

VANA PREMI

Nau Say Navvay Sall Tak Ke Bachon Ka Sathi

Life Time Subscription - Rs. 5000/-

Yearly Subscription - Rs. 300/-

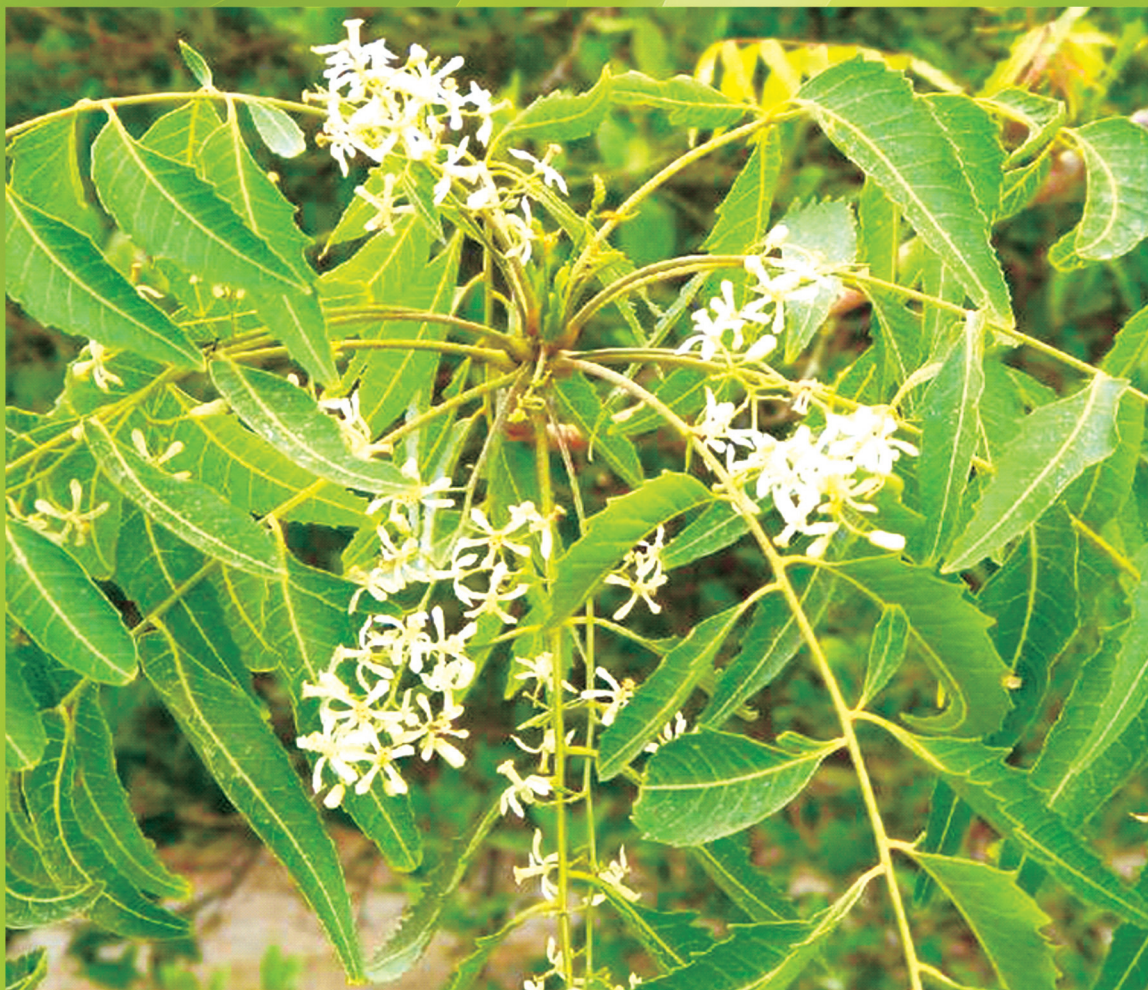
Single Copy Rs. 30/-

Vol .17

MAY - 2016

No.05

Save Water Save All Living Organisms



Neem tree, (*Azadirachta indica*). The Wonder tree of India in flowering



TELANGANA STATE FOREST DEVELOPMENT CORPORATION LTD.

- A fully owned, financially well managed State Government Company. Raising massive plantations to cater to the needs of the wood based industries.
- Watershed approach adopted for raising plantations, to make them ecologically sustainable, socially acceptable and commercially viable, with the long term goal to improve the site quality of plantation areas.
- Large grower of about 20,100 Ha of Eucalyptus clonal plantations. Bamboo also grown as an important crop over 8100 Ha.



- The TSFDC is harvesting about 1,50,000 Lakh MTs of pulpwood every year. Besides this, it also produces about 15 Lakh Long Bamboo and 1500 MTs Bamboo industrial cuts for use as pulpwood.
- The TSFDC has also taken up the challenging task of Eco-Tourism development in the State. Already open to public – Hyderabad Botanical Garden near Hi-Tech City, Madhapur, Mahavir Nischal Van Eco-Tourism Centre, Vanasthalipuram and Shameerpet Deer Park, attracting increasing number of visitors.

