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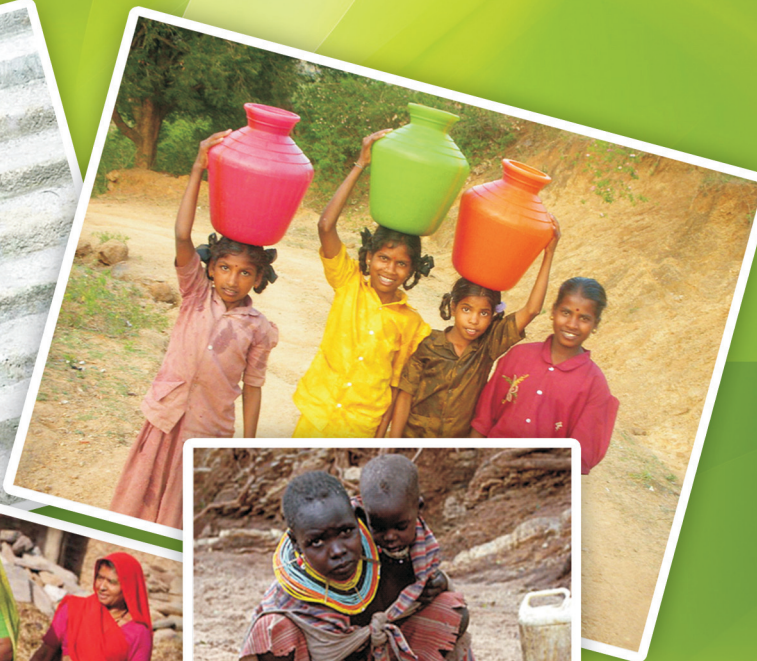
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MARCH - 2015

No.3

***Vana Premi wishes Happy, Prosperous & healthy
Holi, Ugadi and Sri Ramanavami***



***'Have Women's burdens lightened' since world leaders
pledged to address gender equality?***

Please see page number 6 for notice of General Body Meeting

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

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EDITORIAL

International Women's Day: - A woman's strength lies in her innate ability to care, love and sacrifice for others. During the course of her life she plays an all-enveloping character of a mother, daughter, wife and sister as a friend, nurturer, guide and partner from time to time. Emotional and vulnerable, sometimes erratic, sometimes serene, she displays a wonderful range of emotions from being patient to being extremely courageous in times of crises. You might have heard the English proverb that "There is always a woman behind every man's success?"

International Women's Day is an event that originated in 1908. In New York women garment makers set out to demand better working conditions in the company. The women used to work in very bad conditions and earned half of the men's wages. They died too early from deprived health. They did not have the right to vote. In 1910 an International Conference on women determined that each year a day should be set aside to press for women's demands. International women's Day stands for equality between women and men. At this time in England also women demanded the right to vote. They stood for their slogan "Give women the right to vote" to obtain social equality. So International Women's Day is celebrated to remember the battles fought to build a society that is fair to all

its members to assure social equality in a society in which diversity, tolerance, safety, and social injustice are so rampant. Women from diverse backgrounds come forward to celebrate what they have done and what they can do.

Each year International Women's Day (IWD) is celebrated on March 8 all around the world. Thousands of events occur to mark the economic, political and social achievements of women.

Organizations, governments, charities, educational institutions, women's groups, corporations and the media celebrate the day. International Women's Day events are held worldwide. Women from different walks of life, including political, community, and business leaders, as well as leading educators, inventors, entrepreneurs, and television personalities, are usually invited to speak at various events on the day. Such events may include seminars, conferences, luncheons, dinners or breakfasts. The messages given at these events often focus on various themes such as innovation, the portrayal of women in the media, or the importance of education and career opportunities open to women. International Women's Day celebrates women's achievements worldwide.

Historically, women have been suppressed and

treated unfairly. Even in the West, initially women were not given equal opportunities for work. Women were not given voting powers and they could not participate in political activity. Relegated to the hearth and household, women had little else to do other than raise children. In our country also women were suppressed and even today in rural areas women have to procure drinking water from far off places spending considerable time. In summer they walk 6 to 8 kilometers under the hot sun. In rural areas women folk have to spend lot of time cooking food using fire wood in a single room/hut which has no ventilation, and produces lot of smoke and causes eye and lung ailments. There is urgent need for state Governments to provide drinking water to every house in the villages and to supply solar cookers, smokeless *choolas*, and *gobar* gas plants (to those households who have cattle), free of cost to save women from travelling long distances for fetching water and use this time for earning a better livelihood for themselves. In turn their eyes and lungs will be protected from smoke hazard.

Women's emancipation took new meaning when women traveled to space, and fought alongside men at battlefields. Yet we find many pockets in the world, where women are suppressed and demeaned. Gender bias exists at every social stratum, even in the most developed societies. In some regions,

patriarchal societies diminish the role of women in important matters. This thinking has brought about a serious economic and social downfall. Whether you are a woman or man, you must know that International Women's Day celebrates your emancipation. Had it not been for women's emancipation, free thinking would be impossible. An educated woman can raise intelligent children, which in turn creates a self-reliant society.

It was indeed a pleasant surprise to listen to Mr. Pranab Mukherjee, the then Union Finance Minister, Government of India on 26th February 2010 in parliament announcing in his annual budget speech for the year 2010, provision of Rs.1000 million to meet specific needs of women-farmers under the women-farmer empowerment program as a sub-component of the National Rural Livelihood Mission. This was a good gesture by the Government of India towards Indian Women. We wish more announcements by our finance Ministers in future also.

The Indian women are no longer treated as show pieces to be kept at home. They are also enjoying the impact of globalization and making an impact not only on the domestic but also in the international sphere. Women are doing a wonderful job striking a balance between that house and career-an enormous task indeed.

Here is a list of a few business leaders and organizational heads that have made India proud.

Dr. Kiran Muzumdar Sha, Chairperson and Managing Director Bio con. Ltd. Who became India's richest woman in 2004. She founded Bio con India with a capital of Rs 10000/- in her garage in 1978. The initial operation was to extract an enzyme from Papaya. Her applications for loans were turned down by banks on 3 counts. Biotechnology was then a new word, the company lacked assets, women entrepreneurs were still a rarity. Today her company is the biggest pharmaceutical firm in the country.

Naina Lal Kidwai was the first Indian women to graduate from Harvard Business School. Fortune magazine listed Kidwai among the world's top 50 corporate women from 2000 to 2003. According to Economics Times she is the first woman to lead the operations of a foreign bank in India (HSBC)

Preetham Reddy, Managing Director of Apollo Hospitals Chennai is one of the pioneering business women of India in the segment of health care industry.

Neelam Dhavan, Managing Director leads Microsoft India. After completing her management studies from Delhi in 1982 she was keen to join Hindustan Lever and Asian Paints. Both companies rejected Dhavan as they did not wish to appoint women for marketing and sales.

Women like these are an inspiration for other women who try to achieve great heights in their lives.

Vana Premi wishes a very happy 2015 International Women's Day and unbounded success to women from all walks of life and a message that all that women need to do is to have faith in themselves, confidence and above all a fixed aim to work towards. **QMK**

NOTICE

The 75th General Body Meeting of the Association of Retired Forest Officers Telangana and Andhra Pradesh will be held at Forest Academy, Dulapally on 22-3-2015 (Sunday) at 11 a.m. The Director of Forest Academy has kindly consented to provide an insight in to the activities of the Academy including visit to Herbal Garden etc.

All the members are requested to attend with their spouses. For the convenience of Members a Bus is arranged which will leave Aranya Bhavan at 9.30 a.m. on 22-3-2015 for Dulapally.

- SECRETARY

LETTERS TO EDITOR

Sir,

The February issue has come on time with your thoughtful editorial to remind the readers, of the World Wetlands Day. Sri S.D. Mukherji has collected data on Telangana forests and made useful suggestions worth implementing. J.V. Sharma's article as expected made a critical analysis of the HLC. Adding insult to the injury, the Committee recommended a new legislation Viz. The Environmental Laws Management Act (ELMA) which if approved I am sure will create chaos. Its constitutional validity will be questioned.

Dr. Raghotham supplemented, with his beautiful vocabulary, Qamar's paper on the most eminent of God's creation. Coincidentally they are published side-by-side for easy comparison. Sri Ramarao Bobbli deserves to be complimented for his paper on Kolleru Lake. The other articles on ecological succession, particularly P.V. Krishna Murthy's paper on Ajanta Caves is interesting. The paper on *Eichhornia* could have been avoided.

The three papers in Telugu are interesting. 'Nenu' by Hari Prasad highlighted the present day scenario – Public and Public servants.

On the whole the VANA PREMI is becoming informative and the readers wait for its arrival month after month.

It would be helpful to the Editorial Board if the readers send their feedback.

K.B.R. Reddy

Editor's Note : In Telangana & Andhra Pradesh most of the wetlands are infested with abnoxious weed i.e. water hyacinth (Tel. Gurrupu Dekka) including Hussian Sagar this was included for the benefit of those who are responsible for its eradication.

PRAAYER

By

N. Vara Prasada Rao

Dear Man

I Am the

Warmth of your home in the cold night

Protective shade in summer heat

Roof to your house

Top of your table

Bed on which you sleep

Timber which you fashions your boats

handle to your hoe

Door to your hut

Wood of your coffin

Bread of kindness and flower of beauty

Hear my prayer : "Destroy Me Not" - Forest

A MIGHTY GIRL: WATER WHEEL

When Cynthia Koenig, a young social entrepreneur from New York, learned that millions of girls and women around the world spend hours each day collecting water from distant sources, she decided to create a new way to help people in poor communities transport water and it's called the Water Wheel. Koenig's Water Wheel allows people to roll water in a 50-liter container versus carrying it in 5 gallon (19 liter) jugs. Koenig estimates that the Water Wheel can save women 35 hours per week in water transport time, as well as prevent the physical strain that comes from balancing 40 pounds of water on top of their heads for hours each day. Every day around the world, over 200 million hours are spent each day fetching water, often from water sources miles from home, and this task usually falls to women and girls. By freeing up valuable time, the Water Wheel allows women to spend time on income-generating

activities that can help pull her family out of poverty. The time savings also means that there is a greater likelihood that girls will be allowed to stay in school, further reducing the rate of intergenerational poverty.

After receiving a \$100,000 Grand Challenges Canada prize to develop the Water Wheel, Koenig founded a social enterprise company, Wello. The company is in an early stage of development and has been piloting the Water Wheel in rural communities in India. Koenig also plans on continuing to make the Water Wheel itself more useful by adding in filtration, drip irrigation kits, even a cell phone charger that uses the rotation of the wheel to charge the battery of the cell phone and give people more access to essentials like communication and education. (Source : Internet)

(Please see last cover page for photo)

A good plan for today is better than a perfect plan for tomorrow.
—George S. Patton.

When once nation begins to think, it is impossible to stop it.
— Voltaire.

***Death is inexorable. Death being so certain it is better
to die for a good cause.***

FOREST MYTHS, JUNGLE

By

R K RAO, & S R SANKARAN

[Originally published in “The Economics and Political Weekly” November 15, 2003] 4819

Forest Myths

(1) Forests Increase Rainfall

This is the oldest and longest standing myth about forests. However enough data is not available to support this belief. Rainfall appears to follow a 50 to 60 year global cycle and deforestation locally does not influence the global trends. Forests influence local and regional climates, generally by making them milder. Large-scale denudation does seem to lead to a reduction in the average number of rainy days in a year and an increase in rainfall intensities. There is a perceptible increase in cyclones, cloudbursts, depressions, heavy downpours and floods in the last three decades not only in our country but also around the world. China used to suffer severe floods once in 20 years; but now they occur in nine out of 10 years. Globally the number of people affected by floods has risen from seven million in 1960 to 150 million now. In nature so many forces are acting and interacting with each other that it is difficult to isolate the influence of any one with certainty; all these changes may be due to large-scale deforestation combined with global warming which is also partly a consequence of deforestation. **The influence of forests is more below the ground than above it.** This may

appear paradoxical, but is very true. A healthy forest with a top canopy of trees and an under-story of smaller trees and shrubs and a groundcover of perennials and annuals and a thick layer of humus is the best medium for ensuring continuous flow of clean water. Such a forest will act as a giant sponge absorbing rainwater into the humus layer and releasing it drop by drop into the subsoil and ultimately recharging the groundwater reservoirs. Healthy forests are nature's tool to capture rain water. But large sections of the Reserved Forests (RFs) in the country are unable to perform this very important role due to repeated fires, overgrazing and other biotic factors leading to loss of the tree canopy, groundcover and the crucial humus layer. The State of the Forests report based on satellite imagery released periodically by the ministry of environment and forests gives the status of the top canopy of trees and their density but does not reflect the health of the forests. To reflect this it should also measure the run-off and soil erosion from the forests. Where the forests are deficient in ground-cover and humus and run-off is high, relief can be obtained by protection from fires and grazing and by contour-trenches properly spaced. However they should never be like the

elephant-proof trenches of eight to 10 feet depth and equal width dug along the boundary of forest blocks by deploying excavators. The rainfall data for India taking the average for 10-year periods is as follows:

Time Period in Years	Average Rainfall in mm
1871-1880	976.88
1931-1940	971.47
1951-1960	923.09
1981- 1990	988.00

It may be noted that significant deforestation has occurred since 1950s but the rainfall data as indicated above does not show any correlation with it.

(2) 33 Per Cent of Land Area of the Country Should Be under Forests

Tolstoy in a short story stated for all times, that a man needs only six feet by three feet of land. The National Forest Policy of 1952 in a similar manner prescribed as a guideline that India as a whole may aim at 33 per cent of land under forests. The background paper to the National Forest Policy of 1952 while reviewing the area under forests in different countries came to a questionable conclusion that countries with over one-third land area under forests such as US and USSR are prosperous and so our country should aim at the same percentage under forests. As a lofty objective at the dawn of independence, it was laudable, but it became a fixation, with foresters and environmental advocates leading to

relentless territorial expansion, causing tribal unrest. This needs to be re-examined. What extent of lands should be under forests in a country with tremendous pressure on land? The concept of Land Capability Classification assigns land to different sustainable uses based on rainfall, soil, degree of slope, etc. As per the Land Capability classification, land above 65 degrees slope should be kept under permanent vegetation or forests and lands below this gradient can be put under tree crops, annual crops, etc. with soil conservation measures like bench terracing, contour trenches, etc. It is true that going strictly by this rule the existing forest areas may be further fragmented; and there is an extinction threshold for forests as for species; although not arrived at scientifically so far; below a minimum area forests tend to disappear. There is a need for a fresh approach to assessing the land to be kept under forests instead of pursuing the outdated prescription of the 1952 forest policy, repeated in the National Forest Policy of 1988.

