had seen SW trees of size up to 90 cms at DBH in plenty, was looted by the adjoining villagers, employed by the SW smugglers stationed at Chickjembur. I met FMS- RFO who was a Forester under me in Sorab, to Chandrakala RF on my first trip immediately after joining as ACF. I was made to witness the mass involvement of villagers in smuggling of SW trees even in day time from a hill top. They were scattered in forest area and we were 6 and we tried to round up and catch some of them by hiding by the side of a track while they were returning with head loads of SW, but all managed to run away by throwing away the bundles of SW collected even on staff.

Then, I took up against this trend of SW smuggling with the DCF with a detailed report and managed to raid the Chickajembur in July,

1987 and seized about 7000 kgs of dressed SW stored in the houses. The Forester and FG were suspended. I managed to convince and get Sri H. Basavanni posted to Chickkajembur Beat to stop the SW smuggling. By then the KFD planned to create more number of ACFs to meet the demand of RFOs stagnating without promotions for more than 15 years and created number of Sub-Divisions and Shikaripur became a HQs for second ACF and Sri H. Basavanni FG went out of my jurisdiction. But, I managed to get the defunct gate at Basavanandhihalli across a main road upgraded and additional staff posted and a mini-squad headed by an RFO created in Shikaripur and stationed at Shikaripur before, I relinquished the responsibility of Shikaripur by August 1987 with my experience gained in antipoaching measures in FMS Mysore and Bandipur Tiger Reserve.

On 6.11.1989, I got the message from DCF, Sri S.Rajanna, IFS in the night at Sagar to accompany him to Shimoga with the message that Sri H. Basavanni FG was run over by a SW loaded smuggling lorry in the outskirts of Chickjembur and he has been rushed to hospital at Shimoga. We rushed to Shimoga and found him in the District Hospital. The hero H. Basavanni was in coma and the Doctor advised us to shift him to Bangalore Nimhan's Hospital as his condition was serious. We managed to hire an ambulance and sent the FG with staff and his family members to Bangalore and returned to Sagar with heavy heart. Early in the morning, we got the wireless message stating that the FG breathed his last and attained martyrdom on the way to Bangalore on 6.11.1989 itself and they are bringing

the body back to. Then, we attended his funeral in his native village and returned after paying respects.

The story was- Sri H. Basavanni FG got a secret information about the possible smuggling of dressed SW in a lorry from Chickajembur in the night of 5.11.1989 (A notoriously known village for SW smuggling, where we Forest Officers and staff with lorries and jeep could not book a single case against any body when we raided many houses and seized SW in July, 1987 from Chickajembur due to non-co-operation of the whole village by blocking us in the guise of fast in the month of Ramzan and the religious threat of burka..... and where, a DySP of Sagar was once disarmed and his pistol was taken away, when he dared single handedly to whip a SW loading lorry to stop and surrender in a night). He passed on the information to RFO and went with the watchers and blocked the road by putting some obstructions and waited in the darkness in a strategic point. The SW loaded lorry came in the midnight as expected and stopped to remove the obstacle; H. Basavanni and his companions emerged in the darkness and went in front of the lorry with a DBL gun in the hand of H. Basavanni and he gave a command to stop the lorry and surrender... After seeing H. Basavanni known for his integrity and dedication to duty and his staff; the lorry started to move on him and hit... then he opened a blind shot to the front of the lorry which hit the radiator of the lorry and failed to make the lorry to stop. The smugglers' lorry directly hit the darling FG's head on... and ran over him injuring

him very seriously. The staff who managed to escape, took the injured H. Basavanni to Basavanandhi halli and informed to RFO about the incidence, Who rushed to the spot and moved him to Shikaripur Hospital for the first aid and on to District Hospital, Shimoga for further treatment in the wee hours of 6.11.1989.

The lorry which hit and ran over the FG stopped the lorry on main road which was just 2-3 km from the spot of incidence due to leaking down of water from the radiator. The criminals managed to run away. The lorry was traced next day and seized by the RFO and none claimed for its release; and it was confiscated with SW to KFD.

The whole story of martyrdom of H. Basavanni FG was narrated by me in DCF office with reference to the RFOs report and sent to the CF, Shimoga Sri A.S. Sadashivaiah for reward and grant of compensation and job to any of his children on compassionate grounds. His son Mr Kumar got a clerical job in KFD and now a FDC in Sagar Division. Finally the H. Basavanni, the martyr got the prestigious "Sourya Chakra Prasasthi" in January, 1991 from Government of India and it was received by his wife in Delhi with a gold medal and a citation.

The creation of a memorial for martyrs of KFD and observation of martyrs day on 10th of November every year came in to force after the beheading of P. Srinivas, IFS, Karnataka cadre and a native of Rajamundri AP by the dreaded Veerappan on 10th of November, 1991 and award of 'Sourya Chakra Prasasthi' to him by Government of India. Now, it has been decided to be held on September 11th, every year from this year onwards all over India.

After the erection of martyrs memorial in front of the Aranya Bhavan, Bangalore, I saw the names of the martyrs and I was surprised to see the name of H. Basavanni missing on it in 1996. Immediately, I made a report from my place of working Chickamagalur with the whole story again to PCCF to engrave his name in the memorial and got his name engraved in the martyrs memorial.