Vice Chairman & Managing Director,

T.S. Forest Development Corporation Ltd.,
3rd Floor, UNI Building, A.C. Guards, Hyderabad - 500004.
Telephone Nos. 040-23395750/23392652 Fax: 040-23326420

Email: vcmd.tsfdc@gmail.com

Editor : Qamar Mohd. Khan

Associate Editor : V.V. Hari Prasad

The Association of Retired Forest Officers, Telangana & Andhra Pradesh

(Regd. No. 557/1990)

President	: Sri.S.K.Das, I.F.S. (Retd.) Cell : 9550681964, 23115085
Vice President	: Sri. T. Narayana Swamy, I.F.S. (Retd.) Cell : 9701336446
Secretary	: B.M Swami Dass Dy C.F. Retd Cell : 9000817781
Jt. Secr. Cum	: Sri.A.V. Govindarajulu, (Retd.)
Treasurer	Cell. 9440764611

Executive Committee Members

1. Sri C. Muralidhar Rao, I.F.S. (Retd.)	9848390004
2. Sri K. Santokh Singh, I.F.S. (Retd.)	9848808101
3. Sri P. Upender Reddy,	9848754778
4. Sri V.V. Rajam,	9348322236
5. Sri G. Raman Goud,	9391499119

Editorial Board

1. President	: Ex-Officio President of Assn.
2. Editor	: Qamar Mohd. Khan Tel:040-40205831, 9849233624 e-mail : qamar_asima@yahoo.com
3. Associate Editor	: Sri V.V. Hari Prasad 7893673767
4. Member	: Sri. J. V. Sharma, IFS (Retd.) e-mail : jvsharma32@gmail.com 9441319151
5. Convenor	: Ex-officio Secy. of Assn

Auditor : Sardar Iqbal Singh

TARIFF RATES FOR ADVERTISEMENTS

Back side of front and last cover page (Colour) for one year	Rs. 20,000/-
Outer Cover half (Colour) for one year	Rs. 15,000/-
Inner Center Spread (Colour) for one year	Rs. 20,000/-
Inner full page (B&W) for one year	Rs. 15,000/-
Inner half page (B&W) for one year	Rs. 10,000/-
Inner full page One Time (B&W)	Rs. 2000/-
Inner half page One Time (B&W)	Rs. 1500/-

Contents

1. Editorial	Q.M.K.	4
2. letters to the Editor ..		5
3. A National Forest Policy/Program for The 21st Century....	R.K. Rao	6
4. Jammu & Kashmir : What It Means to India?...	J.V. Sharma	16
5. The Secret of Old Age to All Retired Friends Secrets of Life in Six Words	K.B.R.	25
6. Equestrian Encounters	Dr. B. Raghotham Rao Desai	26
7. Neem : The Wonder Tree of India	C.R. Rao	28
8. Freezing Lemons - Who Knew?		31
9. A Young Woman Forester's Mission Impossible ...		32
10. Time for Greening Mother Land	Dasari Nagabhushanam	33
11. Gangulys Transform Barren Lands Into Forest in Anantapur		34
12. Due to Pendency of Disciplinary / Judicial Proceedings Retirement Benefits Cannot be Stopped	Dr. Akula Kishan ...	36
13. News and Notes		44
14. A Village Comes Together, All For the Love of a Tree... Arup Chanda		48
15. Legal Notes.	K.B.R.	49

Date of Publication: 26-04-2016

Total pages 52

EDITORIAL

World liver day: World Liver day is observed on 19th April every year throughout the globe. Liver is just like our brain or heart, and is a crucial organ that we need to take care of. Liver is the powerhouse of the human body. Everything we eat or drink including medicine passes through the liver. We cannot survive without liver. Liver can be very easily damaged if we don't take proper care of it. According to recent data presented by the World Health Organization, around 2 lakh people die every year around the world due to liver ailments. Liver diseases are among the top 10 causes of death in India, affecting people of all age groups. The three most important liver diseases in present day India are fatty liver, hepatitis and cirrhosis. Liver, which is located on the right side of human stomach, just weighs little more than one and a half kilos and its function is to take in the bad and pass on the good. Liver is fat burning organ in our body that converts food into nutrients and passes it on in the blood stream. Liver is one of the largest and most important organs of a human body. It performs many crucial biological functions simultaneously that keep our body healthy and fit. It is a multifunctional organ that can perform 500 body functions most important of which are, fighting infections and diseases, regulating blood sugar, removing toxic substances from the body, and releasing bile which break downs fats and aids in digestion. Liver is the detoxifying agent of our body. Being

one of the largest organs of human body it not only purifies blood but also breaks the toxic chemicals produced by our body naturally. Health experts usually call liver as 'Chemical factory' in a human body. Liver acts as a battery for our body. It stocks up sugar and uses it whenever our body requires it. In simple words, liver keeps a check on the amount of sugar in our blood. Liver stores vital hormones, vitamins, minerals that are needed by our body. Whenever our body falls short of any of these, liver transports them throughout our body via bloodstreams. Liver produces blood-clotting factors that are responsible for the formation of blood clot. Absence of blood clotting factors leads to bleeding disorders.