(3) There Were 40,000 Tigers at the Beginning of 20th Century

While discussing the decline in tiger population it is often asserted that there were 40,000 tigers at the beginning of the century. This is another of the forest myths. How it is arrived at remains a mystery, especially when we are unable to count the tigers with a measure of accuracy even at present. Tiger population was at its peak

in the beginning of the last century, as in some districts like Visakhapatnam in Andhra Pradesh tigers were carrying off people in broad daylight (District Gazetteer), and Corbett's accounts describe the man-eaters in Kumaon hills. Even the tiger census by the tiger-tracer method was not meant to calculate absolute numbers. According to S R Choudhry, the author of the method, it only indicates trends in population. Conducting the census year after year at the same time and season with all its drawbacks in tracing the pug-marks, preparing plaster casts from varying soil media, would give broad indications in population trends. The method has been elaborated with use of a fertile imagination to identify individual tigers and arrive at absolute numbers!

(4) 10 Per Cent of the Country's Land Should Be under Protected Areas

The National Wildlife Action Plan in its objective states that the area under Protected Areas (PA) at present is around 16 million hectares and "we should aim to bring 10 per cent of India's land mass under the PA network"; this again is an arbitrary norm. Earlier it was 10 per cent of forest area and 4 per cent of land mass! If one looks at the evolution of PA concept in our country, their objective was preservation (not conservation which means wise use) of wildlife and PAs comprised of a core area and a buffer zone, both within the PA; then came the concept of declaring the core as a national park and the

buffer as a sanctuary under the Wildlife Act in view of the greater restrictions that can be imposed in a national park and the buffer was shifted to outside the PA boundaries; now the buffer zone is proposed to be declared as the conservation area under the 2003 amendment to the wildlife act; and most likely the area beyond the conservation area, if any is left, will become the buffer zone. Simultaneously the primary objective of the PAs is being considered as biodiversity to meet the dictates of this latest bandwagon. That a global biodiversity study identified 17 centers of plant diversity for prioritization in our country and to begin with these areas should be attended and that another study has shown that protecting a five hectare area effectively ensures preservation of 90 per cent of the biodiversity – this vindicates the very old concept of preservation plots in forestry – do not find a place in the biodiversity prioritization study of the government. In a country with the greatest pressure on land resources on earth there is utmost need to evolve strategies to attain our objectives with the least demand on land and arbitrary targets such as 10 per cent of land should be brought under PAs which have no sound basis cannot be adopted as part of a national policy.

Jungle Laws

The Prime Minister while addressing the National Development Council (NDC) on December 21, 2002 emphasized the need for a

review of **“a jungle of laws, in particular, municipal, police and forest laws”** many of which had not been reformed since many decades. This is particularly the case with Forest Laws

1. Forest Act

Considering that it is largely enforced in tribal and rural areas (except the transport rules) some of the provisions are draconian and drive the villagers into the clutches of the staff at the cutting edge. **Section 26** of Indian Forest Act provides penalties for **trespass, pasturing cattle**, kindling or carrying any fire, or... removing any forest produce, etc. Trespass means no villager can enter the Reserved Forest without permission! He cannot carry a lighted torch even if he is going on a dark night! He cannot collect medicinal herbs for his own needs; these simple acts can land him in jail; Tribes and others living inside the forests have to go through the forests or into the forests to collect medicinal plants; it is confirmed by recent market surveys that 90 per cent of medicinal plants used in the pharmaceutical industry, presently come from forests. By the letter of the law the tribal collectors have to take permission though the foresters themselves have little knowledge of the hundreds of herbs being collected. It is quite likely that these provisions have never been invoked and if so they need not be on the statute book.

At the time of notification of the area as reserved forests (50 to 100 years back in many cases)

several rights and concessions were recognized with regard to grazing, collection of Minor Forest Produce (now termed as Non-Timber Forest Produce) and timber in some instances and also the right to shifting cultivation; these were all recorded in the original settlement papers; in some states like the old Madras Province they were codified in manuals. However with the passage of time and a general erosion of respect for community rights particularly of the poor since independence most of these came to be ignored by the forest departments. It is essential that these rights are recorded and revived in the interests of forest communities. Similarly the system of supply of domestic needs of firewood and bamboo on seigniorage rates which was in vogue was also abolished. This was a healthy system to meet domestic needs of communities living in and around the forests. Today there is no way for a community living in a forest to meet their bona fide requirement of wood except through the good offices of the forest guard. **Water, water everywhere not any drop to drink, sums up the situation.**

(2) Forest Conservation Act 1980

This is a corollary to the **‘33 per cent under forests’ syndrome**; since area under legal forests has to be increased to one third land area of the country any transfer of forest land to non-forestry purpose should be compensated by providing equal area of land outside the forests with funds – as demanded by the forest department – to afforest the area. Once upon a

time there lived a king in a palace with most of the outer portions in a dilapidated condition and whenever any person approached him to purchase some of these crumbling portions he would insist that an equal area of dilapidated structure anywhere be given to him with funds to repair it! Government of India under this act is like this king. More than 40 per cent of the Reserve Forest area in the country is in an extreme state of degradation and is in need of funds for reforestation; the funds given for compensatory reforestation should be used to reforest these existing degraded RF areas. Perhaps the government should sell some of the degraded RFs to raise funds for reforestation instead of approaching foreign funding agencies. As in all matters, it is quality that matters and not quantity even in forests. Besides, the isolated bits and pieces of land afforested under this scheme have very little prospect of long-term survival. Further it **is impinging on issues of equity and social justice** as forest land is generally in demand in progressive districts and land in compensation is given from backward districts, where government departments are involved, and private enterprises purchase the cheapest land from the poor often depriving them of their only asset. After the government reforests all the degraded areas in the RF it can look for compensatory areas. The mindset of 33 per cent of land should be under forests is to be overcome for an objective understanding.

(3) Wildlife (Protection) Act

Section 18 (1) of the Wildlife Protection Act dealing with the procedure for declaring protected areas, exempts areas included from a Reserved Forest from the provisions of sections 19 to 25 dealing with settlement of rights of people, as the section reads: "The state government may, by notification declare its intention to constitute any area *other than area comprised with in any reserve forest...as a sanctuary*" (emphasis added). This is bad in law as the declaration of a protected area does involve imposing additional restrictions on the local people than was done under the Forest Act, regarding entry into it, grazing, and right to forest produce as per rights and concessions conceded at the time of notification of the forest under the Forest Act. Further the section also prescribes that areas of "adequate ecological, faunal, geomorphologic, natural or zoological significance, for the purpose of protecting, propagating or developing wildlife or its environment" should be considered for declaration as protected areas. So far over 500 protected areas were declared in the country and more are in the pipeline. It is a moot point as to how many of these fulfill adequately the criteria of ecological and natural significance. The national wildlife action plan recognizes 10 biogeographic zones in the country and considering the need for quality than quantity, there is a strong case for a second look at the protected areas and to even denotify some, that

do not have natural vegetation or ecological significance and are similar in biogeographic status.

Social Justice

Freedom is incomplete without social justice and this is tragically true of forest dwelling tribals. If we examine the process of reservation of forests under the forest acts by the British, from the last quarter of the 18th century, large tracts of the hills were still covered with forests in tribal areas – tribal agriculture was largely shifting cultivation, an adaptation to life in hilly areas – and so large areas of forests could be brought under the regime of Reserve Forests in the tribal belts of the country. As the legislations restricted the freedom of tribals to access the forests and to do shifting cultivation there was resentment among all tribal groups across the country; this was the cause of **over hundred tribal rebellions in 125 years of forest administration.**

Reservation of forests had the greatest impact on shifting cultivation, which is an integral part of tribal life and culture. **Shifting cultivation is an appropriate solution to living in hills.** Even forestry is similar in principle, where a block of forest is divided into a number of units (coupes) equal to the number of years required to regenerate the forest and one unit is felled each year. **Shifting cultivation works on the same principle.** However when large areas previously

under shifting cultivation were included in reserved forests the fallow periods under shifting cultivation have drastically shortened. Forest reservation has been carried on to bring 60 per cent of land under RFs. As stated in the **National Forest Policy of 1952, "As an insurance against denudation about 60 per cent of the land in the Himalayas, Deccan and the other mountainous tracts liable to erosion...and in the plains, the proportion to be attained should be placed at 20 per cent...and the country as a whole should aim at maintaining one third area under forests".**

In the 50 years since independence around 10 lakh hectares of protected and unclassified forest has been added to reserve forest in AP and most of it in tribal areas. This has severely restricted the availability of land for tribal needs. Every community has an inherent right to use and exploit the natural resources found around their settlement; this is what the urban citizens do when they start industries, and when rural people use the land for agriculture; most of the resources are under private ownership. All this is denied to the tribal as most of the lands are appropriated by the state and declared Reserved Forests! Under the circumstances prevailing, the tribals had no option but to encroach on forest lands. While precise figures of forest areas under occupation by tribals are not available, it is roughly at 1.2 to 1.5 million

hectares involving an equal number of families. Orders were issued on May 3, 2002 by the ministry of environment and forests to evict all ineligible (as per the arbitrary norms fixed under conservation act) encroachments by September 30, i.e., in four months. It was reported that some of the states used elephants in some places and guns at other places for removing the tribals from their lands causing bloodshed and loss of innocent lives. And all this is due to a misreading of the Supreme Court orders in Thirumalpad case where the court had only restrained the state from regularizing the encroachments. The responsibility for this heartless deed lies with the government of India. To avoid more bloodshed and to establish peace (so essential for development and prosperity) in tribal belts of the country, there is an urgent need to review the land ownership including **that under the biggest landowner – forest departments** and concede the just and fair aspirations of our tribal people. The 1.5 million hectares of area under encroachment may appear large but compared to the total area of 68 million hectares under forests in India it constitutes about 2 per cent of the area and disreserving this, spread over thousands of forest blocks will have no adverse influence on the ecology and environment of the country, but a very salutary impact on the peace and prosperity of the tribal belts of the nation. The total forest area of India at 68 million hectares is no small extent by any standard. It is

larger than the combined geographical area of West Bengal, Bihar, Jharkhand, UP, Uttaranchal, Haryana and Punjab! **It is in reality an empire ruled by an iron hand of a sultanate at Delhi, with a select group of eco-fundamentalists.**

This empire is also home to a native population of 70 million tribals whose livelihood is wholly land and forest-based; over these 50 years their numbers have also increased two to threefold and in some states their lands have been occupied by powerful plains people on one hand and by the state for RFs and PAs on the other. They are fighting for living space for survival. While discussing the remarkable progress of the Apa Tani and the Naga tribes Cristoph von Furer-Haimendorf, well known anthropologist said, "...the cultivable land of the indigenous population was not alienated to newcomers. Hence the economic basis of Naga and Apa Tanis remained unaffected by any outside claim on their landholdings." Presently two commissions, one on tribal matters, the scheduled areas and scheduled tribes commission set up under Article 339(1) of the Constitution headed by Dilip Singh Bhuria and another on forests headed by Justice B N Kirpal are reviewing their respective portfolios. This is a golden opportunity for both to meet and resolve all the land issues relating to tribals and forests and the issue of tribal access to their own forest resources which alone can bring peace and prosperity over a period of time

C. JAGANNATH REDDY - A LEGEND PASSED AWAY

By
M.Kamal Naidu

I feel very happy in retrospection, I met Sri C. Jagannath Reddy in 1982, when he was the Divisional Forest Officer, Nalgonda and I was the Conservator of Forests in-charge of Hyderabad Circle, at the time when social forestry came into full swing.

He was not born with a silver spoon in his mouth; but bought silver with his hard work and made himself a silver spoon to reach his heights. He was basically a challenger with stubborn views. This is what appealed to me, rather than looking at the usual meek and humble 'yes Sir' people, and a poor untrustworthy field workers. Jagannath Reddy was outstanding for his technical knowledge in forestry.

He used to have the audacity to challenge the high-and-mighty foresters, with theories of his own formulations, based on his profound observation and understanding of agriculture and horticulture crops.

He always had a query to pose to tickle me and provoke me into thinking. He had a great command on plant physiology, particularly on the role of hormones in plant growth. He spent heavily in purchasing books on Forestry from publishers at Dehra Dun like Schlich Manuals, etc. and other scientific treatises, read them well, and were thorough in their contents. He believed in mastering everything that is dear to his heart.

He advertised himself very well and justified the audience with his profound knowledge. He mastered the technique of planting tall seedlings and got some wonderful teak and eucalyptus plantations raised around Bengaluru, on being appointed as advisor to private planters in their fields. He virtually mesmerized people with those plantations as a demi-god, reeling out facts of financial returns in due course for the plantations which were of outstanding quality.

Jagannath Reddy was a great hard-task master in his own right, in raising seedlings, selecting the best, and planting them based on his own theories. I used to be flabbergasted hearing him speak so authoritatively and admired his memory for facts and figures substantiated with a packet full of photographs to justify his theory and to show everyone around in accordance with the Chinese adage: "a picture is better than a thousand words". He was stubborn in his views, and would show his results to be seen and to be believed of what he says.

When he was the DFO and I was his superior as CF, I was advised by my colleagues to beware of him as being very litigious and argumentative. But I found him honest and forthright. He would say 'I don't sell my forests: I nurture them, and if necessary I put money from my pocket'. Accordingly I found his works were perfect. The pits dug up for roadside plantings never fell

short in measurement for what was required and charged. I would carry a one-foot long stick to test-check and could never catch him with any shortfall in the measurements.