H. Basavanni was a very brave man and nation needs such brave and dedicated persons for the conservation and management of the forests and wildlife for the posterity.

*I do not fear death,
for death transforms visionaries in to martyrs;
converts noble ideas in to powerful movements;*

- Don Brown, Inferno

FA LLEN, FORGOTTEN AND UNSUNG HEROES

By
K.B.R. Reddy

In a leisure time, when I sat down to thumb through the old issues of VanaPremi of the year 2012, I chanced upon the following write-ups at page 10 & 11 of Vol.13 No. 12(VanaPremi of December 2012):

I. ROCK MEMORIAL IN CHITVEL RESERVED FOREST:“I came across a Monolith Memorial in memory of 3 Forest Officers of Rajampet division, on July 24, 2002, while working as Conservator of Forests Wildlife Management Circle, Tirupathi during the course of my field inspection in Compartment No. 1054, in Chitvel RF under Chitvel Beat in Chitvel Range.

“Inscription on the Stone Memorial disclosed that a Forest Guard and 2 Forest Watchers were done to death there on March 17, 1939. Names of the deceased employees are: -

Sri Kesavulu, Forest Guard and Sri Somaiah and Sri Penchalaih, Forest Watchers

“However, names of the above mentioned Forest Martyrs were not found in the Memorial at the PCCF's Office. I had asked the DFO to get the rank growth cleared around the Memorial, up to a radius of 5 M and it may also be painted so as to give a new look. I had asked further to trace out the history of the above case so that it could be given fitting place of honor in the Annals of the history of Forest Department. I was transferred during the month of November 2002 from Tirupathi. Apparently the history could not be

traced. However, these Martyrs deserve a place in the List of Forest Martyrs of Andhra Pradesh.”

II. LATE SRI PEERLA RAMASWAMI:“This is yet another instance from Karimnagar East Division narrated to me on January 28, 2011 during my field inspection, as APCCF in-charge of Warangal Circle, by the grandson of Sri Ramaswami, a deceased Forest Guard.

“It was reported that while some villagers were preparing Bullock-Cart wheels in the forest with illegally felled Teak timber, about 50 years ago (exact date not known), Late Sri P. Ramaswami, Forest Guard, had caught them red handed and booked a case against the offenders. This had angered the Naxalites, who killed the late FG by tying and tightening with ***Bauhinia racemosa*** fibers round his neck to strangulate him to death on a spot near Gaddenapalli Cheruvu in Kanakanoor Beat of Azamnagar Range. His son was then appointed as FG on compassionate grounds.”

I felt sad to read the contents of the two episodes – one relating to the pre-independence period and another of the post-independence era. In all probability, one related to killing by smugglers of red-sanders wood from Andhra Pradesh forest and another killing by smugglers of teak wood from the Telangana forest. Both the cases are unmistakably grave crimes. We neither know the fate of the two cases nor do

we make an effort to know the details. Unfortunately, the names of the authors in the instant cases are not made available in the VanaPremi journal.

A similar instance of gory death in 1970s of a *Thanadar* (Subbaiah, name to be verified) occurred; he was crushed to death under the wheels of a truck when he was run over while trying to apprehend the smugglers of red sanders. I rummaged the Central Library of the Department to find old magazines of Indian Forester in which rich tributes were paid to the late *Thanadar* by the then CCF Sri P.S. Rao. But I could not succeed in getting hold of the paper written by Sri P.S. Rao. I remember vividly that the Judge who tried the case of culpable homicide or causing death by negligent driving, while punishing the accused, observed: "The first day of March was the last day of the March of his life." I even tried to get particulars from the DFO

Rajampet. I was again disappointed. I tried to get this information so as to include this case in the compilation of Book on Forest Martyrs. If these very subordinate forest officers had failed in their duty, they would have been charge-sheeted and punished for dereliction. But when they sacrificed their lives and died in harness, the least we can do is to commemorate their death. There has been appalling negligence by all concerned in immortalizing these fallen and forgotten heroes. It would be in the fitness of things if a rock memorial of the type of Chitvel is designed and fixed at the scene of murder near KanakanoorCheruvu in Azamnagar Range of karimnagar East division. Their names could also be etched on the plaque containing the names of the Forest Martyrs, so that it serves to remind people of their sacrifice. This needs to be done sooner than later.

*The best way to find yourself is to lose yourself
in the service of others.*



*Live as if you were to die tomorrow.
Learn as if you were to live forever.*



*There is a higher court than courts of justice and
that is the court of conscience. It supercedes all other courts.*



A nations culture resides in the hearts and the soul of its people.



*We may stumble and fall but shall rise again;
It should be enough if we did not run away from the battle.*

-Mahatma Gandhi

Confessions of a Tiger Poacher

By
Jose Louise

All the four suspects belong to one of the most notorious tiger poaching gangs currently present in India. They are traditional tiger hunters who cater to the illegal market in the country, which is further linked to the international market. They move across the country in various disguises, mostly adorning the facade of street vendors, setting up camps near tiger reserves. Once the camp is set up, the men break off into small groups and infiltrate tiger habitats. These poachers are renowned for their extraordinary tracking skills, and the ease with which they locate tiger tracks and place the deadly jaw traps bang in the path of the tigers. The operation may take them any amount of time, and these hunters determined as they are stay put inside the forest, till they get what they came for - tiger. Once they manage to trap their prized possession, they spear it in the mouth, swiftly kill it and remove the skin. The body is usually buried within the forest and they come back in a few days to recover the bones, which are also in high demand in various illegal markets.