Alcohol is certainly the most common cause of liver disease in India. Even though the liver has the capacity to break down greasy, oily food and alcohol, this doesn't mean we dump everything unhealthy on it. Mindless eating and consuming alcohol means forgetting about your liver's health which can lead to obesity, cardiovascular disease, chronic fatigue, headaches, and digestive problems. Unlike the heart whose functions can be temporarily replaced by an artificial pump and kidney can be substituted by a dialysis machine, there is no machine made yet that can even temporarily replace the liver. The following food items are good for liver. Green tea is full of anti-oxidants and should be consumed to avoid a fatty liver. Garlic might give

away an unpleasant smell but a small bud of garlic will activate enzymes in liver that will flush out toxins. We can either eat green leafy veggies, raw or cooked but do have them. The chlorophylls absorb all toxins from the blood stream and also neutralize heavy metals. Apples are high in pectin and cleanse toxins from the digestive tract. The nutrients in apples help liver in the cleansing process. Lemons are high in Vitamin C and drinking a glass of water with squeezed lemon in it in the morning can boost the functioning of the liver. Walnuts help in

detoxifying ammonia and the omega-3 fatty acids in walnuts help liver in cleansing actions. Turmeric is good for detoxification and help in flushing out dietary carcinogens. Olive oil gives liver an oily base and can absorb toxins from the body. Glutathione is a protein found in carrots and beetroots and helps liver detoxify. They improve overall functioning of the liver. Vana Premi wishes that we all consume healthy food, avoid alcohol which is major cause of deteriorating the condition of liver, and stay healthy.

QMK

LETTERS TO EDITOR

Sir,

"A short history of the world is a historic work by H.G. Wells published in 2006. The book summarizes the scientific knowledge of the time regarding the history of earth reaching primitive thought and development of humankind from the cradle of civilisation. The book ends with First World War, the Russian famine and the League of Nations in 1922."

J.V. Sharma, in his article on China published in the April issue of Vana Premi, traced the birth and history of the United Nations and dealt with the functions, duties and responsibilities the Security Council. It is undoubtedly a well researched paper on China. He has also dwelt upon other problematic neighbours.

A part of the paper is dedicated to the post-independent India and the policy of non-alignment. The shift of Chinese policy from 'hard core communism' to 'market-savvy corporate culture' is noteworthy.

The conclusive part of the article states: "China is frugal in speech" but it is "unpredictable" and this is full of meaning. On the whole it is a very informative and instructive piece. While admiring the knowledge and ability to project it to the readers, I sincerely urge him to be brief. Even when this request is complied with I am sure it will be a masterpiece in brevity. I wish him good luck.

Hyderabad

K.B.R. Reddy

22 April 2016

A NATIONAL FOREST POLICY/PROGRAM FOR THE 21ST CENTURY

By
R. K. RAO

Two announcements by the Prime Minister in the last few months focused on the importance and role of forests in our international commitments on carbon sequestration and improving the livelihood of our farming communities. These are as follows.

1. At the UN conference on climate change held in Paris in December 2015, India committed to "create an additional carbon sink of 2.5 to 3 billion tons of CO₂ equivalent through additional forest and tree cover by 2030".

2. While inaugurating the Krishi Unnati Mela for farmers on 19th March in New Delhi "Hon'ble Prime Minister advised farmers to practice agriculture based on three pillars-regular farming of cereals, fruits, vegetables etc.; plantation of tree species for timber on edges of the farms; and animal husbandry which should include dairy, fisheries, poultry and also the profitable bee keeping."

This is a great opportunity and a challenge for foresters to demonstrate their knowledge and skills to serve the nation. The task is so vast that the service cannot be achieved single handed; it requires a mass movement of people from the farming and tribal communities on one hand and the forest, agriculture and other land based services. This also requires a review of the forest policy which is out of tune with forestry trends

across the world; some of the policy changes needed are discussed in the following notes.

FAO uses the term national forest program while describing the national statements of different countries rather than policy; a program is more action oriented than a policy statement which is often a broad statement of aims; it is suggested that we may also adopt the term program rather than policy; the program should be action oriented and such that it could be displayed in the office of foresters up to range forest level.

1. The country should be self-sufficient in its wood needs:

Food and wood are among the most basic necessities of life; a nation should be self-sufficient in these two resources for its security and well-being. Extraordinary progress has been achieved in self-sufficiency in food due to the combined and co-ordinated efforts of agricultural research and our progressive farmers; forestry whose province is wood production awaits such a breakthrough; after sixty years of forest management we are importing over five billion dollars' worth of wood and wood products annually [Over the last ten years India's trade deficit in forest products has soared from US \$ 1.0 billion in 2001 to more than \$ 5 billion in 2011. Due to the scarcity of domestic timber resources and rapidly growing

demand, log imports in India have doubled since 2006 in order to meet the country's growing appetite for wood products. India's per capita consumption of paper and paperboard is less than 10 kg (compared with 72 kg/capita in China), but demand has been growing rapidly and consumption of recovered paper, wood pulp and non-wood pulp have nearly doubled over the past decade. **2013 India's Forest Products**

Industry Outlook] However this dependence on imports can become costly as time goes on and may dry up when exporting countries exhaust their forests or cease dependence on exports.