Once in Devarkonda Range of Nalgonda Division, deep interior, not even jeepable, I went to test-check a plantation site of 100 acres where he said pitting was completed. He passed the test after me, having walked two kilometer distance to reach the area. He said he never entrusted works to Range Officers, but would himself get the work executed and pay the laborers their wages directly. His nursery was perfect at Nalgonda. I had become an admirer of him for his knowledge and perfection, and so came to love him, and he respected me in reciprocation. He took me on a trip to Bengaluru, and showed the plantations he raised, where the owners were all admiration for him. We went to Sandal Research Station, where the Director known to me felt embarrassed to see him challenge on the negligible and poor quality research work being done, while substantiating his remarks with facts and knowledge on sandal, its associates and his theories on need for host plants. We parted with Director asking him to keep in touch and attend a seminar in near future. We proceeded to Forest Research Stations at Coimbatore and Peechi, and there also he tore my Director friends to pieces. We went to Wynaad, where he gave valuable suggestions to the CF of the area, on plantations of eucalypts and teak.

He was a regular visitor to me to get his articles corrected for language and contents. Of late, his craze shifted to red sanders which he has been

raising around Warangal and assuring the farmers a very high return, especially after the recent rates it fetched. He wanted to thrash out with the concerned authorities that red sander is not an endangered species anymore; for, they germinate and could be grown very successfully. He had visited red sanders zone around Rajampet and Kadapa to prove his point that the species had profuse regeneration. I had promised to give him a picture of myself as PCCF taken in 1996, of a plantation at Chitwel raised in 1964 under my supervision when I was a probationer. A week before he passed away he asked for the picture and promised to show me his planted specimens in the fields. He showed me the photographs of tall trees bordering fields en route to Warangal. Giant that he was, alas, passed away in the week beginning to my last visit with him.

On my earlier visit to his abode in village Nelapogula, near Jangaon, I witnessed his vast library collection; he really spent a lot of money to get for himself many valuable books not available now, and it would make a good contribution to the library of the Forest Academy at Dulapally.

He was a giant among foresters which I acknowledge after having worked in the National Forest Academy, having been associated with FRI, and later as DIG (Res. And Training) at Delhi and met and knew the top scientists and scientific minds. He could be ranked among the top most despite having risen up from the rank of a Forester. May his soul rest in peace

FORESTRY ISSUES OF TELANGANA AND ANDHRA PRADESH

By
S.D.Mukherji

The newly formed States of Telangana and Andhra Pradesh are looking for ways and means to develop the two States to meet the aspiration of its people. To ensure sustainable and inclusive economic growth, the threat posed by global warming leading to 'climate change' has assumed greater importance. Although forests form a major component of our environment but, unfortunately, there is very little discussion on it. It is, therefore, considered to discuss on forestry issues that affect the livelihood of the tribal people and others living in remote forest areas, representing the poorest of the poor population suffering from malnutrition to hunger since independence.

According to 'India State of Forest Report (ISFR)-2013', prepared by Forest Survey of India, the forest cover in Telangana State is 21759 sq. km or 18.94 per cent of the geographical area (GA). Very dense forests (forest density above 0.7) is confined to only 484 sq. km or 2.22 per cent of the forest area of the State. Moderately dense forests (forest density of +0.4 to 0.7) cover 12916 sq. km or 59.36 per cent of forest. Open forests (forest density of 0.1 to 0.4) cover 8359 sq. km or 38.42 per cent of forest. Telangana State alone accounts for a loss of 251 sq. km of forest cover from 2011 to 2013 against the total loss of 273 sq. km in the whole country, representing 91.94 percent of the loss of forest cover in India.

Khammam district tops the loss of forests to the extent of 177 sq. km which accounts for 70.52 per cent of total loss of forest in the State and 64.83 per cent of loss of forest in India. It is followed by Warangal losing 29 sq. km and Adilabad losing 21 sq. km.

In the State of Andhra Pradesh forests cover is 24357km² or 15.20 per cent of the GA of the State. The most worrisome part is that good forests, forest cover of more than 0.7 density, is only 366 km² or 1.58 per cent of the total forest area and the rest 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 completed degraded due to excessive biotic pressure and illegal cultivation by the nearby villagers.

A study conducted by the scientists of National Remote Sensing Centre (NRSC), Hyderabad, and released in January 2015 has indicated 49 per cent of forests lost in Andhra Pradesh in past eight decades. Most of the forests are rapidly degrading and becoming more and more fragmented. Forest cover declined from 85,392 km² to 43,523 km² between 1930 and 2011. The landscape analysis shows the following trend of increase in number of forest patches:

Year:	1930	1960	1975	1985	2011
No. of forest patches:	3981	5553	8760	9646	10,597

The study found the forest cover loss has been very high in Rayalseema (44.8 per cent), followed by coastal Andhra Pradesh (40.6 per cent). Another study of NRSC in RV Nagar Range, district Visakhapatnam, concludes 48 km² of forest area was degraded in a span of 28 years. Coming to the wildlife situation, the recent census report on tiger population released on 20th January shows 2226 tigers in India against 1706 in 2010. While the country was rejoicing on the increase in tiger population, the undivided Andhra Pradesh showed 68 tigers in 2014 against 72 in 2010, a reduction of 4 in tiger population. The report counted sixty five tigers in Nagarjunsagar-Srisailem Tiger Reserve (NSTR) and three in Kawal Tiger Reserve in Adilabad district. The decline has been attributed to loss of tiger habitat.

The reduction of forest cover, fragmentation of forestland and reduction in wildlife population makes it very clear that both the newly formed States have inherited forests that are inadequate to maintain ecological equilibrium and threat to global warming. U.N. Special Envoy for Cities and Climate Change, Michael Bloomberg, has cautioned India that global financial institutions are increasingly coming under pressure not to assist any development activity that does not adequately address environment and climate change concerns. Mr. Bloomberg has emphasized in his meeting with Union Urban Development Minister, Vankiah Naidu, that smart cities should be environmentally friendly. Mr. Bloomberg pointed out that carbon emission in New York had been reduced by 19 per cent and

life expectancy increased by three years in the last few years. It would, therefore, be obligatory on the part of the two States to take concrete steps to regenerate the degraded forests and also improve the green cover in villages and urban area.

Sri .Chandrasekhar Rao, the first Chief Minister of newly formed Telangana State, is working hard and trying his best for the development of the State. He is aware of the importance of forests and has planned to turn one- third of the land with green cover by launching '*Harita Haaram*' to plant 210 crore seedlings and saplings over the next three years across Telangana. He directed the HMDA and GHMC to plant 10 lakh saplings in three years in Hyderabad. It has been decided to plant 40 lakh saplings in each assembly segment and 33,000 saplings in every village in a year. Surely it is a good idea to cover the open spaces, devoid of trees, with new plantations to improve the green cover. Similarly, Sri Chandrababu Naidu, the Chief Minister of Andhra Pradesh has planned massive plantation programme by planting 75 crores of sapling. He aims at reducing the temperature by five degrees through extensive tree cover. He has also planned for smart villages where increasing green cover is planned as priority. However, the experience of past 55 years of celebration of *vanamahotsava* programme shows that plantations have failed to improve the green cover in spite of planting crores of seedlings each year. Moreover, forests cannot be compensated by plantations alone. The

diversity of vegetation and wildlife makes forests a distinct entity to meet the environmental requirement and provide ecological balance. It improves water, air, soil and provides livelihood to millions of poor people. Therefore, government must take all necessary action to improve the forests.

The following steps are suggested to increase the forest cover, improve density of forest cover and add wildlife population.

1. All habitations within the forests must be resettled by bringing them on the fringes of the forest close to the existing villages. This will check the fragmentation of forest patches. This is necessary to protect the forests and provide better livelihood facilities to the people living in deep forests. The people should be adequately compensated both with land and other requirements so that they do not lose but get better means to live. The villages shifted from the tiger reserves show the beneficial effect, both on the people and the wildlife.

2. Forest officers dealing with forest protection should be given exclusive responsibility of forest protection. No plantation work should be done inside the deep forests. Natural regeneration of forests should be encouraged by strict fire protection, control on grazing, soil conservation works, checking smuggling and poaching. There should be regular reviews by senior forest officers by visiting the forests after looking at the condition of vulnerable forests through remote sensing. No time should be lost in taking necessary action

on any abuse of forests. Cooperation of the district administration and state government should be sought, if necessary.

3. Development of forest fringe villages must be given priority. The forest officers should be given an added responsibility to take charge of developing the forest fringe villages. Officers of other departments fail to find time to visit on regular basis because of the remoteness of the villages and other engagements, leaving very little time to concentrate on remote villages. Once the people know that forest officers are looking after their welfare forest protection would find acceptance of the villages. The Divisional Forest Officers must be in touch with the district administration and district officers to keep them abreast with the progress of development works. Forest officers at State level should be in touch with the government to keep them informed of the progress and seek cooperation to speed up the developmental works wherever necessary.

4. A separate wing of the forest should take care of plantation programme on the degraded forest lands along the forest fringe villages by associating the people and giving them right on the produce to keep their interest. They should also take care of plantations in rural and urban areas to improve the green cover in the State.

5. Government at the highest level must review the progress of forest protection and plantation programme on regular basis with the help of remote sensing data.

HIGH LEVEL COMMITTEE REPORT: FIRST IMPRESSIONS(PART -III)

By
J. V. Sharma

(This is in continuation of the article of the same title of which Parts – I & II by the same author were published in January and February 2015 issues of VANA PREMI. Part-IV of the article by Mr. Qamar Mohammed Khan on wildlife can be seen in next issue.)

This segment of the article deals with 'Environmental Governance' dealt by HLC in Chapter 7 and also 'Legal Framework' in Chapter 8 of their report. While Forest Clearances were discussed in Parts I & II, this instalment's focus is mainly on the Environmental Clearances and its attendant aspects. It is heartening to note that the Committee has been forthright in concluding that Forest land diversion and clearance from pollution point of view have so far been largely non-transparent with insufficient application of technology & information depending mostly on the data provided by the project proponents. The Committee did not hesitate to say that the present system is procedure-oriented, with insufficient focus on the need to safeguard environmental considerations. It further said that the average time taken for clearances works out to significantly longer than specified in most cases, whereas most projects sooner or later obtain approval and that the percentage of approved projects works out to 99.1%. It has been my argument that the Government has reduced the entire process of 'forest diversion' to the art of the possible, the forests ultimately losing out to project proponents, the delays in completion of the process notwithstanding. I have also been arguing that the 'delays' alleged are in fact the time taken by project proponents to maneuver and the Government to acquiesce, the procedures helping diversion as catalyst. Thus the much talked about delays are deliberate and wantonly publicized to defame the FC Act. More importantly, the Committee on its own verification found that more than 99% of the diversion proposals are eventually approved. I pointed out this fact to the Committee in my representation and I am grateful it is accepted. I stand fully vindicated.

These findings of the HLC nail the much trumpeted lie that the Forest and Environmental Clearances stipulated by FC Act and EP Act are coming in the way of development. The figures show that the actual story is the other way and the Governments in power have been extra-solicitous to those seeking clearances. In the light of these facts which had now come into public domain, the task given to HLC and the strategies formulated by it to meet the ToR are bound to be out of tune with ground situation. If the laws and procedures needed review, it should in fact be to prevent frivolous

diversions rather than facilitating more and more.

What is being lost sight of in this whole process is the damage caused to forests and environment. Now the HLC comes up with a recommendation to identify and pre-specify the 'no-go' zones of forests which in other words means identifying 'can-go' zones of forests. This can only pave way for more forest diversions in future and with utmost ease. Thus the concerns shown by the HLC for forests and environment are not reflected in recommendations made in this context and are actually at variance. The precept and practice are clearly in conflict. It would have been in the fitness of things if the HLC had gone into merits of some hard cases and recommended a thorough review of approved diversions by a Commission presided by a serving High Court Judge. There is no room for any doubt that the system had been abused to the hilt to ensure 99.1% diversions. Identification of the errant and restitution of damage to forests, in size as well as content, if recommended, would have been a credible step for security of environment in future.

The existing law makes the Forest Clearance and Environmental Clearance mandatory for any project which is likely to impact these areas. Forest Conservation Act and Environment Protection Act are the legislations which come into play. Both these legislations are being implemented by the Ministry of Environment and Forests (MoEF). I had invited the attention of HLC (in my representation) to the directions of Supreme Court issued in Lafarge Umium Mining Private Ltd. case wherein the Apex Court in the operative portion of the its Order dated 6th January 2014 clearly said that the Government should keep the National Forest Policy in view while implementing the environmental laws and found fault with MoEF exercising powers under both the Acts (FCA & EPA) despite the element of conflict of interest. The Supreme Court further directed the Government appoint a separate authority preferably in the form of a regulator at Central and States level to take care of Environmental Clearances under EP Act, while the MoEF itself exercising powers for Forest Clearances under FC Act. The Supreme Court had also issued guidelines to be followed in this regard.

It will be of interest to note that the Supreme Court had in fact in its Order dated 06.07.2011 in Lafarge Umium Mining Private Limited case laid down certain guidelines to be followed in future cases in respect of Environmental Clearances under Environment Protection Act, 1986. But the Ministry preferred to be silent in the matter. When the matter came up again on 06.01.2014, the SC Bench issued directions mentioned in the above para and apprises the Court of compliance by 31st March 2014. Needless to say, that the Court directions remain unimplemented till now. It is not difficult to guess the reasons for inaction. Period from 2011 onwards was the time when UPA Government was going full steam to clear proposals for forest diversion causing maximum damage

to forests.

The HLC in its report did mention about the Supreme Court Judgment in question but did not elaborate it for unknown reasons, though it is of material consequence. In fact the Committee's recommendation for creation of National Environment Management Authority (NEMA) and SEMA at States level could be seen as compliance of Court guidelines. For better appreciation of the matter, I request the readers to go through my article 'Supreme Court orders systemic change for Environmental Clearances' published in March 2014 issue of 'VANA VIKAS' a quarterly journal of Karnataka Retired Forest Officers Association, Bangalore and the same is reprinted along with this article for readers' convenience.