Dale Singh pulled out the tiger trap, which was neatly covered in a plastic bag. A perfectly manufactured piece, with a high quality finishing, it was the signatory jaw trap of the tigers hunters of central and north India. Jaw traps like these are manufactured by specialized blacksmiths who only supply these high quality products to the hunting communities.

Taking another smoking break Dale Singh quietly sat, puffing away watching us without much concern on his face. The nervousness had replaced his demeanor with a complacency that seemed to indicate his acceptance of this day as just a stroke of bad luck.

We had now been on the track for more than six hours and we were tired, walking on an empty stomach and less than three hours of sleep. We decided to take a break, after informing the base camp about the tiger trap and sending them an urgent request for some food and water!

With that out of the way, I turned my attention to the tiger poacher. I knew this was a rare situation. Who knew when I would get to sit with another tiger poacher, caught red handed with his weapons inside a forest and seemingly willing to talk! I had to break the ice and get him to open up.

"It was simply my bad luck that I got caught. Otherwise, we would have gone back with what we came for and no one would have even caught a whiff." With every syllable, the smile on his face grew broader and more arrogant. He was mocking me and the entire system.

Flicking an insect off his knee, he casually asked me if I could get him some water and more *bidis*. A guard indulged him and shared his wa-

ter bottle and *bidi* with him. Dale smoked in silence for a while, staring into the distance. He brazenly then asked for his chain to be loosened, so that he can sit comfortably on the sand bank. Though his request was granted, the team was alert in case he decided to make a run for it.

With a sigh, he turned his head towards me and started talking.

The investigators found out that this was Dale Singh's first trip to South India and he had never been caught by the authorities with an animal article in his possession till date.

"I was almost caught once but managed to escape. A police man had once apprehended me at a railway station and questioned me for quite some time but couldn't get any information out of me! They searched my belongings in vain trying to find something suspicious but of course nothing turned up. They never even bothered to check the bundles which were in the hands of the children with me. Now had they looked in there, there would have been enough 'evidence' to put me away for a long long time," Dale Singh said to me. The financier gave each of the gang 3000-4000 rupees (£30-40) for expenses, four new vicious looking leg-traps used to hunt for big cats and described an area in the south where an ample population of leopards and tigers were present. All details from the route to specific dams were described to the two professional poachers and four other members of their community that had been persuaded to join them. The poaching equipment was hidden under the clothing and cloth bundles of women

and children and they boarded a train from Delhi in the north down to Karnataka state.

After three days camping, they selected three spots frequented by tigers – using signs such as pug marks and scratch marks and their honed knowledge to pin point tiger locales. The plan was to set the traps in all three locations in one day to get three animals in just that much time! This way they could get out of the forest without spending much time after the first kill.

"This is where my role majorly came in. I'm known for skills as a hunter and a skinner, which is why they needed someone like me with them on the trip in the first place. All the traps were set in the three locations, a little distance from each other so that three tigers could be easily trapped. Two of them were placed on paths leading to a small water hole on top of the hill which was the only source of water in the area. The third was placed near the river bed, right next to a tree which bore witness to the assaults of a big tiger," Singh said as he settled himself more comfortably on the ground.

Detailed Planning

There are very few lengths to which poachers won't go to get their kill but the level of detailed planning in this case amazed the investigations team! This was a gang of unassuming men who are illiterate to boot, managing to easily travel hundreds of kilometers, into unknown territory, setting up camps inside the forest and almost succeeding in poaching three tigers! They had no guns, just a few necessities.

“Looking at the vast trove of knowledge they have on tracking tigers and leopards”, Jose wondered, “just how much of a difference these people could make if they ever chose to use it for the right side of the law and conservation?”

After a few more days and the poachers had re-visited the prepared holes, where fresh pug marks confirmed they had selected the right location. They were ready for the final part of their plan, to set the three traps and catch three animals within just a couple of days so they could quickly leave the area. The traps are placed carefully in the small hole and then camouflaged with dry leaves and grass so it is completely hidden.

A broken twig is placed just inches before the trap. This is because a wild animal will often avoid stepping on a broken twig so they will place their paw just after the twig, exactly where the trap is. They dug holes in the ground to set up the heavy chains which would secure the traps on the ground. The holes measured about two feet deep and each took an hour to dig. While one poacher worked, the other acted as a sentry watching out for the forestry guards, villagers and of course, tigers and elephants.

Fortunately, soon after the traps were laid, an elephant stamped on one of the traps and instead of getting caught, damaged the side lever which secures the jaw when snapped. Despite having spare parts and tools for the repair, the part they had with them did not fit the trap and they were forced to return to their base camp to perform the repair. In the two days that had gone by, they had not caught a single animal.

They dismantled the traps and hide them in different locations before going back to their base camp.