This opportunity to redraw the National Forest policy should make self-sufficiency in wood production the first and foremost goal; by and large our country is blessed with good soils, adequate rainfall and sunlight for rapid growth of trees. The area under forests in the country is no small area; the 68 million hectares of forest area is equal to the geographical area of West-Bengal, Bihar, Jharkhand, UP, Haryana and Punjab. The existing forest area should be utilized for production. A dynamic program that provides for good inputs in research and active participation of the farmers and foresters can meet this goal by 2030.

Strategy for achieving this goal:

1. The long term goal is to achieve self-sufficiency in wood production, to meet the demands of an expanding population through environmentally sound and ecologically healthy forest and wildlife management.

2. The short term goal should provide for a two pronged solution .Firstly to adopt suitable strategies to meet the nation's wood needs through Agro-forestry and classical forestry. Secondly to resolve the conflict between forest administration and tribal aspirations by strengthening of tenurial incentives if not transfer of forest lands for long periods, tried successfully in China.

"If the ever more serious problem of tropical deforestation in South and Southeast Asia has a solution, in many areas, it lies among the large number of people living in "public" forest zones. Forest dwellers can and must play a role in any credible efforts to stop deforestation and to promote afforestation. Their involvement can be best supported in terms of law and policy by reinforcing or creating community-based tenurial incentives for managing natural resources sustainably. At present, however, "the political will and capacity to begin transferring authority to forest village's remains limited."

Innovative strategies for promoting conservation and sustainable development are especially needed in areas that are occupied and still forested. Tens of millions of indigenous and other long-term occupants have resided in and around tropical forests for hundreds, and in some instances, thousands of years. Most rely, albeit in varying degrees, on community-based tenurial systems. These systems draw their legitimacy from the local population; they usually operate independently of state-created tenure systems; they tend to be customary and

informal; and they frequently encompass an array of overlapping rights and duties.

Except for Papua New Guinea and other Pacific Island nations, community-based tenurial systems – including rights to forests, land, water, and fisheries — are seldom acknowledged by national governments in any meaningful way. This denial persists despite a growing body of literature that demonstrates that many resource-dependent peoples in rural areas possess local knowledge and a conservation ethos well-suited for managing local resources sustainably.

Community-based tenurial systems should be a crucial and complementary component of any viable effort to conserve and develop tropical forest resources in an equitable and sustainable manner”[SECURING COMMUNITY-BASED TENURIAL RIGHTS IN THE TROPICAL FORESTS OF ASIA:FAO]

1 Agro-forestry-The most economical,quickest ways to meet the expanding demand for wood is through incentives to farmers for agro-forestry. A massive program of field bund planting and inter planting of trees in agricultural fields [eg. poplars in UP, Eucalyptus in Punjab] is the cheapest and easiest way to reach self-sufficiency in our wood needs. Research can identify more species for different agro-climatic zones. A well-structured extension wing and marketing support will provide the incentive for farmers; block plantations on agricultural lands should be discouraged to prevent loss of area under agriculture .Taking the fertile soils of our

agricultural lands, our progressive farmer communities, kisan TV's reach, the potential is immense to meet our wood needs in a short rotation of ten years.

Potential of agro-forestry:A farmer on an average earns Rs 8-10 lakh per acre in agroforestry in five years, says Devinder Chawala, president, Yamunanagar Plywood Manufacturers Association. The price has been strong as plywood-manufacturing units, paper-making industry and furniture units are fuelling the demand for wood.With the price of wood on an upswing in recent years, farmers have not been enticed by the increase in minimum support price for cereals. “Remuneration from agroforestry far exceeds that from traditional crops. Also, the rising input costs of the latter and shortage of labor play out in favor of growing trees,” says Chawala.

Farmers are taking to agroforestry as small-term (three-four years) and long-term (six-seven years) investment options in Haryana and Punjab. With cloned varieties of eucalyptuses and poplars growing almost 25% taller than the ordinary ones, farmers have the option of harvesting trees from the third year. “In the third year trees can be used as poles for construction purposes, filler material in plywood and as pulp in paper-making industry,” says Naresh Tewari, a farmer in Karnal, Haryana.

In the last decade, the flexibility of inter-cropping drove many marginal farmers into agroforestry, a domain of big farmers. “In the first

two years, farmers get normal yields from crops like wheat, sugarcane and maize planted along the trees," says an official in Haryana's Forest Department. Farmers are growing vegetables and sugarcane as intercrops to see them through the first two years of agroforestry, he says.

Agroforestry is the master key to make the country self-sufficient in our wood needs in the shortest time. Improved clonal varieties, of Teak, subabul, eucalyptus, for south India, and clonal Eucalypts, Poplars, and Sisso for north. Research can discover more species.

Tribal issue-The climatic climax vegetation over the Indian subcontinent is a forest, taking into consideration the soil, temperature and rainfall. By the time the British replaced governance of the country from the rapacious administration of East India Company-the first MNC in the country- and initiated land settlement, most of the non-hilly areas have been cleared of forests and brought under farming by the plains people. The forests were restricted to the hills as they were unhealthy and unsuitable for farming. These were also the abode of tribal communities- some of them having migrated to the hills, unable to withstand the aggressive plains folks. Into this *milieu* the British entered with the purpose of tapping the resources of their colonies to meet the voracious appetite of the industrial revolution and expanding needs of their imperial navy; India was the 'Jewel in the crown' among all its colonies with teeming populations for their armies and rich natural resources of fertile lands and inexhaustible

forests. They initiated forest management by enactment of the 1894 forest policy and the forest act of 1927. These led to severe restrictions on the access of tribal communities to the forests for shifting cultivation and collection of MFP. This was a severe blow to the freedom of the tribes, from which they have not recovered even today. They consider, Right to forests their birthright, just like Bal Gangadhar Tilak considered 'freedom our birthright'. Any forest policy should take into consideration these historical facts if it is to succeed in forest conservation on one hand and peace and prosperity in tribal communities. The 1988 forest policy falls far short of meeting the tribal aspirations; major issues are discussed in the following presentation.