The observations of Supreme Court in the case mentioned summarized below are crucial to any arrangement sought to be put in place in the matter of environment:

1. 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 road map to ecological protection and improvement under the Environment (Protection) Act, 1986. Principles/guidelines mentioned in the National Forest Policy, 1988 should be read as part of the provisions of the Environment (Protection) Act, 1986 read together with the Forest (Conservation) Act, 1980.
2. The basic objectives of the National Forest Policy, 1988 include positive and proactive steps to be taken. These include maintenance of environmental stability through preservation, restoration of ecological balance that has been adversely disturbed by serious depletion of forests, conservation of natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, checking soil erosion and denudation in the catchment areas, checking the extension of sand dunes, increasing the forest/tree cover in the country and encouraging efficient utilization of forest produce and maximizing substitution of wood.
3. The Environment Impact Assessment Authority (EIA) Notification 2006, S.O. No. 1533 dated 14th September 2006 now under implementation is defective in many ways.
4. The presence of MoEF in both the appraisal and approval processes leads to a perception of conflict of interest.
5. The Regulator to be appointed under Section 3(3) of the Environment (Protection) Act, 1986 can exercise only such powers and functions of the Central Government under the Environment (Protection) Act as are entrusted to it and obviously cannot exercise the powers of the Central Government under Section 2 of the Forest (Conservation) Act, 1980, but while exercising such powers under the Environment Protection Act will ensure that the National Forest Policy,

1988 is duly implemented as held in the order dated 06.07.2011 in the case of *Lafarge Umiam Mining Private Limited*.

6. It is not correct to say that as under Section 2 of the Forest (Conservation) Act, 1980 the Central Government alone is the Regulator and no one else can be appointed as a Regulator.

The sum and substance of the Apex Court Order is that there is a palpable conflict of interest in the MoEF exercising ultimate authority in granting both i.e. Forest Clearance and Environmental Clearance. While Court has no objection to MoEF exercising the power under Sec. 2 of Forest Conservation Act, it is of the opinion that the clearance under Environment Protection Act should be entrusted to a Regulator. It is amply emphasized that the spirit of National Forest Policy should however be the guiding factor.

The Committee, seemingly following the Court directions, changed the goalposts in its recommendations in such a way that the main objective behind the directions could be compromised. Instead of suggesting positive and proactive steps in tune with the objectives spelt out in Forest Policy, the Committee set easy and expeditious grant of Clearance as its goal. It is hard to miss this aspect in as much as the flow chart of proposed project clearance mechanism given under Para 7.14 of the report suggests screening of applications to commence with whether it is no-go area/PA/Core forest area. It needs to be faulted on two counts; First, the objective of securing the forests as ordained in NFP is seriously compromised by reducing the clearance exercise only to forest as if environmental clearance is not needed for projects outside the forests and the second, making all non-nogo zones & PAs i.e. other forest areas as obvious expendable areas for diversion.

In this context, it needs to be remembered that a lot of irreversible harm has been caused to environment on account of existing EIA Notification 2006. As the Apex Court commented it is deficient in many respects. According to the existing operating mechanism of this notification, the works are broadly classified into 8 sectors viz. mining, primary processing, material production, material processing, manufacturing/fabrication, service sectors, physical infrastructure and building construction & development projects which are divided into 39 activities. These activities are classified into A & B classes depending upon the importance and size. All A- category projects require Central clearance and the B-category projects come under the purview of State Environment Impact Assessment Authority (SEIAA). There are Expert Appraisal Committee (EAC) at the Centre and State Level Expert Appraisal Committee (SEAC) in the States to advise the MoEF & SEIA. Constitution of the Committees has been arbitrary and it hardly meets the demands of environmental security. Emphasis is laid more on the industrial projects and forest environment is conspicuously ignored. It is not necessary to write more on the content and efficacy of the

mechanism than quoting what is said to be the statement of a senior scientist with Telangana State Pollution Control Board reported in DC dated 9th February 2015 – “... a study by the Tata Institute of Social Sciences showed that SPCB chairpersons were political appointees and SPCBs have earned a reputation for being corrupt and disinterested in enforcing compliance to environmental clearance conditions

Following points could be of relevance *vis-à-vis* the important recommendations of the HLC Report:

1. If the objective is to review all the environmental laws in the country, it would have been appropriate to dwell deep into existing laws, identify the inadequacies and to come up with a durable, workable and foolproof model of environmental governance. In the absence of such authentic exercise, any solution recommended can only be imperfect and incomplete. As such the recommendations need to be seen as such subject to strict proof.
2. The Committee appears to have gone about the business considering it only as an administrative challenge. On the contrary, environment is of utmost importance for likable living of people and India, a populous Nation with extremely limited land space, cannot afford to ignore this fact. Nation has to come out of this perception deficit and start seeing good environment as crucial requirement for survival.
3. General tendency among the Governments as well as public is to look at environment as an ignorable commodity which can be compromised in favor of other visible sectors of development. A paradigm shift is needed to shift priority to the other extreme of the spectrum.
4. According to the existing scheme of things, Environment, Forests and Climate Change are dealt in one Ministry. It is not for nothing the Supreme Court called for creation of a Regulator for Environmental Clearances. The MoEF abused the system in such a way that the environment and forests suffered enormous irreversible damage. It is high time a course correction is made.
5. Instead of looking at connected issues as Forests & Environment Vs Development OR Forests & Environment and Development, we must start looking at issues on merits. We can afford to defer development but cannot sacrifice environment.
6. Though ‘environment’ is mentioned in Art. 48-A of Directive Principles of State Policy and Art. 51-A (g) of Fundamental Duties, it curiously does not find place in any of the Lists of VII Schedule. Once it is recognized that environment is sacrosanct, it becomes necessary to include it List I- Union List of the Schedule under Art. 246. It is too precious to be left to States with all the unsavory experience of the past. An amendment to Constitution may become necessary –and it has stronger justification as it deals with health and wellbeing of the

people in general and of umpteen future generations. In case a Constitutional Amendment is not immediately possible, effective Environmental Laws can be enacted by Parliament either under saving clause of Item No. 97 of Union List or invoking jurisdiction from Items 64 to 66 of List I.

7. With the track record of the MoEF and the States in abusing 'environment' behind, it is absolutely essential to extricate environment & climate change from their operational realm and treat it as a separate department i.e. Department of Environment & Climate Change (DoECC). It should be placed directly under the Prime Minister like ISRO, Atomic Energy etc. with full operating independence vested in scientists and technocrats. After divesting Environment & Climate Change, MoEF will take care of forests as MoEF.
8. Need for creation of another All India Service to manage environment does not arise and the process will be free from bureaucratic red tape and bottlenecks.
9. It will then be only National Environment Management Authority with its subsidiaries in States to the exclusion of SEMA recommended by HLC. It will be an independent research based institution with well-defined norms.
10. Single window concept in Forest and Environmental Clearances is over-simplification of the task on hand. It is more of romanticism than of substance. The concept became popular for its appeal to lure the investors.
11. It needs to be appreciated that 'Environment' is totally different from other measurable entities. It cannot be quantified and its value is incalculable. Ignorance on facts can only lead us to false comfort.
12. The Committee's recommendation to hold the proponent liable for statements made in his application and to adopt the concept of 'utmost good faith' is welcome.
13. Breach of environment is a crime against society and warrants exemplary punishment. It should be seen differently from any normal offence. Offence should be made cognizable and non-bail able. The Proponent as well as the Consultant should be held liable. A minimum term of jail term should be prescribed while enacting the law. It needs to be understood that compounding fee and fines will not deter the commission of offences in as much as money is an easy bite in commercial circles and offenders will be prepared to pay any amount of money to come out of the case. Further, the onus should be on the persons charged.
14. Too much reliance cannot be placed on various Committees proposed by the Committee. Efficacy of the Committee depends upon the content of the Committee and their competence and righteousness. It is therefore advisable to prefer a system than individuals.
15. HLC recommended that the Ministry should be the final authority to accord clearance and

not the NEMA. The reason cited is that there may be issues of strategic importance which the Government may not like to share with NEMA. Since the PM himself presides over the entire system, he can easily differentiate the claims and hold the sensitive issues for himself at his level.

Broad parameters of the report are discussed without going into each recommendation and the points articulated therein. Detailed discussion on the roles, functions, duties and powers of various authorities for Environment Protection is necessary once the clear picture emerges after the government unveils its mind on the report.

Note: Please also see my article 'Supreme Court orders Systemic Change for Environmental Clearance' published in March 2014 issue of VanaVikas and re-printed separately in this issue. -JVS

నిన్న - నేడు

రచన : యస్. సుదర్శనరావు

నిన్నటి ప్రకృతి పరుపులా విరుపులు
నేడు వికృతి విలాపలా విషాద వీచికలు
నిన్నటి నింగినంటి నేలవారే జలతారు
జలపాతల పులకరింతలు
నేడు నేలజారు కన్నీటి బిందువుల ధారలు
నిన్నటి కువ కువ రాగాలతో
అలరారే పక్షుల కిలకిల రవకులు
నేడు నిశ్శబ్ద నిశీధి పలకరింతలు
నినన్నటి పచ్చటి పైటంచుల కనువిందుగాంచిన
రమనీయ కమనీయ శోభాయానాలు
నేడు వెచ్చటి రుధిర ధారల భీతిగొల్పే
మరుభూమిలా నిశ్చల నిర్జీవ సమిధలు
అందుకే అడవులు అక్షయ పాత్రలు
కాపాడుకుంటే దొరుకుతాయి
పంచభక్త్య పరమాన్నాలు
కాదనుకుంటే మిగులుతాయి కష్టాల కన్నీటి
కడగండ్ల సంద్రాలు

SUPREME COURT ORDERS SYSTEMIC CHANGE FOR ENVIRONMENTAL CLEARANCES

By

J. V. Sharma, IFS (Retd), Hyderabad.

The Supreme Court Order directing the Central Government to appoint a Regulator for Environmental Clearances under Environment Protection Act, 1986 went un-noticed. It is an order of far reaching consequences spelling out policy perceptions in vital areas of implementation of Forest Policy *vis-à-vis* Environment. The Apex Court, in its Civil Original Jurisdiction, while disposing I.A. Nos. 1868, 2091, 2225-2227, 2380, 2568 and 2937 in Writ Petition (Civil) No. 202 of 1995 (T. N. Godavarman Thirumalpad Vs. Union of India&Ors.), in the operative portion of the its Order dated 6th January 2014 directed the Union of India to appoint a Regulator with offices in as many States as possible under sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 as directed in the Order in the case of *Lafarge Umiam Mining Private Limited* and file an affidavit along with the notification appointing the Regulator in compliance of the direction by 31st March 2014. Thus the Highest Court had yet again intervened in environmental matter to interpret the law specifying the contours for its operation.

The significance of this order can be appreciated better by going into circumstances which prompted the issue of this Order. The Supreme Court on hearing the case of *Lafarge Umiam Mining Private Limited Vs. Union of India &Ors.* (2011 – 7 – SCC – 338), had in its Order dated 06.07.2011 laid down certain guidelines to be followed in future cases in respect of Environmental Clearances under Environment Protection Act, 1986. Sub-paragraphs (i.1), (i.2.), (i.3.), (i.4.) and (i.5.) of paragraph 122 of the order of the Court are reproduced below verbatim:

“(i.1.) The time has come for this Court to declare and we hereby declare 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 road map to ecological protection and improvement under the Environment (Protection) Act, 1986. Principles/guidelines mentioned in the National Forest Policy, 1988 should be read as part of the provisions of the Environment (Protection) Act, 1986 read together with the Forest (Conservation) Act, 1980. This direction is required to be given because there is no machinery even today established for implementation of the said National Forest Policy, 1988 read with the Forest (Conservation) Act, 1980. Section 3 of the Environment (Protection) Act, 1986 confers a power coupled with duty and, thus, it is incumbent on the Central Government, as hereinafter indicated, to appoint an appropriate authority, preferably in the form of regulator, at the State and at the Central level for ensuring implementation of the National Forest Policy, 1988.

(i.2.) The difference between a regulator and a court must be kept in mind. The court/tribunal is basically an authority which reacts to a given situation brought to its notice whereas a regulator is a proactive body with the power conferred upon it to frame statutory rules and regulations. The regulatory mechanism warrants open discussion, public participation and circulation of the draft paper inviting suggestions.

(i.3.) The basic objectives of the National Forest Policy, 1988 include positive and proactive steps to be taken. These include maintenance of environmental stability through preservation, restoration of ecological balance that has been adversely disturbed by serious depletion of forests, conservation of natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, checking soil erosion and denudation in the catchment areas, checking the extension of sand dunes, increasing the forest/tree cover in the country and encouraging efficient utilization of forest produce and maximizing substitution of wood.

(i.4.) Thus, we are of the view that under Section 3(3) of the Environment (Protection) Act, 1986, the Central Government should appoint a National Regulator for appraising projects, enforcing environmental conditions for approvals and to impose penalties on polluters.

(i.5.) There is one more reason for having a regulatory mechanism in place. Identification of an area as forest area is solely based on the declaration to be filed by the user agency (project proponent). The project proponent under the existing dispensation is required to undertake EIA by an expert body/institution. In many cases, the court is not made aware of the terms of reference. In several cases, the court is not made aware of the study area undertaken by the expert body. Consequently, MoEF/State Government acts on the report (Rapid EIA) undertaken by the institutions who though accredited submit answers according to the terms of reference propounded by the project proponent. We do not wish to cast any doubt on the credibility of these institutions.

However, at times the court is faced with conflicting reports. Similarly, the Government is also faced with a fait accompli kind of situation which in the ultimate analysis leads to grant of ex post facto clearance. To obviate these difficulties, we are of the view that a regulatory mechanism should be put in place and till the time such mechanism is put in place, MoEF should prepare a panel of accredited institutions from which alone the project proponent should obtain the Rapid EIA and that too on the terms of reference to be formulated by MoEF."