Caught by a blanket

This was when they were spotted by the forest staffs—which were on high alert. They were detained and questioned, at first using their cover story of impoverishment and travelling to the area to sell plastic flowers for a living. Their personal belongings were examined and at first nothing unusual came out of it, until till part of the jaw trap fell out the blanket! The small piece of iron by itself looked harmless but the range officer recognized it for what it was, and emailed the photo to our experts to confirm its use as part of a jaw trap for capturing tigers.

It was now clear to the forest department that they were experienced poachers and that there were traps set in the jungle. After continued questioning, Dale Singh finally relented and admitted to the guards where the traps were hidden. One of the poachers soon corroborated his story and our team was brought in to re-enter the forest and remove the traps.

Dale Singh proceeded to show investigators how the traps had been set giving a live demonstration about how he had camouflaged the deadly trap – when he was done all one could see was a little twig a few inches from the site. Singh told us that the twig was left on purpose and that a tiger or a leopard will inadvertently place their paw on the trap in a bid to avoid stepping on the twig!

The traps are set in the evening and the poachers hide nearby so they can hear when the tiger is trapped. They wait for some time following this so the animal is exhausted and they can approach safely. The animal is then speared through the mouth and left to bleed. This prevents any noise attracting attention and kills the animal faster. It also means the skin has not been damaged in any way, retaining its price. Once the tiger is dead, the skin is removed within half an hour and the body hidden so they can come back later to collect the bones which will boost their profit. The skin is then coated in salt and herbal preparations before being dried.

Dale explained his tactics to avoid capture:

"We only set it up in paths mostly used by the big cats, which are away from the forest staff's patrolling route. There are exclusive tiger paths which are often avoided by other animals and we search for such paths to ensure that we don't catch anything other than a tiger."

The knowledge displayed by the captured poachers on tracking and identifying recent presence of big cats was astounding to our specialist investigations team and saddening to think this could be a knowledge and skill-set used to conserve rather than poach the tiger.

Skins are transported by the women in the group who hide the skin under their loose clothes as

they are unlikely to be searched. They deliberately keep themselves so filthy that no one wants to touch them to avoid frisking during their travel. They almost always travel by train and after arriving at their destination, wait for the middlemen to come and collect the goods which are taken to the international borders to be sold.

The planning and precautions undertaken by the group is amazing considering the minimum resources available to them. The two men's confessions of targeted tiger poaching corroborated, and over the course of the investigations our undercover team learnt the incredible details of what was uncovered to be a highly planned interstate poaching gang supported by an illegal wildlife criminal network.

For our conservation team their in-depth investigations have gained vital evidence for prosecution and gained greater knowledge of poachers' tactics. The gang of six was eventually convicted as a result of the specialist support of our WTI team. This knowledge is valuable to tiger conservation and criminal investigations work across India and will enable more successful arrests like this one.

Source: - WTI & Internet

K.B.R

***I am prepared to die,
but there is no cause for which I am prepared to kill.***

- Mahathma Gandhi

LEGAL NOTES

Ramendra Pal Singh Vs the State of Madhya Pradesh & anr

A Beat Officer in Madhya Pradesh made a complaint alleging that a contractor hired machinery belonging to Ramendra Pal Singh for lifting manganese ore from forest area for which there was no permission from the forest department. The machinery known as Pokland Tata Machine (Hitachi-Ex-60 chain wheel drive) as well as Dumper bearing registration No. MP 26 – D/ 5004 was seized on 24.11.2001. A case was registered against the contractor, driver and laborers. The matter was enquired by the forest officer. On a complaint filed before the JFCM, the owner of the property was discharged on the ground that that he had no mens rea. The DFO passed order on 25.3.2006 confiscating the property.

Aggrieved by the order of confiscation, the owner of the property filed appeal. The appellate authority while dismissing the appeal on 10.10.2006, confirmed the confiscation. The matter was then carried in revision. The District and Sessions Judge, Balaghat by order dated 27.1.2007 dismissed the Revision Petition. A Writ Petition against this order also failed. Then Writ Appeal No. 1038 of 2011 was filed which came up for consideration before the Division Bench comprising Hon'ble Justice S.A. Bobde and Hon'ble Justice Rajendra Menon.

Earlier, the petitioner filed a writ petition under Article 226 and 227 of the Constitution which

was not permissible. It could have been under either of the two articles. The Single Judge treated it as a petition under Art. 227, because, the challenge was, to an order of DFO, and the appellate authority who constitute Tribunal. Writ Appeal No. 638/2011 filed against the order of the single judge was heard by a Division Bench comprising Sushil Harkauli and U.C. Maheshwari, JJ. It was held that there could be no appeal against an order passed under Art. 227. It was submitted that the petition might be treated as one under Art. 226, then the petitioner was advised to file a review petition for review of the order of the single judge. After all this, the petitioner appears to have taken fresh proceedings assailing the order of confiscation.

In the Forest Act when it was amended, a provision was made to safeguard the interest of the owner of a vehicle. The Authorized Officer is forbidden from confiscating a vehicle allegedly used in committing a forest offence, if it is proved to his satisfaction that the vehicle was used without his knowledge or without the knowledge of his agent and that each one of them has taken reasonable and necessary precautions against the use of the vehicle in committing a forest offence.