Unrest is palpable in the tribal areas in the country, be it in north-east, or other states, with sizable tribal populations; it is not new; it has been the case over the last 150 years of forest administration. There were over a hundred tribal rebellions across the country against the restrictions imposed by the forest laws, on shifting cultivation, collection of MFP [now called NTFP] domestic needs of firewood and small timber and grazing.

The forest policy and law literally imprisoned tribal communities in the villages existing at the time of forest settlement, termed as enclosures, in a vast ocean of forests. The tribal population increased from seventy million at the dawn of independence to over one fifty million now; to meet their expanding

population, they had no other alternative except to occupy the forest around their habitations; this was declared encroachment and legal action was initiated. After decades of agitations, the forest rights act was promulgated in 2006 to regularize these encroachments. The wheels of government move slow and implementation of the forest rights act on the field is yet to become a reality over large tracts though Govt. records show a figure of over a million hectares as handed over to tribal communities.

Do the tribal communities have right over the forests? According to principles of natural justice, since they are the first and original settlers in these forests, historically the first settlers on land-not-occupied were recognized as the owners [which in property matters is called primogeniture]; the tribal communities considered the forests as belonging to them and the same is their feelings even now; this is the cause of extremist movements exploiting the tribal unrest over the last fifty years; they have extended active or passive support to these political movements to achieve their objective of right to forests.

The National forest policy of 1988 does not meet even the minimum needs and rising aspirations of the tribal communities. Its stress is largely on environmental conservation and ecological considerations; some of them do not have a substantial scientific basis!.

Some of the Forest Myths in the present policy need to be exposed before suggestions for

revision of the policy.

1.The no 1 myth is that 33% of land area to be under forests. The actual wording in the 1988 policy is-

‘The national goal should be to have a minimum of one-third of the total land area of the country under forest or tree cover. In the hills and in mountainous regions, the aim should be to maintain two-third of the area under such cover in order to prevent erosion and land degradation and to ensure the stability of the fragile eco-system.’

Comment-This statement in the policy became the cornerstone of forest management in the country; this prescription was not present in the 1894 policy; no other major /developed country has such a provision; it was mentioned for the first time in the background paper prepared for the central board of forestry meeting that considered the 1952 national forest policy. While surveying the area under forests in different countries, it mentions that the forest area in USA and USSR is over 33% and these are developed countries worthy of emulation. The actual wording in 1952 policy is-

‘Proportion of forest areas-The proportion of land to be kept permanently under forests would naturally vary in different regions. Practical consideration suggests, however, that India, as a whole, should aim at maintaining one-third of its total land area under forests. As an insurance against denudation a much larger

percent-age of the land, about 60 per cent should be kept under forests for their protective functions in the Himalayas, the Deccan, and other mountainous tracts liable to erosion. In the plains, where the ground is flat and erosion is normally not a serious factor, the proportion to be attained should be placed at 20 per cent; and in view of the pressure of agriculture effort at the extension of treelands should be concentrated on river banks and other convenient places not suitable for agriculture. At the same time it must be realized that even distribution of forests in all physical regions is as important as its over-all proportion. In certain localities deficient in forests, therefore, afforestation of marginal lands, and eroded river and village waste-lands, should be undertaken. Forest area in excess of the indicated proportion, if any, should however, not be sacrificed. To maintain an over-all average, it is essential that States better suited for the growth of trees should help to make good the deficiency in those parts where climatic and edaphic factors militate against tree-growth.

Even if in the euphoria of recently acquired independence, the policy has advocated such an ambitious target it was never expected that it will become a commandment leading to a lot of unrest and to the enactment of the forest conservation act 1980. Among the several objectives advocated by the 1952 policy, the only point foresters implemented relentlessly is this one of 33% of land to be under forests; so forcibly it has been sold to the NGOs as well that

it became an obsessive syndrome. It is high time foresters realize that it does not have a scientific basis.

In a country with a tremendous pressure on land and low productivity of forests and urgent need for creation of employment, this clause calls for a serious review; Land Capability Classification [LCC] adopted by FAO prescribes different land uses based on slope, soil and rainfall. This is the scientific way to arrive at land use including for forests. According to the FAO, land above 65 degrees slope need to be kept under permanent vegetation like forests. Considering that large areas below 65 degrees slope are presently under forests and as fragmented forests areas lead to extinction-forests like animal populations have an extinction threshold, although not established so far-redrawing of area is not feasible nor suggested !