On 09.09.2013, when the matter came up before the Supreme Court, the Bench, finding its guidelines were not being implemented, asked Mr. Mohan Parasaran, Solicitor General, to obtain instructions from the Central Government and apprise the Court as to when the direction of the Court would be complied with. The matter was taken up on 18.11.2013 again, the Solicitor General, argued that so far as the National Forest Policy, 1988 is concerned, the same relates to forests and under Section 2 of the Forest (Conservation) Act, 1980 the duty of a Regulator has been upon the

Central Government. He submitted that the responsibility to appraise proposals seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 lies with the Forest Advisory Committee constituted by the Central Government under Section 3 of the Forest (Conservation) Act, 1980. He argued that these statutory duties of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 cannot be delegated to any other authority. It was further argued that sub-section (1) of Section 3 of the Environment (Protection) Act, 1986 similarly confers powers on the Central Government to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution and the Central Government in exercise of its powers under sub-section (1) and clause (v)(b) of sub-section (2) of Section 3 Environment (Protection) Act, 1986 had issued the EIA Notification dated 14.09.2006. He explained that the EIA Notification dated 14.09.2006 provides that the prior environmental clearance from the Central Government, or as the case may be, from the State Level Environment Impact Assessment Authority, shall be taken for construction of new projects or activities or the expansion or modernization of existing projects or activities mentioned in the Schedule to this Notification. He submitted that the Central Government through MoEF is, thus, undertaking appraisals of projects in accordance with the Notification dated 14.09.2006. He submitted that compliance of the conditions stipulated in the environmental clearance granted to the projects are being monitored and enforced by six Regional Offices of the MoEF functioning at Bangalore, Bhopal, Bhubaneswar, Chandigarh, Lucknow and Shillong. He submitted that as an appropriate mechanism for appraising projects as well as monitoring and enforcing compliance of environmental conditions that govern Environmental Clearances is already in place, it is not necessary for the Central Government to appoint a National Regulator under subsection (3) of Section 3 of the Environment (Protection) Act, 1986. The Solicitor General finally submitted that Part II of the order dated 06.07.2011 of the Apex Court is titled as "Guidelines to be followed in future cases" and hence the observations of this Court in Part II were in the nature of suggestions of the Court and the Central Government is considering these suggestions and has not taken a decision to appoint a National Regulator under sub-section (3) of Section 3 of the Environment (Protection) Act, 1986.

Mr. Harish N. Salve, learned Amicus Curiae, on the other hand, submitted that it will be clear, on a reading of Para 122 of the order dated 06.07.2011 that the Court held that Section 3 of the EP Act, 1986 confers a power coupled with duty and it is incumbent on the Central Government, to appoint a Regulator. He submitted that the order of the Court was in the nature of a mandamus to the Central Government to appoint a National Regulator and the plea taken on behalf of the Union of India that the order to appoint a National Regulator was in the nature of a suggestion is misconceived. He argued that the order was passed on 06.07.2011, and no review petition was

filed in response of the order dated 06.07.2011, and after two years of the passing of the order, the Union of India cannot refuse to comply with the order of the Court.

The Bench, on hearing the SG and the Amicus Curiae, observed that it will be clear from the order that the Court, on interpretation of Section 3 (3) of the Environment (Protection) Act, 1986, has taken a view that it confers a power coupled with duty to appoint an appropriate authority in the form of a Regulator at the State and at the Central level for appraising projects, enforcing environmental conditions for approvals and to impose penalties on polluters and has accordingly directed the Central Government to appoint a National Regulator under the said provision of the Act. The Bench thus clarified that the argument that the Court had merely suggested that a National Regulator should be appointed and has not issued any mandamus to appoint a National Regulator, is not correct.

The Supreme Court clearly stated that the existing mechanism of making the EIA appraisals of projects by the MoEF is unsatisfactory. The Bench relied upon the studies undertaken by the Department of Management Studies, Indian Institute of Technology, Delhi, on '*Scope, Structure and Processes of National Environment Assessment and Monitoring Authority (NEAMA)*' for the MoEF, Government of India, and the Executive Summary of the Report with regard to the implementation of EIA 2006 Notification. They extracted Paragraph 4 from Section I of the Executive Summary under the heading '*Major Findings & Recommendations*', as below:

"4. We analyzed the implementation of EIA 2006 notification and the proposed CZM notification 2010 in terms of policy, structure and process level issues. Almost all the problems in implementing these notifications relate to structure and processes. Key issues are mentioned below:

- a. The presence of MoEF in both the appraisal and approval processes leads to a perception of conflict of interest. The Member Secretary (who, according to the 2006 notification, was supposed to be the Secretary) is involved in the processing, appraisal and approval of the EIA applications.
- b. Lack of permanence in the Expert Appraisal Committees leads to lack of continuity and institutional memory leading to poor knowledge management.
- c. Current EIA and CRZ clearances rely predominantly on the data provided by the project proponent and the absence of authenticated and reliable data and lack of mechanisms to validate the data provided by the project proponent might lead to subjectivity, inconsistency and inferior quality of EIA reports.
- d. Though the EIA notification requires several documents like To Rs (for every project), minutes of public hearing meetings (for each project), EIA report (with clearance conditions) and self-monitoring reports to be put in public domain (predominantly on the website), this has not been done for lack of institutional mechanisms. This leads to a perception of lack of transparency in the processes.

e. Several studies have pointed toward the poor monitoring of the clearance conditions. Huge gaps in monitoring and enforcement of clearance conditions actually defeat the very purpose of grant of conditional environmental clearance."

The Bench finally observed; "Hence, the present mechanism under the EIA Notification dated 14.09.2006, issued by the Government with regard to processing, appraisals and approval of the projects for environmental clearance is deficient in many respects and what is required is a Regulator at the national level having its offices in all the States which can carry out an independent, objective and transparent appraisal and approval of the projects for environmental clearances and which can also monitor the implementation of the conditions laid down in the Environmental Clearances. The Regulator so appointed under Section 3(3) of the Environment (Protection) Act, 1986 can exercise only such powers and functions of the Central Government under the Environment (Protection) Act as are entrusted to it and obviously cannot exercise the powers of the Central Government under Section 2 of the Forest (Conservation) Act, 1980, but while exercising such powers under the Environment Protection Act will ensure that the National Forest Policy, 1988 is duly implemented as held in the order dated 06.07.2011 of this Court in the case of *Lafarge Umiam Mining Private Limited*. Hence, we also do not find any force in the submission of Mr. Parasaran that as under Section 2 of the Forest (Conservation) Act, 1980 the Central Government alone is the Regulator, no one else can be appointed as a Regulator as directed in the case of *Lafarge Umiam Mining Private Limited*."

"We, therefore, direct the Union of India to appoint a Regulator with offices in as many States as possible under sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 as directed in the order in the case of *Lafarge Umiam Mining Private Limited* and file an affidavit along with the notification appointing the Regulator in compliance of this direction by 31st March, 2014."

With this Order, the Supreme Court charted a new course in implementation of environmental law. The National Forest Policy, which was being conveniently ignored by bringing in short term policy documents at States' level, has again been brought to center stage. It is too early to say that the new Order will provide the much needed salutary effect on the woes of forests. We may be able to hazard any guess only after the shape and content of the institution of Regulator is unveiled. In any case our experience with the Committees has not been encouraging. They are serving more as facilitators of diversion of forests than conservation, given the performance of the FAC during the past one decade, to cite an example. The fate of environment other than forests is no better what with gross abuse of powers in mining, oil & gas exploration, power projects, irrigation & hydroelectric projects etc. Let us wait and see, praying of-course for better wisdom to prevail.

(This article was published in March 2014 issue of VanaVikas and now re-printed to provide the right context for article 'High Level Committee Report: First Impressions' appearing in this issue separately.

—JVS)

HOW TO INTERPRET CERTAIN THOUGHTS COMING TO THE MIND?

By

Dr. B. Raghotham Rao Desai

While reminiscing over the past, as you happen to meet an old childhood associate, you are likely to remember some such instances:

- (i) The friend blubbering when his dress got snagged on a serrated-edged stone and getting ripped beyond repair!
- (ii) The day when there was a severe reprimand by the hostel warden for having indulged in some tomfoolery!
- (iii) The day going merrily moseying around in the City of Joy, losing bearings in its massive expanse and finally feeling fiendishly happy on finding the way out of that murky maze!
- (iv) The afternoon on a Sunday going scouting on several streets in the State Capital for that spiffy piece of cloth and then feeling singularly exulted on having spotted one in a small nondescript store!
- (VI) The evening during a hot summer, belting down palate-scalding samosas dunking in mint chutney and capping it later-on with blobs of delectable ice-cream smothered in chocolate-sauce in a roadside bistro!

Quite surely you will be wondering and getting mixed reactions, as you interpret why such forgettable and ignorable instances come alive

with graphic-details, from the distant-past!!

Good ideas are like forest fires: they spread on their own and become all-consuming.

Human minds mostly hoard those unsavory memories which deserve to be classified as grubby garbage, forming a veritable trash-bin, though there exists capability of making the very minds as treasure chests instead, causing them to stockpile invaluable things such as happy memories and heart-pepping thoughts. Isn't it junking in the sound trash-bin of mind such worthless memories that refuse to get expunged?

The trash in the mind isn't just about the bitter memories of the past alone: it could also be in the form of myriad kinds of imaginary fears, anxieties, negative thoughts and emotions which a person is unable to have them uprooted or obliterated. It does not end at that: all the non-disposable junk in the mind tends to tenaciously cling till a terrible 'stench' starts emanating from it — in the form of interminable worries, mind-enervating stresses and tensions which keep escalating till damaging-dents are caused on the inner peace and happiness.

Then why not convert the mind into a treasure-chest of noble thoughts and most cherished things, instead of letting it turn into a trash-bin, filled with negative thoughts? We can as well try to store the memories of a holiday jaunt enjoyed among rambunctious fun or the abundant joy that was felt on having acquired a most aspired awesome thing — soon and so forth!

Just as the effulgent rays of the rising sun awaken the lotus which blooms in all its splendor, engaging the mind in divine thoughts shows on the countenance as an expression of calm and nobility. When the mind is always engaged in constructive and creative thoughts, divine or otherwise, a current of positive thinking is induced which, with constant practice arrest the

intrusion of evil and negative thoughts. Such a vision of the inner divinity that is ambrosia for the anguish of worldly affections can only be had through divine grace. This is why the world in every age sees only a few great souls as compared to the general populace, burdened with its baggage of a mix of good and bad deeds. Not even one among thousands of wise men can behold this virtue and offer at the altar of love and transform even a wayward life into a fruitful journey.

In fact in this treasure chest we can even store exciting dreams about future life and many such positive thoughts. So, ultimately it's all in our hands whether we'd like to make our mind a gorgeous treasure chest or a grubby garbage can!

INVITATION

The Association of Retired Forest Officers of Telangana and Andhra Pradesh, Hyderabad Congratulates Sri K D R Jaya Kumar I.F.S. Additional P.C.C.F who is retiring from service on attaining the age of superannuation on 31th March, 2015. He is cordially invited to join the Association of Retired Forest Officers to keep in touch with his old colleagues and to keep himself occupied.

For further details he may contact the following –

Sri B.M.Swami Dass, Secretary	Mobile Number	9000817781
Sri A.V.Govindarajulu, Jt.Secretary	Mobile Number	9440764611

B.M.Swami Dass,
Secretary

TELANGANA FORESTS: A GLIMMER OF HOPE

By
L. Lohit Reddy

I am no longer at an age to go after news. I wait for the news to reach me. The other day I had a pleasant surprise when my old friend J.V.Sharma informed me that there is a news report in the Hindu dated 4th February 2015 which provides a respite to the never ending woes of Telangana forests. When I could lay my hands on that, it was not a mere surprise; I had to pinch myself to make sure it was not fantasy.

The news story was filed by S. Harpal Singh. He has several reports on Adilabad District which throw light on the hitherto unknown/ignored places, events and issues of the District. This particular report was not only informative but greatly heart-warming to old foresters who are on the brink of losing hope of seeing good days for forests. Important points reported are:

1. Sri K.Chandrasekhara Rao, Chief Minister, during an interactive session with forest officials at Forest Academy on 17th January 2015, had taken a decision not to entertain any more applications under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) and the decision is aimed at protecting the forests in the State.

2. The forest officials want a review of the implementation of the FRA to undo the mistakes which had ensured rights on forest lands to ineligible persons.

3. Sri P. K. Sharma, Principal Chief Conservator of Forests (Wildlife), speaking on the

state of forests of Telangana State and the status of conservation, was highly critical of the FRA and opined that it had caused havoc generating engineered and motivated felling of forests.

4. PCCF (WL) had also said "Telangana has lost 10 lakh acres of land to encroachments and 2.5 lakh acres continue to remain under encroachment despite the implementation of FRA." Reeling out figures to drive home the point that all is not well with its implementation, he said; "Leave alone the faulty selection of beneficiaries, many mistakes were committed even in terms of demarcating the pieces of land done by the Tribal Welfare Department."

While the picture painted of the condition of forests is unmistakably pathetic, the silver lining in the dark horizon is the Hon. Chief Minister has not only understood the alarming situation but also appeared inclined to reverse the trend. Total Geographical Area (TGA) of Telangana State is 1,14,863 Sq. Kms. and the area under forests is 29,242 Sq. Kms. accounting for 25.46% of TGA as against the 33 1/3% prescribed by National Forest Policy. But the ground situation is more disconcerting as the forest land to an extent of 8.08 lakh acres has been distributed to the Scheduled Tribes and other Traditional Forest Dwellers under Forest Rights Act resulting in decrease of 11.2% in State Forest Area. Title Deeds vesting forest rights on land

to an extent 3, 96, 657 acres in Adilabad, 2, 10, 386 acres in Khammam and 1, 59, 437 acres in Warangal Districts were given away. Less forested Districts parted with lesser extent of forest land. It brings down the area under forests in the State to 22.6% of TGA.

The provisions of Forest Rights Act have been challenged first in the High Court at Hyderabad followed by similar PILs in some other States. Now, the entire petitions stand transferred to Supreme Court for combined hearing and disposal to avoid differing verdicts by different Courts. J.V.Sharma is pursuing the case and trying for coordinated fight against the case. Besides various other grounds on which the legislation is arraigned, faulty procedure of verification of claims and violation thereof are also cited as reasons by the petitioners. Now it is on the authority of PCCF (WL) that the implementation was defective and mistakes have indeed been committed. Mr.P.K.Sharma deserves all the praise for coming forth boldly calling the spade a spade.