During the enquiry before the Authorized Officer, the owner of the property took a view that he had no knowledge of the use of the vehicle

for committing a forest offence. He submitted that he lent his vehicle under a contract and produced a copy of the contract. The authorized was not satisfied with the plea and confiscated the property.

Before the Division Bench of the High Court, the petitioner contended that the property could not have been confiscated as he had merely given the vehicle on hire under an agreement with the forest contractor. It was urged that he had no knowledge of the purpose for which the vehicle had been used. That apart, it was argued on his behalf that he had not committed any forest offence and on that ground, he was discharged by the criminal court.

The court observed that, in the enquiry before the Authorized Officer, the original agreement was not produced and only a photo copy was shown. It was his duty to have produced the original agreement and it was mandatory under Sec. 64 of the Indian Evidence Act. The petitioner was not able to produce the original agreement even before the High Court. It was possible for the petitioner to prove the existence of the document by secondary evidence under Sec. 65 Of the Indian Evidence Act.

It was inferred that there was no material before the Authorized Officer to come to conclu-

sion that the petitioner's machinery was used without his knowledge. There is no force in the argument that the property is not liable to confiscation as he has been discharged by the criminal court. It is a settled law that the proceedings under the Forest Act are independent proceedings under the relevant sections of the Act.

The court followed the case-law noted below:

1. State of M.P. Vs. S.P. Agencies A.I.R. 2004 S.C. 2088
2. Divisional Forest Officer vs. G.V. Sudhakar Rao (1985)-4 SCC 573
3. State of West Bengal vs. Gopal Sarkar (2002)-1 SCC 405

The counsel for the petitioner made a last submission to impose fine in lieu of confiscation by citing a case law in West Bengal & anr Vs. Mahua Sarkar (2008)-12 SCC 763. But Their Lordships felt that the case law is inapplicable as it is not authority for the proposition of fine instead of confiscation. The court was of the opinion that there is no merit in the case and hence dismissed the writ appeal on 7.3.2012.

Source: Internet
K.B.R

*A weak man a just by accident.
A strong but non-violent man is unjust by accident.
- Mahathma Gandhi*

VELLIANGIRI - SHIVA'S SILVER MOUNTAIN

By
Sunil Daman

Forty kilometers from the hustle and bustle of Coimbatore stand the lush, forested slopes of the Velliangiri Mountain. Located less than 100 kilometers from the coast and topping nearly 6,000 feet in elevation, it's no surprise that this mountain is capped by a near-permanent curtain of mist blowing in from the Arabian Sea. In fact, the name Velliangiri means "Silver Mountain," and refers to this misty veil.

One of the lesser known hill stations of Tamil Nadu, it offers a "two-in-one" package – a fantastic nature reserve with a spiritual twist. Part of the Nilgiri Biosphere Reserve that is spread over Tamil Nadu, Kerala and Karnataka, Velliangiri is also a significant pilgrimage destination for Shiva devotees. It is known as DakshinKailash or "The Kailash of the South," and the legend goes that Lord Shiva retreated to this mountain to grieve, when he failed to fulfill a devotee's appeal to marry him! The maiden was none other than Kanyakumari, and she attained *samadhi* at the tip of the Indian subcontinent when Shiva didn't turn up. Hearing of this, a distraught Shiva headed to Velliangiri to settle him. Over the ages, many saints and yogis are said to have made this mountain their abode.

In July, I made a *yatra* or pilgrimage to the mountain's peak, which is known as the Seventh Hill because the mountain's contours give you the impression of having crested seven peaks

by the time you get to the top. Of course, to my city-bred legs and "built for sea-level" lungs, it felt more like seventy peaks!

Still, it was truly a remarkable experience. The seven-kilometer trek took me about four hours to complete, but it wasn't just getting to the top that made for an enriching and fulfilling experience. Throughout the trek, the mountain exudes its own ambience and it almost feels like a natural temple. At every one of the seven "hills" or crests, a small temple with a *shivalinga* inside and a *trishul* outside marks the spot. Just after crossing the third hill, I was invited by other pilgrims to stop over and refresh myself at a small cave where a crack in the wall spouts fresh, cool water. Drinking and washing me with this water from an underground stream rejuvenated and transformed my sweaty, weary body.

Two more hours of climbing got me to the top, to be greeted with the fierce winds that roll in from the Arabian Sea, travelling a hundred kilometers to meet their first obstruction – tiny, little me on a peak barren of any vegetation to shelter behind. With the winds came the mist and fog, and I noticed little droplets of water accumulating on my stubble.

As I trudged on a few more steps heading to the little Shiva temple there, a sight greeted me that completely took my breath away. Three

immense boulders, each the size of a house, had come together in the most improbable fashion. Each stood supported by the others, leaving between them a small pathway that wound under and through the hundreds of tons of precariously balanced rock. Through this little opening I walked and on the other side, paid my respects to the *linga* that stood within a small cave. I spent a couple of hours meditating under those massive boulders, and it was such a powerful experience. Wind, mist, physical effort and mental calm came together to give me a sense of what spirituality really is.