However, recognition of this principle has a salutary effect on the implementation of the forest conservation Act 1980. Presently under this act compensatory land is being demanded wherever reserve forest area is required for submergence under dams or for mining and other developments; according to Forest Survey of India's status of forest reports, over 40% of reserve forest area is denuded land and needs reforestation; the funds obtained under the FCA [presently amounting to Rs.40,000 crores in central govt. coffers] can be utilized to reforest degraded Reserve forest Lands; the present practice is afforestation on

private lands acquired under FCA ;these are generally isolated pockets away from the existing forests and pose serious problems of protection in future; besides injustice is perpetrated when the poor are deprived of their lands which is the case generally when industries purchase lands to meet the FCA provisions. This will be a great relief to industry, the lands of poor and ensures reforestation of degraded legally secured RF areas lying unproductive for decades.

This will also enable resettlement of tribal communities displaced due to submergence under dams in the friendly forests areas they are accustomed to instead of on unfriendly lands outside the forest. The compensatory funds can be utilized for development of the new villages[eg. the Polavaram project on Godavari displaces over two hundred thousand tribal population from over 200 villages]

The second myth-Forests and floods-One of the basic objectives of the 1988 policy is-‘Checking soil erosion and denudation in the catchment areas of rivers, lakes, reservoirs in the interest of soil and water conservation, for mitigating floods and droughts and for the retardation of siltation of reservoirs’.

Contrary to the very popular myth, that good forested areas control floods.FAO has this to say-‘The conventional wisdom is that forests act as giant ‘sponges’, soaking up water during heavy rainfall and releasing freshwater slowly when it is most needed, during the dry months of the

year. The reality is far more complex. Although forested watersheds are exceptionally stable hydrological systems, the complexity of environmental factors should cause us to refrain from overselling the virtues of forests and from relying on simple solutions (e.g., removing people currently living in mountainous watersheds, imposing logging bans, or implementing massive reforestation programmes). Rather, the complexity of these processes should prompt us to reassess our current knowledge of the relationship between forests and water, and reconsider conventional responses to one of the most serious disaster threats in the Asia-Pacific region - i.e., large-scale floods.’ Further it also says ‘the scope for forests to reduce the severity of major floods that are derived from an extended period of very heavy rainfall is rather limited.*From: UK Forestry Commission, 2002’*

‘It is commonly believed that forests are necessary to regulate stream flow and reduce runoff, and to some extent this is true. But, in reality, forests tend to be rather extravagant users of water, which is contradictory to earlier thinking (FAO 2003). Considerable quantities of rainfall (up to 35 per cent) are commonly intercepted by the canopies of tropical forests and evaporated back into the atmosphere without contributing to soil water reserves. Much of the water that does soak into the soil is used by the trees themselves. This should put to rest the belief that extensive reforestation or afforestation will increase the low flows in

the dry season (Hamilton and Pearce 1987). Therefore, replacing forest cover with other land uses almost always results in increased runoff and stream flow. Runoff and stream-flow patterns will gradually return to original levels if an area is left to revert back to forest. Converting forest to grasslands, however, will normally result in a permanent increase in total water runoff.!!!! Contrary to popular belief, forests have only a limited influence on major downstream flooding, especially large-scale events. It is correct that on a local scale forests and forest soils are capable of reducing runoff, generally as the result of enhanced infiltration and storage capacities. But this holds true only for small-scale rainfall events, which are not responsible for severe flooding in downstream areas. During a major rainfall event (like those that result in massive flooding), especially after prolonged periods of preceding rainfall, the forest soil becomes saturated and water no longer filters into the soil but instead runs off along the soil surface.

[Forests and floods-Drowning in fiction, or thriving on facts.FAO]

However this writer realizes that it is difficult if not impossible to change public opinion.["I don't suppose that anything you say or anything I say will make the slightest damn bit of difference. You need dynamite to dislodge an idea that has got itself firmly rooted in the public mind". P.G. Wodehouse]

Small watershed programs implemented in the last two decades in Gujarat, Rajasthan, Maharashtra with active participation of local

people,have demonstrated that recharge of groundwater and tanks can be achieved at low costs and high returns in village after village- and in areas with low annual precipitation and in non-forest watersheds.

Forest management-With the advent of schemes under social forestry on one hand and transfer of large tracts of good forests to sanctuaries and national parks under wildlife management on the other hand , foresters time and attention has shifted to activities outside forests; classical forest management has become a casualty;A program of dynamic forest management should be prescribed in the national forest policy as it has an important role to play in meeting the present and future needs of long rotation wood crops to the nation; there is need for import substitution; presently large quantities of wood and wood products are imported involving foreign exchange and creating unemployment in people living in and around our forests ;the policy should recommend sustained if not increasing yield management to create massive employment opportunities and import substitution; to cite an example-we can launch an annual program to raise ten million hectares of plantations of teak-the king of timbers-and create a ten hundred million man-days of employment annually for communities living in and around forests.!!!!

Forests and tribal-Large areas of RFs are encroached by tribal communities presently and these very areas are under extremist

influence and activities; it is not a law and order problem, but a serious social issue; the only way to solve these two issues through a forest policy is to adopt the Chinese model which has increased the forest area in that country by 10% according to the 'state of the world's forests' report by FAO. Briefly the scheme is-

'Rural households have an important stake in China's forests. According to Chinese legislation, land is owned by the State or by collectives. However, under a rural land use system created in the early 1980s – the household responsibility system – rights to use the land have been allocated to individual farmer households for periods of up to 30 to 70 years. Thus tens of millions of hectares of collective forests have been allocated to the management of individual households. These household forests, have great importance in terms of production, protection and poverty alleviation' [china's boom in household management of forests.FAO]The Chinese govt. has followed up this decision with a financial subsidy of 40 billion dollars spread over five years.