The forests of Telangana are going through a very bad phase of neglect, abuse and mismanagement. A closer look at the facts and figures will reveal that the protection and preservation levels are quite low. A kind of scant respect and licentious feeling appears to pervade among the public in general and the same is reflected in large scale encroachments. It is a symptom of lawlessness and anarchy which can manifest only when the Government, the polity and the Forest Department are ineffective. If 2.5 lakh acres of forest land is still under encroachment even after FRA implementation,

it is a failure of governance mechanism. When a very senior officer of PCCF cadre comes on record to tell that there was faulty selection of beneficiaries and mistakes had been committed in implementation of the FRA, no further evidence need be adduced.

Now, there is a glimmer of hope centered on the Chief Minister. With all the unfortunate experiences behind, we can look forward to some proactive initiatives by the CM to undo the damage. A review of the implementation of FRA, if done, in all certainty, will tumble out several skeletons from the cupboard and restore substantial extent of forest land lost. We only wish the forest officials will bring all such violations to the notice of the CM to atone for being a party to irregular diversions.

Ever since he took over as CM, Sri KCR is making all right noises as far as forests are concerned. He is seriously pursuing *Haritha Haram* programme for large scale planting throughout the State with the objective of bringing one-third of land area under tree cover. He intervened to save 274 acres of Kothaguda Reserve Forest in the heart of the City which was considered almost lost for commercial ventures in the name of an ecotourism project. Now, he took a decision not to entertain any more claims under FRA. Readers should be aware that the previous Government having squandered more than 8 lakh acres under FRA, had ordered for the second phase of its implementation and with this intervention by CM, this forest land distribution *Mela* will at least stop. This is the time when the Forest Department should strengthen the hands of their Chief Minister.

BALANCING ECOLOGY AND ECONOMICS – A PERSPECTIVE

By

V.V.Hari Prasad

Environmental protection and development, are they mutually exclusive? This question has led to the conflicting views being expressed by the environmentalists and development planners all over the world in general and in India in particular.

Environmentalists oppose the construction of huge dams in the name of development at the cost of submergence of valuable forests and displacement of thousands of families consequent on submergence of human habitations and the word “dam” has become a *bête noire* to them. Rapid growth of population that led to the crossing of one billion marks in India made it imperative to the rulers of our country to devise plans for increasing production and productivity of food grains all over the country to feed the hungry masses. The vision of first Prime minister of India Jawaharlal Nehru resulted in the construction of multipurpose projects like Bhakra-Nangal across the river Sutlej in Himachal Pradesh and Machkund project which falls on Machkund river benefitting A.P and Orissa states, both for agriculture and power generation purposes led to green revolution in India being the invaluable contribution of great scientists and eminent engineers of our country.

Bhakra dam was described by Nehru as “New Temple of Resurgent India.” One is left with the Hobson’s choice of agreeing with the contention of the environmentalists that development shall not take place at the cost of environmental protection. At the same time one has to find out the answer whether any way out can be found out for bringing more and more land under agriculture through irrigation and increase generation of power in our country without constructing projects like Hirakud, Nagarjuna Sagar etc. which led to the evacuation of thousands of families even from their ancestral abodes and also for minimizing the destruction of environment in spite of mining activities. The inevitable answer is that a balance has to be struck down between protecting the environment, and taking up developmental projects.

GANDHI ON ENVIRONMENT: The whole world knows that Gandhi was political leader and a revolutionary of an extraordinary type. It is also widely known that he was a humanist and pacifist of international fame, but very few people know that he was an environmentalist too. Gandhi had bewildering insights and

foresights. One well-known author is really appalled by Mahatma Gandhi's farsightedness so clearly and emphatically expressed in the *Hind Swaraj* more than a century ago in 1909 when people talked of environmental problems and hazards. One is overwhelmed by his grasp of resultant human predicament and his ingenuity to suggest approximate measures to root out problem rather than search a solution to control it. In this context one has to ponder over the impact of construction of huge dams and mining activity on the environment per se.

Environmental impact due to construction and operation of a dam:

One of the most efficient ways to manage water resources for human needs is by the construction of dam that creates reservoir for the storage and future distribution. The tallest dam (305 mtr.) of the world is situated in China on Yalong Jiang River. The following are the positive and negative effects of a dam on the environment which are well known

POSITIVE EFFECTS

- ◆ Water supply for domestic and industrial use.
- ◆ Meeting the agriculture demand for food supply
- ◆ Flood control
- ◆ Recreation
- ◆ Hydro power
- ◆ Inland navigation

Negative effects of dam on the environment

- ◆ Resettlement and relocation because of displacement of millions of people
- ◆ Adverse impact on the people's life.
- ◆ Submergence of valuable flora and fauna
- ◆ Scouring of river beds and loss of river banks
- ◆ Adverse impact on human health

Mining and its impact on the environment:

Minerals are nonrenewable and limited natural resources and constitute vital raw materials in a number of basic and important industries. The extraction of minerals from nature often creates imbalance which adversely affects environment. The mining sector in India is plagued by several environmental, health and safety related problems.

The overall frame work of environmental legislation in India is set by the National conservation strategy and policy statement on environment and development issued by the Ministry of Environment, Forests and climate change which identified the following steps in order to integrate environmental consideration in to decision making at all levels.

- ◆ Prevent pollution at source
- ◆ Encourage, develop and apply the best available practicable technical solution
- ◆ Ensure that the polluter pays for the pollution and control arrangements
- ◆ Focus on protection of heavily polluted areas and river structures
- ◆ Involve the public in decision making.

Case law: In the context of the debatable issue of balancing ecology and economics “the case law pertaining **“National Green Tribunal” central zonal bench, Bhopal** and the judgment par excellence pronounced by the Hon’ble Justice Dalip Singh and Sri P.S.Rao expert member (Formerly additional PCCF A.P) are imperative to be gone through by all those having concern for environmental protection. The brief particulars of the case law are as follows.

Applicant: Narmada Khand Swabhimana Sena Kanchnar City Vijay Nagar, District – Jabalpur (M.P.).

Versus

State of Madhya Pradesh Through its Principal Secretary Department of Mineral Resources, and others

Important excerpts of the judgment are quoted below:

The application was originally filed as writ petition No.6930/2009 in the High Court of Madhya Pradesh at Jabalpur as Public Interest litigation. In pursuance of the order dated 5.12.2013 of the Hon’ble High Court of Madhya Pradesh in consonance with the judgment dated 9th August, 2012 of the Hon’ble Supreme Court in *Bhopal Gas Peedith Mahila Udyog Sangathan and Others Vs Union of India & Others (2012) 8 SCC 326*, the writ petition was transferred to the Central Zonal Bench, National Green Tribunal, Bhopal and was registered as Original Application No.114/2013. The matter was listed

for hearing on 13.1.2014 since the Hon’ble High Court while ordering the transfer of the case, directed that the parties appear before the Tribunal on 13.1.2014.

In the writ petition the Petitioner claimed that theirs is an organization of social activists and they hold the river Narmada In reverence. Having observed that heavy pollution is being caused by the sacred river Narmada they have taken up the cause of protection of the river from pollution. In this connection, the petitioner’s organization, having come to know that Mining Leases (for short ‘ML’) as well as Prospective Licenses (for short, ‘PL’) are being granted for mining Bauxite mineral in Achanakmar-Amarkantak Biosphere Reserve (for short ‘AABR’), they have filed the writ petition. According to them mining activities in this sensitive area will cause irreparable damage to the ecology as well as the flora and fauna besides polluting the river Narmada which originates in the aforesaid Biosphere Reserve (for short, ‘BR’).

As per the information gathered by the Applicant’s organization the District Collector, Anuppur vide memo dated 21.8.2008 referred the matter to respective authorities in the district including the Divisional Forest Officer (for short, ‘DFO’), Anuppur for furnishing requisite information to examine the application of the Respondent M/S Katni Minerals Private Ltd. However, the DFO,

Anuppur vide his letter date 11.9.2007 has already informed the Collector that he was not in favor of granting PL, in view of the fact that the proposed mining area falls in the AABR and if the mining is allowed, the flora and fauna in the area would be destroyed.

Discussion and Conclusion: This case was originally filed as PIL before the Hon'ble High Court of Madhya Pradesh in the year 2009 and was transferred to this Tribunal to deal with it under the National Green Tribunal Act, 2010 as per the orders dated 5.12.2013 of the Hon'ble High Court. The legal backing for the Applicant's case is therefore to be found within the four corners of the NGT Act i.e.

a) whether the case involves '***a substantial question relating to environment***' and if so, whether it falls within the Scheduled Acts as it is the case of the applicant that the grant of ML/PL would cause great harm to the biodiversity and ecology of the AABR from where the river Narmada originates and also whether it affects the livelihood of the local communities which according to the Applicant, is against the objective and purpose of establishing Biosphere reserves.

b) Whether any scientific evidence has been produced by the applicant or the respondents that the PL and MLs in question, granted in the Buffer and Transition Zones of the AABR will lead to adverse impact on the biodiversity, cause pollution as well as on the

livelihood opportunities of the local communities.

A perusal of the study report on the Bauxite mining done by HINDALCO & BALCO gives a clear picture of the effect of Bauxite mining in the Amarkantak region; Relevant extracts of the report are:

"Amarkantak, by virtue of being source of the Narmada, Sone and Johilla rivers, is very important and holy place which has its own importance in cultural and mythological heritage of the country. The unique and remarkable feature of Amarkantak region are the trijunction of three major hills ranges namely Satpura, Vindhyachal and Maikal and river basins (the Narmada, the Mahanadi and the Ganga). The Bauxite ore at the tri junction of Mandla, Bilaspur and Shahdol district is quantitatively the largest and qualitatively the best in the state. Bauxite mining here is being carried-out by HINDALCO and BALCO since 1962 and 1970 respectively. The indiscriminate mining of Bauxite resources from such an important place has caused adverse effects on the environmental and ecological balance of the regions. The environmental impact of open cast Bauxite mining in Amarkantak region can be classified into the following categories:

- i. Impact on land and soil: Land degradation, landslide, soil erosion, change in land use / landscape.
- ii. Impact on flora and fauna: deforestation,

wildlife migration.

iii. Impact on water: impact on riverine system, disruption of water regimes, natural drainage and pollution of surface and subsurface water.

iv. Air pollution: air quality deterioration due to discharge of particulate matter and gasses generated during mining operation.

v. Noise pollution and vibration problems.

vi. Socio-economic problems

The report on the environmental impact of Bauxite mining done by the HINDALCO & BALCO in the Amarkantak region has definitely shown that it caused a negative impact on the local ecosystem. However, these mines were located in the Amarkantak plateau itself more so where hill slopes have been distributed but as brought out by the MoEF in their reply these mines which are subsequently closed down, are away from the mines in question and there are not relevant to the present case. It was also categorically stated by the MoEF that the mines in question are falling in the Buffer / Transition zone. It is a fact that the MLs granted in the past over large extent of area even in luxuriant forests and ecologically highly sensitive areas including that of mines sanctioned to HINDALCO & BALCO, decades ago, before the advent of Forest (Conservation) Act and Environmental laws in the country and without conducting EIA study and before the concept of 'Sustainable Development' came into prominence, lead to

unscientific and indiscriminate mining causing immense damage to the local ecosystem beside degrading the land and creating air and water pollution.

In the case of Essar Oil v. Halar Utkarsh Samiti
AIR 2004 SC 1834 the Hon'ble Supreme Court held:

"This, therefore, is the sole aim, namely, to balance economic and social needs on the one hand with environmental considerations on the other. But in a sense all development is an environmental threat. Indeed, the very existence of humanity and the rapid increase in population together with the consequential demands to sustain the population has resulted in the concreting of open lands, cutting down of forests, filling up of lakes and the pollution of water resources and the very air that we breathe. However, there need not necessarily be a deadlock between development on the one hand and the environment on the other. The objective of all laws on environment should be to create harmony between the two since neither one can be sacrificed at the altar of the other.

In the light of above observations the judge and the expert member a former senior forest officer of A.P Forest department felt that it was fit to issue the following direction in this case and I quote-

i. "As rightly averred by the Secretary, MoEF till detailed Landscape plan is prepared for

- the mines in question the PL/ML granted to the Respondents shall be kept on hold.
- ii. The so called Landscape plan prepared and produced before this Tribunal by the DFO, Anuppur does not take into account the effect of such mining on the local biodiversity and ecology and mere statement of the DFO that the PL granted to Respondent No.7 i.e. Imtiaz Khan (Bauxite mines) does not involve forest land and it is a private land without any vegetation and necessary action will be taken to keep the boundary demarcated, will not satisfy the condition of preparation of Landscape plan in which one has to look into all the aspects and satisfy the principle of sustainable development.
 - iii. We direct that the nodal agency for the State of Madhya Pradesh, EPCO shall prepare detailed Landscape plan in coordination with the line departments and arrive at a conclusion whether the PL and ML granted to the Respondents No.5 (M/S Katni minerals pvt.ltd), 6 (M/S Ganapati minerals) & 7 (Imtiaz Khjan, Bauxite mines) satisfy the principle of sustainable development by looking at various parameters that have been taken into account and observations and recommendations that have been made in the Barkatullah University report on *Bio-Physical Environment study on HINDALCO & BALCO*.
 - iv. The exercise should be carried out within 3 months from the date of issue of this order.
 - v. Once the EPCO prepares the Landscape plan after going into the various aspects the plan should be reviewed by the State Level Steering Committee headed by the Chief Secretary / Principal Secretary (Forests) and take a decision within one month thereafter whether to allow such mining activities to be carried out in the Buffer/Transition zone of AABR and the decision of the State Level Steering Committee shall be final. Till then the interim orders passed on 17th July, 2009 by the Hon'ble High Court of Madhya Pradesh shall continue to operate."
- The judgment pronounced by the central zonal bench of National Green Tribunal Bhopal literally kept the observations made by the Supreme court of India in view while pronouncing the judgment in the instant case and the observations made by the Hon'ble Supreme court read "*The objective of all laws on environment should be to create harmony between the two i.e. environment and development since neither one can be sacrificed at the altar of the other. The balancing activity between ecology and economics is indeed vital to any nation all over the world. There is no other go for us, we should strive to have the cake and eat it too.*"

BOOK REVIEW

FOREST CONSERVATION CONCERNS IN INDIA by S Shyam Sunder, IFS & S Parameshwarappa, IFS(Both retired Principal Chief Conservators of Forests)

Gajendra Singh Gehlot, SMPS Publishers of Scientific Books, DehraDun: PP 246+XV+18, Price Rs. 475/-

(Stockists: Alpha Agritech Consultants, Bangalore: alphaagritech@gmail.com/Tele-Fax:080-23342405)

This beautifully-crafted treatise, by the two illustrious Foresters of great repute, can indeed be rightly called "a fresh perspective on Forestry" — one of the many adjectives one can use to describe this aptly-named book, brought out not a day too soon — covers memorably three significant sections of Pre-Colonial Period (for "Resource Profligacy"), Colonial period (for "Condition of Forests" and "Beginning of Organized Forestry") and Post-Colonial period (for "Professional Forestry", describing the "Contested Claims" and the "Concerns of Foresters" as also a "Ray of Hope"), paying elegiac or reflective tributes to the Forests and other Environmental Assets, as also their colleagues who shared the said concerns and assisted or caused in policy-formulations which became bed-rocks for conserving the flora and fauna through delicate testing times.