The Velliangiris have another pleasant surprise for the spiritual seeker. At the foothills is the Isha Yoga Center, an ashram established by yogi and

mystic *Sadhguru*. I had booked my stay at this wonderful place, which also houses the *Dhyanalingatemple*, and spent a couple of days there, after my trek. I relaxed with some Ayurvedic massage therapies and learnt a short and simple meditation called *IshaKriya*. It was a great place for me to chill out and revitalize after my tiring climb.

As I headed back from the ashram to the airport to catch my flight, I knew for a fact that my tryst with the Silver Mountain had only just begun. I plan to head back there on *Mahashivratri* next year, on the "Great Night of Shiva."

Sunil Daman is a traveler, writer and yoga nut. Thanks to Mr. Sunil Daman

BE AWARE OF POWER OF POMEGRANATE

From playing the role of powerful antioxidant to a product of anti-ageing, the fruit can help in many ways, suggests Wren Holmes, brand manager of natural ayurvedic skincare Urban Veda, reports femalefirst.co.uk.

Here's how you can use the fruit for skin nourishment:

- * Powerful antioxidant: Skin nutrition is vital at tackling one of the biggest causes of aging: free radical damage, and pomegranates are rightly known as superfoods for their antioxidant content.
- * Cellular regeneration: Not only is pomegranate anti-inflammatory and high in essential fatty acids, it has also been shown to stimulate Keratinocyte skin cells which help with cellular regeneration, making it a fantastic anti-aging

ingredient.

* Anti-ageing: The outer layer of the skin, the dermis, is made up of collagen and elastic fibers. Wrinkles arise in the dermis as collagen and elastin degrade and Vitamin C is an integral part of collagen formation enabling proteins to become stronger. Just one pomegranate possesses 48 percent of the daily value of Vitamin C.

* Organic pomegranate juice: Organic pomegranate juice is highly beneficial for skin. Its small molecular structure helps to penetrate more deeply into the skin to deliver hydration rich in micronutrients and phytochemicals.

* The crushed seeds of pomegranate are also perfect for exfoliation.

అటవీ అమర వీరులకు వందనాలు!

(నవంబర్ 10 అటవీ అమర వీరుల సంస్మరణ దినం సందర్భంగా...)

- డి. నాగభూషణం

వన్యప్రాణే వరంగా - పిట్టకూతే ప్రియంగా
 చెట్టు చెలిమే ప్రాణంగా - అడవి తల్లీ దైవంగా
 ఉద్యోగ బాధ్యతే ఉత్తమంగా - ఉదుతా భక్తితో ఉత్సాహంగా
 అనుక్షణం అటవీ సంరక్షణే ఆలాపనగా
 నిశీధిలో సైతం నివ్వెరపాటు లేక నిఖార్సుగా
 సరిహద్దుపై కవాతు చేసే సైనికుడిలా
 పచ్చదనం దుప్పట్ల నేతలో పగలూ రేయనక శ్రమిస్తూ
 ఖజ్జాదారుల కుత్తుకలపై పట్టుబిగిసిన ఉక్కు పిడికిలిలా
 వేటగాళ్ల గుండెల్ని చీల్చే కొలిమిలోని కొడవలి పదునులా
 అక్రమార్కుల కుటిల విన్యాసాల సమరంలో పులిలా పోరి
 సమతుల్యత సాధనలో పచ్చదనాల అడవి కోసం బలై
 అవనిని అడవి తల్లిని వదలి అంతర్ధానమైన
 ఓడని పోరాట పటిమగల వీరులు వారు
 అడవి జీవగడ్డ ముద్దుబిడ్డలు వారు
 కంచేలేని వనవాటికను కాపుకాసిన అటవీకాపరులు వారు
 కోటగోడలు లేని అడవి రాజ్యాన్ని రక్షించిన రక్షకులు వారు
 పండగైనా పబ్బమైనా పబ్బతితో విధులు నిర్వర్తించిన వారు
 ధైర్యం వీడని హరితదళ పత్ర రక్షక సైన్యం వారు
 అడవి తల్లి ఒళ్లంతా పరచిన పచ్చదనాల నగిషీలు వారు
 చార్మినార్ ఎత్తుకు ఎదిగిన శహబాషీలు వారు
 స్ఫూర్తిదాయక పాదముద్రలు వారు
 అజరామర ఆదర్శమూర్తులు వారు
 అటవీ అమర వీరులు వారు
 వారందరకూ మనస్ఫూర్తిగా అర్పిద్దాం
 అశ్రు నివాళులు మనమందరమూ ఈ రోజు!

అమరవీరుల స్మృతి పథంలో...

-కొండా మోహన్

గతంలోని మనవారల
ఘన వీరుల జ్ఞాపకాలు గుర్తుకొస్తున్నాయి
ప్రాణాలను ఫణంగా పెట్టి
చెట్లను కొట్టి ముష్కరుల భరతం పట్టి
అడవి తల్లిని పదిలంగా కాపాడినట్టి
అమరులందరికీ వందనం!!

ఒక్కరా? ఇద్దరా?? పదుల సంఖ్యలో
వనాధికారులు తమ జీవితాలను
తమ కుటుంబాలను త్యాగం చేసి
అడవిని కాపాడినట్టి త్యాగధనులందరికీ
బరువెక్కిన హృదయాలతో వందనం!!