Employment generation-The household forestry advocated above will create large-scale gainful legal employment for tribal communities and will result in production of wood.The world bank publication of 2006-Unlocking Opportunities for Forest-Dependent People in India forecasts a two to 3 billion dollar income from small scale forest enterprises a brief extract is appended to this article.

Wildlife management-Over 500 protected areas have been established in the last two decades; their management leaves much to be desired; presently no forest activity is done in these areas; With protection, the forest density will increase and a closed forest without edges is poor habitat for most herbivores; most wildlife live on the edges where two or more Eco zones meet; judicious working of the forest will help wildlife populations.one of the finest prescriptions was given by john joseph's working plan for Mudumalai,where selection felling of one tree per acre was prescribed; once again good forest management promotes wildlife.

Hunting-A time will come and perhaps it has come in some protected areas where hunting to reduce animal numbers is the need both for the welfare of wildlife as well as the local populations.

NORTH EAST FORESTS-one fourth of our forest area is with the seven sisters of north east and forest cover over 70% of the geographical area of these states;community management of forests is practiced;there is need for special provisions for research, and management for these forests, rich in biodiversity and biological and social complexity.

CONCLUSION

Foresters are given the unique opportunity and responsibility to manage one-fourth land area of the country and the welfare of the poorest sections of our society; they have a duty to meet

the wood requirements of the nation ; long after the world's petrol, gas and mineral resource are exhausted ,forests and trees can continue to provide all the energy needs of mankind; foresters have turned defensive with the onslaught of the arm-chair ecological pundits; GOOD FOREST MANAGEMENT IS GOOD WILDLIFE AND ENVIRONMENTAL MANAGEMENT;THE REVISION OF THE NATIONAL FOREST POLICY SHOULD REFLECT THESE TIME TESTED FORESTRY PRACTISES, FOR THE PRESENT REVISION WILL GUIDE FOREST MANAGEMENT FOR THE NEXT FIVE DECADES.

The national policy should be action oriented and should be displayed prominently in every forester's chamber to remind him of his mandate; briefly stated these are some of the issues for the revision of the forestry policy.

1. The nation should be self-sufficient in its wood and wood product needs.
2. A Massive program of agroforestry of planting trees along field bunds and inter planting in agricultural fields to be taken with the forest division as a unit. Every division, to be made self-sufficient, in its wood needs.
3. Where joint forest management has succeeded, complete transfer of ownership, management and benefits to the community should be taken up. Where the JFM model has not succeeded, it should be converted to the household forestry model.
4. In forest divisions with forest- living tribal populations, household forestry should be adopted with a 30 to 70 years lease of forest

area; financial, technical and marketing assistance to be extended.

5. A dynamic program of forest management to be adopted to increase productivity and production in RF areas.
6. Small scale enterprises to be promoted to add value to NTFP and wood produced and create employment.
7. Industry participation-wood based industries to adopt a wood catchment system to meet their needs from agroforestry.
8. To accelerate programs towards self-sufficiency in wood, industries may be co-opted under a scheme for release of re-forest able RF areas to industry on a long lease on a PHR [plant,harvest,return] as forest departments alone will not be able to meet the stupendous targets for self-sufficiency.
9. The program discussed above needs a strong research base,target oriented and a lab to land movement; ALL the research institutions need strengthening and infusion of fresh blood from allied research institutes,biotechnology.
10. NTFP-Across the world the role of Ayurveda as an alternative system of medicine is gaining importance.It is high time a strong research and management base is created for medicinal plant propagation,research and utilization.

This note is prepared by R.K. RAO, IFS for NGO SAMATA as a tribute to its completion of twenty-five years of service to tribal communities across several states.

JAMMU & KASHMIR: WHAT IT MEANS TO INDIA?

By
J V Sharma

This time round the relations between India and Pakistan are rather on low. They appear to conform to fickle weather conditions English summer. Every time some initiative for a breakthrough is on the anvil, some dampener looms large on the horizon, be it Pakistan's High Commissioner in India entertaining the Kashmiri Separatist Leaders or terrorist attack in Pathankot. Prime Minister Modi's surprise unscheduled goodwill call on Pakistan's PM Nawaz Sharif was too compelling to keep the dialogue alive. Yet, all the initiatives to improve relations practically remain stalled.

Against this background, come two statements of great significance from very important Kashmir leaders on 27th November 2015, one by Dr. Farooq Abdullah of National Conference and the other by Ms. Mehbooba Mufti of Peoples Democratic Party. Inarguably, both the leaders are popular and relevant in so far as Kashmir is concerned, for the role they played or playing, the former being the President of National Conference, the party that ruled the State for better part of the turbulent period and the latter, a Member of Lok Sabha besides being an acknowledged leader of People's Democratic

Party who had since taken over as Chief Minister of the State (March 2016) sharing power with the BJP. Given their importance, their observations are bound to attract attention and cause ripples in the political circles.