"Forest Conservation Concerns in India" further reminds us of the lingering after-shocks due to recent legislations—the authors seem to always like to share their concerns to preserve the existing assets and enlarge them, however pitiable be their present-day conditions due to the unsympathetic attitudes of even the elected representatives. If the regions are no more

green, the authors would like to see them limpid or periwinkle or some other scintillating tint. The narration slides 'back and forth' at times, as we come to its end recalling old times and outages, obsessed with what has been taken away from the pasts and what has been left behind, dabbling in a sort of nostalgia—importantly with a thought: what we have left behind for the posterity.

The book also appears to me as loosely-autobiographical, jouncing or jolting a series of early memories, touching upon details here and there about what they experienced, cohering in tone and intertwining in manners — physical and metaphysical — searching for truth, like a Polaroid left in the sun. It can be described as a bewildered narrator's pursuit of an ideal utopian atmosphere in which forests (including its denizens) can breathe easy, from the dematerialized condition they were driven to, by the present generation politics.

The narration is lucid, clear with languid and urbane sentences of distinct quality, having grumpy and gnomic utterances—as if we are hearing the incidents from one room over, with the excellent details piling up! It can be classified as an ideal work in English, one deserving the best place to fling one into the authors' oeuvre—the work of an artist or a writer, being wittier than one might imagine—having a mood and casting a sort of spell: one I was happy to submit to. It seemed that clouds, sun and shadows of my youthful years

miraculously came back alive in the narration! Those who pick up "Forest Conservation Concerns in India" will discover a work which is frequently a flaneur of consciousness, sauntering about and strolling with a purpose, chronicling purposeful peregrinations in the wild.

The duo get compared to late "Shankar-Jaikishan" who combined together to become a big hit with their distinct mellifluous music in their debut venture under RK-banner, consequently becoming most sought- after composers of many a pleasant and lilting melodies, which are popular even to this day as

"evergreens". Indeed, "Parameshwar" is the other name for "Shankar", while "Shyam" is for "Kishen"—the only difference being it is "reverse" as their "ages" go! Time alone will tell if a few more works of this quality will ever be rolling out and hitting the stands, to assuage the hunger of a legion of connoisseurs who would be savoring the contents of this volume. However, I congratulate them for authoring this immensely readable book which is likely to make a lasting impact during the days to come.

Dr.B Raghotham Rao Desai, IFS (Retd)

SECRET OF BEING HAPPY!!!

A Crow Lived in the Forest and was absolutely satisfied in life. But one day he saw a swanThis swan is so white and I am so blackthe crow thought. This swan must be the happiest bird in the world. He expressed his thoughts to the swan. Actually, the swan replied, I felt that I was the happiest bird around until I saw a parrot, which has two colours. I now think the parrot is the happiest bird in creation. The crow then approached the parrot. The parrot explained, I lived a very happy life, until I saw a peacock. I have only two colours, but the peacock has multiple colours. The crow then visited a peacock in the zoo and saw that hundreds of people had gathered to see him. After the people had left, the crow approached the Peacock. Dear Peacock, you are so beautiful. Every day thousands of people come to see you. When people see me, they immediately shoo me away. I think you are

the happiest bird on the planet. The peacock replied, I always thought that I was the most beautiful and the happiest bird on the planet. But because of my beauty, I am entrapped in this zoo. I have examined the zoo very carefully, and I have realized that the crow is the only bird not kept in a cage. So for past few days I have been thinking that if I were a crow, I could happily roam everywhere.

That's our problem too. We make unnecessary comparison with others and become sad. We don't value what God has given us. This leads to the vicious cycle of unhappiness. Value the things God has given us. Learn the secret of being happy and discard the comparison which only leads to being unhappy.

Find your happiness within you not outside.

Crow is the avian mode of transport to SATURN
(Lord Saniswara)

Courtesy: K. J.M. Reddy

NEWS AND NOTES

Most livable city of India: - A leading international rating agency has certified Bengaluru as the most livable location in India, followed by Mumbai and Chennai.

Though Bengaluru is ranked 171 in the global livability index, the tech hub has scored favorably over metros and other cities across the country in terms of overall quality of living, while New Delhi has been rated as the least livable, with worst air quality.

"In India, Bangalore (Bengaluru), which is ranked 171 globally, scores most favorably followed by Mumbai and Chennai both ranked 182. New Delhi, ranked 204, is the least livable, with worst score for air quality like Beijing is in the world," ECA International said in a statement Thursday from London.

As the leading provider of knowledge, information and technology for the management and assignment of employees the world over, ECA rated Singapore as the most livable location in Asia and globally, followed by Sydney and Adelaide in Australia.

"Good air quality, solid infrastructure, decent medical facilities, low crime and health risks contributed to Singapore maintaining its top position in the global ranking for quality of living for Asian assignees," ECA regional (Asia) director Lee Quane said in the statement.

The agency's annual location rating system evaluates multiple factors to assess the quality of living in 450 locations worldwide for enabling

global firms fix allowances to their employees. Factors for the assessment include climate, availability of health services, housing and utilities, political tensions and air quality.

In the Indian sub-continent, Pakistani cities like Islamabad and Karachi, ranked at 261 and 269 in the survey, have the region's worst scores for personal security and social-political tensions. "They are the hardest locations surveyed in Asia for expatriates to adapt to living and working in," Lee said.

While Hong Kong is ranked high as a place for Asian expats to live, the ECA survey revealed that its attractiveness has dropped.

"The unrest in recent months and restrictions on movement of people due to socio-political factors worsened living conditions in Hong Kong," Lee recalled.

Martial law declaration led to a worsening in socio-political scores for ranking locations in Thailand.

While Malaysian locations fell in the global ranking, its capital Kuala Lumpur slipped to 118 from the previous rank of 115.

Shanghai, ranked 110 globally, is rated as China's most livable city followed by Beijing at 122.

Denmark capital Copenhagen, ranked seventh globally, is the European city that offers the best quality of living for Asian assignees followed by Swiss city of Bern.

In North America, Vancouver at 24 is the most livable location followed by San Francisco at 40.

Dubai, ranked at 109, is the location in the Gulf region which requires the least adjustment for Asian assignees overall.

For Asian assignees going to Africa, Port Louis, Mauritius, (118) affords the best quality of living followed by Cape Town (133).

A village that plants 111 trees for every girl born in Rajasthan :

In an atmosphere where every morning, our newspapers greet us with stories of girls being tormented, raped, killed or treated like a doormat in one way or another, trust India's "village republics" to bring in some good news from time to time.

One such village in southern Rajasthan's Rajsamand district is quietly practicing its own, homegrown brand of Eco-feminism and achieving spectacular results. For the last several years, Piplantri village panchayat has been saving girl children and increasing the green cover in and around it at the same time.

Here, villagers plant 111 trees every time a girl is born and the community ensures these trees survive, attaining fruition as the girls grow up. Over the last six years, people here have managed to plant over a quarter million trees on the village's grazing commons- including *Neem*, *Sheesham*, mango, *Amla* among others.

On an average 60 girls are born here every year, according to the village's former *sarpanch*, Shyam Sundar Paliwal, who was instrumental in starting this initiative in the memory of his daughter Kiran, who died a few years ago.

Such families are identified by a village

committee comprising the village school principal along with panchayat and Anganwadi members. Rs. 21,000 is collected from the village residents and Rs.10,000 from the girl's father and this sum of Rs. 31,000 is made into a fixed deposit for the girl, with a maturity period of 20 years.

But here's the best part. "We make these parents sign an affidavit promising that they would not marry her off before the legal age, send her to school regularly and take care of the trees planted in her name," says Mr. Paliwal.

People also plant 11 trees whenever a family member dies. But this village of 8,000 did not just stop at planting trees and greening their commons. To prevent these trees from being infested with termite, the residents planted over two and a half million Aloe Vera plants around them. Now these trees, especially the Aloe Vera, are a source of livelihood for several residents.

"Gradually, we realized that aloe Vera could be processed and marketed in a variety of ways. So we invited some experts and asked them to train our women. Now residents make and market aloe Vera products like juice, gel, pickle etc." he says.

The village panchayat, which has a studio-recorded anthem and a website of its own, has completely banned alcohol, open grazing of animals and cutting of trees. Villagers claim there has not been any police case here for the last 7-8 years. Mr. Paliwal recalls the visit of social activist Anna Hazare, who was very happy with

the progress made by the village, he says. "But Rajasthan is quite backward in terms of village development compared to panchayats in Andhra Pradesh, Maharashtra etc. So we need to work hard towards creating more and more empowered villages," says the former sarpanch, hoping the government listens to him.

Meet the world's 'most travelled' man: -

Washington, Jan 21 (ANI): Fred Finn, who has visited 150 countries and spent 16 million miles and countless hours up in the skies, holds the title of "most air miles flown by a person" in the Guinness Book of World Records.

The 74-year-old Brit said that he was commuting when he lived in New York across the Atlantic every week for about four years, the Huffington Post reported.

The Brit added that eventually Concorde came out and he took its first flight out of Washington, which meant he could connect in Nairobi or Singapore on the same day and do that same trip in nine hours instead of 18.

The international businessman, who used to have three passports attached to each other, all with valid visas stamps, but today only carries a U.S. and British passport and of ten times asks to forego stamps to save space, added that he lives most of his time in the Ukraine and the longer he can hang onto one passport, the better.

Finn, who claims to be "the number one writer on Trip Advisor" with "like 43,000 followers," continued that every country he has been to, he has actually either worked in or stayed there.

He explained that he thinks layovers in airports

are hardly business in the country and people have got to go out into the country and see it to say that they've been there. (ANI)

Hyderabad airport ranked third best in the

world: - Hyderabad, Feb 17 (IANS) Hyderabad's Rajiv Gandhi International Airport (RGIA) has been ranked third best airport in the world in 5-15 Million Passengers Per Annum (MPPA) category.

The airport has been ranked in the Airport Service Quality (ASQ) Awards announced by the Airports Council International (ACI), the global body of airports, for 2014.

RGIA has retained its position among the top three airports in its category for the 6th consecutive year, said a statement by GMR Hyderabad International Airport Limited (GHIAL), the operators of the airport.

It has consistently been rated amongst the top 3 airports in the world, since its inception.

The ASQ survey has become the world's leading airport passenger satisfaction bench marking survey with over 300 airports participating.

S.G.K. Kishore, CEO, GHIAL said it reflect their commitment for delivering a high quality passenger experience on a consistent basis.

The ACI which carries out surveys at 300 airports around the world ranks the airports on the basis of airport service quality surveys which represent passenger feedback on 34 key service indicators.

Did you know turmeric can lower blood

sugar levels: -Turmeric, also known as *Haldi* in Hindi, is one of the most widely used spices to

add color and flavor to food. However, if you suffer from diabetes, this spice is an essential ingredient you need to include in all your food preparations without fail. Known to be a potent antiseptic and a powerful antioxidant agent, turmeric is packed with numerous health benefits. Moreover, turmeric acts as an effective natural remedy to keep your blood sugar levels in control. Here's what makes it a natural anti-diabetic compound.

How does it work? Turmeric contains curcumin, one of the three key compounds of curcuminoids, which exert a very potent effect in moderating insulin levels and enhancing the efficacy of anti-diabetic drugs. Being a powerful antioxidant, turmeric plays a key role in warding off the free radicals in the body, along with reducing insulin resistance in the body.

The two key processes that occur in the body of a person suffering from diabetes are protein glycosylation (where the protein molecule is altered) and lipid peroxidation (oxidative degradation of lipids). A study conducted by Department of Pediatrics, Louisiana State University Health Sciences Center revealed that curcumin present in turmeric prevents these two processes, thereby increasing the person's sensitivity to lower blood sugar levels. Read about 10 ways to control diabetes naturally.

Tips to include turmeric, in your diet; Besides the traditional way of adding turmeric to vegetable, rice, curry and *dals*, here are few ways you can include this spice in your diet.

Haldidoodh: Add half a spoon of turmeric powder and coarsely grounded black pepper to a glass of boiling milk. Drink this *doodh* twice in a day (in the morning and evening) for its myriad range of health benefits. Here are 7 reasons to start drinking turmeric milk or *haldidoodh*.

Turmeric tea: Add a teaspoon of turmeric and a pinch of ginger powder into around 4 cups of boiling water. Now, simmer for 10 minutes, strain and drink this tea when cool.

Soup or rasam: You can add turmeric in combination with other spices and some vegetables to boiling water and drink this solution when warm. Another way to reap the health benefits of turmeric is to add a pinch of this powder to soups. Read more about a diet plan diabetics can use for better blood sugar control.

Man-eater that claimed two lives shot dead

at Kerala-Tamil Nadu border: - A tiger, which had been identified as a man eater, was shot dead at Kerala-Tamil Nadu border in Wayanad district on Wednesday. Last week, two persons had lost their lives in the tiger attack in two villages near Wayanad Wildlife Sanctuary. Due to public protest, the Kerala government had ordered for killing of the tiger. Subsequently, the Forest and Wildlife Departments of Kerala and Tamil Nadu launched a joint mission to hunt down the "man eater." According to officials, the tiger was shot by officials of the Tamil Nadu forest.