ఈరోజే మీ ఆశయాలపై ఒట్టేసి మేం చెప్తున్నాం!
మీ కుటుంబ సభ్యులు మా అక్కా చెల్లెళ్ళు
మీ చిన్నారులందరూ మా ఆత్మీయ బంధువులు
మీరేలోకంలో యున్నా మీ ఆత్మలు శాంతించాలని
మీ కుటుంబాల బాగోగులు మా గురుతర బాధ్యతయని
మిగిలిన మీ ఆశయాల పరిపూర్తికి మేం కదిలామని
అటవీ అమరుల స్మృతి పథంలో ప్రతిజ్ఞ చేస్తూ
మా వినమ్ర హృదయాలతో, విషణ్ణవదనాలతో
ముకుళిత హస్తాలతో శిరస్సు వంచి అర్పిస్తున్నాం
ఇవే మా జోహార్లు!!!

జోహారు అటవీ అమరవీరులారా!

- శ్రీమతి రాజవరం ఉషా వినోద

పుట్టింది ఎక్కడో? చదివింది మరెక్కడో?
 కానీ ఉద్యోగంలో చేరింది మాత్రం ఒకే ఒక్క లక్ష్యంతో
 అదీ! అడవితల్లిని కాపాడాలనే తపనతో
 ఆ తపనే ఏకాగ్రతను కల్పించింది
 ఆ ఏకాగ్రతే దీక్ష, పట్టుదలను పెంచింది
 దాని ఫలితమే లక్ష్యసాధనతో గమ్యం చేరటం
 ఆ గమ్యం చేరే దిశలో అడుగడుగునా అవాంతరాలు ఎదురవుతున్నా
 అడవి తల్లి ప్రాణాలకు తమ ప్రాణాలు అడ్డుపెట్టి
 అహర్నిషలు అంకితభావంతో ముందుకు దూకి
 అడవి దొంగల ఆటలు కట్టి, వనమును, వన్యప్రాణులను,
 అమూల్యమైన అటవీ సంపదను రక్షించుటకు
 కంకణం కట్టుకున్నారు మన అటవీ రక్షక సేనలు
 మీ విధి నిర్వహణలో విధికి లోబడి మీ విలువైన అనువులు బాసిన...
 మీరు నిర్వహించిన విద్యుత్తధర్మాన్ని లోకం మరచిపోవునా??
 మీ వ్యక్తిగత అవసరాలకన్నా మీ ఉద్యోగ విధులే ముఖ్యమన్న
 మీ ఘనచరిత్రకు సాటి యేది?
 మీ కృషి వల్లే నేడు నిర్భీతిగా వన్యప్రాణులు సంచరిస్తున్నాయి
 అడవితల్లి భద్రతను అనుభూతిస్తున్నది,
 మెండైన అటవీ సంపద భాసిస్తున్నది
 తరతరాలకు తరగని గనిలా మీ త్యాగనిరతి కనబడుతున్నది
 మీ ఆదర్శం లోకంచే కొనియాడబడుచున్నది
 సమాజానికేమీ ఉపయోగపడని వాడు ఖాళీ చేతులతోనే భువిని వదిలి వెళ్లిపోతాడు
 కానీ, జీవులన్నింటికి ఆలంబనమైన అడవులను కాచే మీరు
 ఆచంద్రార్కం ఆ కీర్తిని భూమాత ఒడిలోనే నిలబెట్టి వెళతారు
 కలకాలం ఆకసాన తారలై వెలుగుతారు మీరు
 మీరు కార్చిన ప్రతి రక్తపుబొట్టు మహిషాసుర మర్ధిని చేతులలోని
 ఒక్కో పడునైన ఆయుధమై ఆ దుర్మార్గుల గుండెల్లో దిగబడి
 ఆశనిపాతమై నిలవాలని ఆశిస్తూ
 సజల నయనాలతో నేడు సకల జీవలోకం ఏకమై
 అర్పిస్తున్నది అటవీ అమరవీరులైన మీకు శ్రద్ధాంజలి!!

అటవీ అమరవీరులకు వందనాలు (కోరస్ సాంగ్)

(నవంబర్ 10 అటవీ అమరవీరుల దినోత్సవం సందర్భంగా వారి ఆత్మశాంతికి నివాళులర్పిస్తూ వ్రాసిన పాట)

- చింతమర్ల ప్రకాశరావు

పల్లవి :

ఓ అమరులారా మీకు పచ్చని దండాలు
పాద పాదాన పరిపరి దండాలు

॥ఓ అమరులారా మీకు॥

చరణం 1 :

హక్కు పత్రాల పేరుతోను
అటవి ఆక్రమణ జరుగుతుంటేను
అందర్ని కూడగట్టుకొని
అడవిలోనికి వెళ్లి మీరు
అరె వీర లెవల పోరాడి
ఆక్రమణదారులను పట్టుకొని
అటవి రక్షణ చేసి మీరు
ప్రాణత్యాగాలు చేసిన

॥ఓ అమరులారా మీకు॥

చరణం 2 :

గేట్లు తాళాలు లేని
వేల ఎకరాల అటవి భూమిలో
విలువైన అటవి సంపదను
దొంగలు దోచుకుపోతుంటేను
అరె సైనికుల వలె దాడులు చేసి
దొంగలను పట్టుకొని
అటవి సంపదను కాపాడి మీరు
ప్రాణ త్యాగాలు చేసిన

॥ఓ అమరులారా మీకు॥

చరణం 3 :

రేయనక, పగలనక
కంటికి కునుకు లేక

ఎండనక, వాననక

అడవిలోన కాపల ఉండి
అరె భార్య, పిల్లలను వదలి మీరు
రక్త బంధాలను వదలి మీరు
అడవి రక్షణ కొరకు మీరు
ప్రాణ త్యాగాలు చేసిన

॥ఓ అమరులారా మీకు॥

చరణం 4:

ఏ ఊరు వెళ్లిన, ఏ వాడ వెళ్లిన
ఏ పట్నం వెళ్లిన, ఏ వీధి వెళ్లిన
ఏ అన్నను అడిగిన, ఏ తమ్ముడ్ని అడిగిన
ఏ అక్కను అడిగిన, ఏ చెల్లెను అడిగిన
మీ పేర్లు చెప్పుకుంటు కన్నీరు పెడుతున్నారు
మీరు చేసిన ప్రాణత్యాగాలు మరువలేమంటున్నారు
మీరు లేని కొరతను తీర్చమంటున్నారు
కాలిపోతున్న అడవి తల్లిని రక్షించమంటున్నారు

॥ఓ అమరులారా మీకు॥

చరణం 5 :

అమర వీరుల ఆశయం కొరకు
అటవి రక్షణకై పోరాడుదాం
సకల జీవులకు మనుగడలైన
అడవి తల్లిని కాపాడుదాం
భావి భారత పౌరులకు
అడవి తల్లిని చూపించుదాం
అమర వీరుల ఆత్మశాంతికి...
నిండు మనసుతో... నివాళులర్పిద్దాం...

॥ఓ అమరులారా మీకు॥



The Sole coal producer in South India and a key partner in the country's economic and industrial progress, Singareni Collieries Company Ltd. (SCCL) is more than committed to caring for the environment. Company's mission statement aptly reflects the emphasis given to protection of environment and ecology. Company has established benchmark practices and internationally accepted soil conservation, Overburden bio-engineering measures in its Open Cast mines. Mine plans include development of Siltation ponds, timely back filling and regeneration of original species on the back filled areas etc.



- Monitoring of air / water / noise / ambient pollution at each mine on a regular basis. Establishment of 16 effluent treatment plants (Oil and Grease traps) at mines / stores / workshops
- Constructed 7 Sewerage Treatment Plants
- Introduced LPG to its staff for cooking in lieu of the supply of 20,000 tonnes of coal per month
- Rehabilitation of mine sites / over dumps with a due emphasis on biological engineering. This has been done through protective and mechanical engineering works like gabions, cribs, rock fill dams, toe walls, garland canals, siltation ponds and contour stretches along with plantation of sapling of local suitable species
- Large scale greening of colonies through plantation of suitable shade and flowering species, free supply of saplings to households
- Adoption of environment friendly technologies like Input Crusher, Conveyors for reducing consumption of diesel and oil. Replacement of timber supports in mines with steel supports resulting in a 20% reduction in usage of wood and protection of natural resources
- Introduction of "Environment" as a subject in 13 schools run by SCCL, about 200 of SCCL's teachers trained on environment by WWF
- Construction of 641 rain water harvesting structures and 236 Sulabh complexes

AWARDS

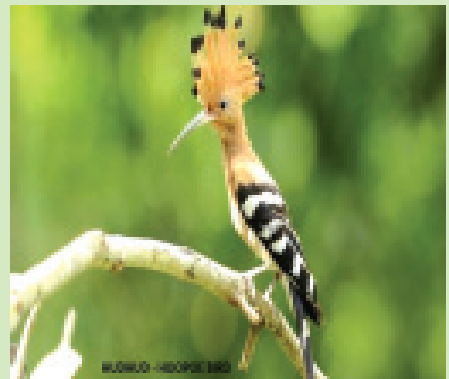
- Best practices in Bio-medical waste disposal in the State during the 2007 from APPCB, Hyderabad
- Greentech Environment excellence Gold Award -2006 from Greentech Foundation
- Good Green Governance Award-2006 from Srishti Publications (P) Ltd
- Golden Peacock Environment Management Award - 2006, by the World Environment Foundation
- TERI Environmental Award - 2004/05
- Fly Ash Utilisation Award, jointly instituted by Ministry of Science & Technology, Ministry of Environment & Forests and Ministry of Power
- Indira Priyadarshini Vriksha Mitra (IPVM) award 2004 from Ministry of Environment and Forests, Go



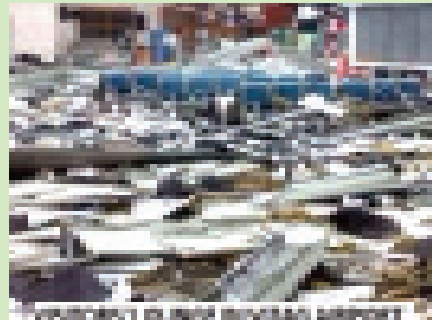
THE SINGARENI COLLIERIES COMPANY LIMITED

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