Birth Day Greetings

We wish the following born on the dates mentioned
"A very Happy Birth Day"

S.No.	Name of Members	DOB			
	Sarva Sri		10.	K.Ravinder	03-27-1961
			11.	D.Phani Kumar Naidu	03-27-1988
1.	C.Laxma Reddy	03-09-1934	12.	M.Guru Prabhakar	03-28-1965
2.	S.Ashiah	15-03-1949	13.	G.Satish	03-29-1984
3.	D.V.Jayaram Prasad	15-03-1942	14.	B.Venkataramana	31-03-1960
4.	S.M.Rasheedullah	15-03-1939	15.	Y.Ramaiah	04-01-1962
5.	M.Sitarama Rao	19-03-1933	16.	V.Srinivasa Rao	04-01-1965
6.	I.Janardhan	03-23-1954	17.	Ch.Prakasa Rao	04-02-1963
7.	K.Muralidhar Rao	04-01-1946	18.	Y.Srinivasa Reddy	04-03-1971
8.	B.Rangiah	04-05-1946	19.	G.Hari Kumar	04-05-1958
9.	P.V. Padmanabham	02-05-1952			
10.	K. Balreddy	10-03-1956			
11.	D. Satyanarayana	11-03-1949			

Secretary

S.No.	Name of Serving Officers	DOB
	Sarva Sri	
1.	B.Shafiullah	13-03-1976
2.	Smt.Shivani Dogra	17-03-1980
3.	K.D.R.Jayakumar	19-03-1955
4.	Vinay Kumar	26-03-1968
5.	P.Srinivasa Rao	03-10-1966
6.	B.Chandrasekhar	13-03-1962
7.	B.Dhanunjaya Rao	03-15-1960
8.	Ch.Nagabushanam	03-15-1967
9.	G. Ram Mohan Rao	19-03-1957



MINUTES OF THE 74TH GENERAL BODY MEETING OF THE ASSOCIATION OF RETIRED FOREST OFFICERS-A.P., HELD ON 21-12-2014

Sri B.M.Swami Dass, Secretary of the Association, welcomed the Ladies & members to the 74th General Body meeting. The Vice President, Jt. Secretary and Editor, Vana Premi were requested to occupy their seats on dais. The President Sri S.K.Das could not attend the meeting due to unavoidable circumstances. The Vice President Sri T.Narayana Swamy presided over the meeting. The agenda was placed before the President of the meeting with a request to conduct the proceeding. Before taking up the agenda, the Vice-President informed the members that today being the Birth day of Sri.V.Santhaseela Babu, on behalf of the association he wished him many happy returns of the day.

SHRADHANJALI The members and ladies paid homage to the departed soul of late Sri.Munawar Hussain, I.F.S (Retd.), former Chief Conservator of Forests, and Head of Andhra Pradesh Forest Department, who expired on 14-12-2014 by standing and observing silence for two minutes.

ACTION TAKEN REPORT OF THE SECRETARY-

The Secretary explained to the members the action taken by him on the decisions of 85th E.C. meeting held on 13th November, 2014, and 73rd GB meeting held on 21st September 2014. The General Body approved the same.

Presentation of Accounts for the year 2013-14 and Budget Estimates for 2014-15 by Sri A.V.Govindarajulu Joint Secretary cum Treasurer:

Sri A.V.Govindarajulu Joint Secretary cum Treasurer of the Association presented the Accounts for the financial year 2013-2014. He

also presented the Budget Estimates for the year 2014-15. The members of the General Body unanimously approved the same.

Presentation of VANA PREMI Accounts for the year 2013-14 and Budget Estimates for 2014-15 by Sri Qamar Mohd Khan Editor VANA PREMI: Sri Qamar Mohd. Khan Editor Vana premi presented the Accounts of Vanapremi for the year 2013-14. He also presented the Budget Estimates for the year 2014-15. The members unanimously approved the same.

Presidential Address:

A. PRINTING of DIRECTORY- Sri Narayana Swamy has informed the members that the new directory of the Association is prepared and will be released today. Some of members have expired and some more new members have joined. These updates have been included in the new directory 2015.

B. SILVER JUBILEE CELEBRATIONS- The Association of Retired Forest Officers celebrated its silver jubilee on 21 September, 2014. On the same day 73rd general body meeting was held. The presiding officer has thanked all the members for the support and cooperation for making this event a success. He thanked Sri H.K Desai a senior member of the association for his contributions in meeting the expenses on purchase of shawls and mementos. He also thanked Sarvasri Yosuf Sharief, P.V.Padmanabham and P.Bhaskar Reddy for hosting a special lunch on the occasion. He also thanked Sri J.V Sharma for bringing out a memorable souvenir.

C. CONDUCTING TOURS- Sri Narayana Swamy has explained the details of various

tours taken up in the past and informed about future plans. He has proposed a tour to Nagarujuna Sagar in the month of February

D. ENROLLING NEW MEMBERS- Sri Narayana Swamy opined that about (50) retired officers have not yet joined our Association and requested every member to enquire & enroll their friends in large numbers, as the efforts of the association alone is not sufficient in solving this problem.

E. PENSIONERS DAY- Sri Narayana Swamy enlightened the members, the significance of pensioners' day which falls on 17th December, commemorating the land mark judgment of Supreme Court in favor of pensioners.

F. STATE GOVT. EMPLOYEES HEALTH SCHEME & CGHS- Sri Narayana Swamy has explained briefly the salient features of these schemes and also pointed out the inadequacies existing in these schemes. The members requested to intimate future developments through VANA PREMI.

G. The presiding officer proposed the next general body meeting of the association to be conducted either in P.C.C.F's office or any other place. All the members have unanimously agreed for the same.

Felicitations:

1. Sri Satish Chandra senior member of the association who has completed fifteen years of retirement has been felicitated with a shawl and a gift.

2. Sri K.Mohan Reddy senior member of the association has been felicitated with a shawl and a gift recognizing his contributions for auditing the accounts of the association and Vanapremi accounts for a period of ten years.

Lecture by the Chief Guest, Dr. P.S Shastri

(Consultant Orthopedic Surgeon):

Dr.P.S.Shastry is renowned orthopedic surgeon who has graduated from Osmania medical college worked in Osmania general hospital in various positions. He has done his specialization in Royal College of Surgeons, England. He has worked in England from 1986 to 1993, during which he held various positions in orthopedics. Presently he is a Consultant Orthopedic Surgeon in Uday Clinic, Chapel Road Hyd.

Dr. P.S Shastry addressed the members and enlightened them on various orthopedic problems. It was a very good speech which has been absorbed more by all the members. The lecture dealt with knee joints pain and prevention for the same. The Doctor suggested the senior citizens should do brisk walking regularly. It prevents most of the orthopedic problems. It maintains the cartilage in a healthy condition. At the end of his speech there was an interaction session with members. He answered all the queries of the members. The Chief Guest was honored with a shawl and memento.

Release of DIRECTORY 2015: The directory of 2015 was released by Sri M. Sitarama Rao senior member. The same was distributed to all the members

Vote of Thanks- Sri A.V.Govindarajulu, Jt.Secretary cum Treasurer proposed vote of thanks to ladies and members who attended the meeting, Thanks were extended to Dr. P.S. Shastry for the valuable lecture and all the members who made all required arrangements. Special thanks were extended to Sri.B.M.Swamidass who hosted the lunch.

The next General Body meeting will be held in March 2015

LEGAL NOTES

Pradeep Singh Baghel Vs State of Madhya Pradesh

A vehicle bearing registration No MP 18-H-1075 was found illegally carrying sand from reserved forest in Madhya Pradesh. It was seized under the Wildlife Protection Act read with the Indian Forest Act. The owner of the vehicle, Pradeep Singh Baghel, filed a petition under Sec. 457, Cr.P.C. before the Chief Judicial Magistrate, Sidhi seeking release of the vehicle for temporary custody. But, following seizure of the vehicle, confiscation proceedings were initiated and the Chief Judicial Magistrate, Sidhi was duly informed of the fact of confiscation proceedings. Since confiscation proceedings were initiated by a competent authority under the Forest Act, and the Magistrate was duly informed of the fact, the Magistrate declined to pass any order to release the property, The Chief Judicial Magistrate, Sidhi dismissed the petition for want of jurisdiction on 3.5.2013. Dissatisfied with the order of the Magistrate, the owner of the vehicle filed a revision petition before the Sessions Court and the Additional Sessions Judge, Sidhi dismissed the revision petition. The vehicle owner then approached the High Court of Madhya Pradesh by filing a petition under Sec. 482, Cr.P.C. against the order of Chief Judicial Magistrate, Sidhi as confirmed by the Additional Sessions Judge, Sidhi.

The application before the High Court came up for consideration before the Hon'ble Justice V.K. Gupta. The counsel for the petitioner cited several judgments of the Madhya Pradesh High

Court and argued that the jurisdiction of the trial court is not ousted for ordering temporary custody of the property even when the confiscation proceedings are in progress.

It was held that the trial court was right in dismissing the petition under Sec. 457, Cr.P.C as the case was registered under the Wildlife Protection Act as also under the Forest Act. Therefore the Authorized Officer could proceed with the confiscation of the property as per law. When the fact of confiscation proceedings is intimated to the court, it would not be proper to interfere with the confiscation proceedings. The Magistrate has no power to pass order relating to disposal of the property. The High Court observed that the case law cited by the petitioner's counsel is not applicable as all those cases were registered under the Wildlife Protection Act where there is no provision similar to the provision made in the Forest Act. On the basis of the aforesaid discussion, His Lordship did not find any illegality or perversity visible in the order passed by the learned Chief Judicial Magistrate, Sidhi and the learned Additional Sessions Judge, Sidhi. Consequently, the petition is dismissed on 24.1.2014. It was however observed that the petitioner might move an application before the confiscating authority and if it is not accepted then he may knock the doors of appropriate court including the High Court under Sec. 482, Cr.P.C.

Source:Internet

K.B.R.

OBITUARY

C. Jagannath Reddy

3.2.1930 – 7.2.2015



It was shocking, almost unbelievable, when we were told that Sri C. Jagannath Reddy is no more. He was 85, actively working daily on his farm. He passed

away at 11:45 p.m. on Saturday 7th February 2015 at his native village Nelapogula in Warangal district – about 100 kms from Hyderabad on Jangaon – Suryapet Road.

Cherabuddi Jagannath Reddy was born in an agricultural family and is the second son of the three siblings of the late Sri Raghava Reddy and the late Smt. Shanthamma. His older brother Sri Laxminarsimha Reddy expired when CJR was still young. He was barely 9 years old when he lost his father. His widowed mother put him under the care of a relative at Madikonda near Kazipet (Warangal) for his early education. He joined a middle school for further studies at Hanamkonda. He studied 7th & 8th class at Bhongir. He dropped out of school to take care of his mother and two younger brothers.

After a few ups-and-downs of his life, he passed Andhra Matric privately in 1950. He was then recruited as a Forester in the Hyderabad Forest

Department and worked as such for a few years. Even though he had a stable job, his desire to pursue higher education led him to pass Intermediate privately followed by a B.A. in 1965.

During his service in the Forest Department, he was selected for Rangers training during 1959-61 at the Southern Forest Rangers College, Coimbatore. On successful completion of Rangers course, he was appointed as Range Officer and worked as such in Departmental Extraction of Timber at Khanapur; Flying Squad Range Officer, Nizamabad; Territorial Range Officer at Kolhapur and Ramannapet; Special duty Range Officer, Medak etc. After promotion to the State Forest Service, he worked as D.F.O. Vishakhapatnam, Achampet and Nalgonda divisions; he was one of the only foresters of Telangana region who made a humble beginning and rose to the level of Officer in Superior Forest Service. He retired after a memorable career in February 1988.

After retirement, at an age when most people slow down, he committed himself with renewed vigor to the field of social forestry. Using his scientific bent of mind and vast experience as a forester, he researched new methods and rewrote much of the textbook on growing teak and sandalwood plantations. A brief summary of his work is mentioned below:

1. His methods brought in exceptional results of growing teak to a saw-log size in just 5 years, instead of the usual 15 to 20 years.
2. He worked extensively on Sandal and Red Sanders, and raised thriving plantations, proving in the process that sandal tree is not a compensatory root parasite as previously thought, and that Telangana's climate could indeed support robust growth of red sanders.
3. He pioneered the concept of household forestry, wherein small families could grow teak and sandal trees in their homes, generating value of few lakhs of rupees in 10-15 years.
4. In the last few years of his life, he dedicated himself to path-breaking research and development in cultivation on saline soils. He used a self-developed technique of creating deep trenches for water-harvesting, and using the porous, dug-up soil as a fertile layer over the non-porous saline ground. This method transformed soil that was thought to be unusable, and provided a yield of Rs. 1 lakh per acre per year over a 5-year period.
5. This method also ensures that water is available for cultivation throughout the year, making this method of farming drought-proof.
6. Jagannath Reddy successfully created an eco-friendly and economic way of agriculture that

improved soil fertility and fetches record yields, without use of fertilizers, at a fraction of the cost of modern agriculture. His peers who visited his plantations considered him a legend in forestry and agricultural practices. He believed in independent thinking, and wanted success or failure, achievement or disappointment to be taken in right earnest in his own way of belief. Hopefully the legacy of CJR will live on.

He was a father-figure to two of his younger brothers Aga Reddy and Madhusudana Reddy. Married to Smt. Kamamma in the year 1952, he had three sons: Raghuvier, Dayakar and Shekar, and a daughter Subojini. His second son Dr. Dayakar predeceased him in the month of October 2014. Before the sad and premature demise of Dayakar is forgotten, another misfortune has befallen on the family with the passing away of Jagannath Reddy. Living or dead, CJR left a glorious example of how a Forester can nourish and nurture the natural resource.

Sri Jagannath Reddy's death has created a void, which is hard to fill. He has a large number of his fellow-men in the village, a host of friends, relatives and colleagues to mourn the loss. He will be remembered by all of them and is survived by his wife, two brothers, two sons, a daughter, eight grandchildren and four great grandchildren.

MAY HIS NOBLE SOUL REST IN PEACE!

K.B.R., Sankeerth & Santhan



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, GoI



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