Farooq Abdullah said; "PoK (Pak occupied Kashmir) will remain (there); Jammu and Kashmir is in India and will remain (here). We need to understand this." He further said; "Let us be practical. The (then) Prime Minister Atal Behari Vajpayee told me that when he visited Pakistan he gave suggestion that Pakistan should keep PoK, but they did not agree. But now if we start talks with Pakistan again, they are ready on this formula." Dr. Abdullah is known for his hawkish views on the issue and was on record advocating even war against Pakistan. This is a paradigm shift in his stance over Kashmir issue. What he said is more important because it conveys that the proposal had a shade of approval of Vajpayeeji and also a hint of acceptance from the present day Pakistani establishment. Though the statement is promptly dismissed by all the political parties, given the fact that Dr. Farooq Abdullah is not a rookie and must have been privy to many

developments that had not seen the light of the day for obvious reasons, there is reason to believe that if he said something, he must have had ample reason to say so.

Ms. Mehbooba Mufti, while speaking in Lok Sabha on the same day, asserted; "To those who ask (Muslims) to go to Pakistan, I want to say that the nation owns us and we own the nation." She was generous in her praise for the country's pluralistic ethos and compared it with other countries like Pakistan and Syria where she said that Muslims are killed but no one can open mouth. She went on to say; "Indian Muslims follow the real Islam. This is also because the Hindu majority (community) is very tolerant. Babasaheb (Ambedkar) must have taken tolerance from Hinduism. The way Hinduism has the tolerance, perhaps no one has. The historians, authors and scientists have been protesting and returning their awards. The way they came out in protest keeps the nation alive." With this, Ms. Mufti placed the core issue in perspective because Pakistan's case over Kashmir rests on Muslim majority of the population of the State. This is perhaps the time to see Kashmir issue in all its relevant details.

All said and done, Pakistan continues to be our most important neighbor though not strictly for all good reasons. We share a long international border not to speak of the contentious line of control in Jammu & Kashmir. Though Kashmir is

one of the States and a part and parcel of India and certainly a non-issue as far as territorial legitimacy is concerned, the hard facts are that India had to fight four wars with Pakistan after Independence over Kashmir and it remains a festering wound still. Supposing there was no Kashmir, things would have been vastly different despite the hiccups of Partition and the disputes like Sir Creek, sharing river waters etc. It is a historical quirk that neighbors should ever be caught in a situation where even honorable retreat is as bad as defeat.

Kashmir was not a part of India when it became independent on 15th August 1947. It was a Princely State like many other princely States of British India. When the British realized that it was no longer in their interest to hold India despite it being their most precious colony, they gave some parting kicks which pain the sub-continent even today. India Independence Act, 1947 passed by the British Parliament paved the way for creation of two sovereign Dominions, Pakistan and India, to succeed the British rule. Princely States, scattered all over the undivided India, were granted freedom to remain independent or to merge with any one of the two Dominions. All other princes opted merger with adjoining Dominions, voluntarily or by coercion, exceptions being Hyderabad and Jammu & Kashmir.

J & K is different from other princely states in

many respects. It was a Muslim majority state ruled by a Hindu Maharaja. It has three distinct regions Jammu, Kashmir and Ladakh besides Northern Areas called Gilgit, Hunza and Baltistan. After the decline of Mughal Empire, Kashmir formed a part of Pashtun Durrani Empire until Maharaja Ranjit Singh conquered it in 1819. In the aftermath of First Anglo-Sikh war of 1845-46, East India Company annexed it through the Treaty of Lahore. The Company sold it to Gulab Singh, Raja of Jammu whose dynasty continued to rule the State till partition of India in 1947 under the overall suzerainty of the British. With the transfer of power (1947), the British suzerainty over Kashmir ended and all treaties and agreements entered into by His Majesty's Government lapsed. The Maharaja of Jammu & Kashmir, Hari Singh had the option to remain independent or to join any one of the dominions, namely, India and Pakistan. As the population of the State was overwhelmingly Muslim, Pakistan expected the Maharaja to accede to Pakistan. But the Maharaja had other thoughts. He was weighing his options to remain an independent ruler and in case it is not possible, was trying to extract maximum concessions from Pakistan. Though Pakistan now alleges that he was in touch with Indian leadership and that Indian forces were in the State immediately after partition, the story lacked credence in as much as the relations between Hari Singh and Indian leadership were far from cordial. He jailed Sheikh

Abdullah and did not hesitate to arrest Jawaharlal Nehru when he tried to enter the State in support of the Sheikh earlier. There were never even suggestions that Kashmir should join Indian Union. It is preposterous to suggest that Nehru and Maharaja were on the same page ever, much less in complicity.

It was convenient for Maharaja to buy as much time as possible to make a decision while Pakistan was eager to annex the State as early as possible. Pakistan was not prepared to countenance any delay as it doubted meaningful cooperation from Sheikh Abdullah, the leader of Muslim Conference and the most popular among the Kashmiri politicians of the day. Pakistan always thought that Kashmir was its natural extension and wanted to make it a *fait accompli* before the Sheikh is freed from jail.

Period from the day of Pakistan formation to middle of October 1947 was very turbulent and uncertainty prevailed. There was no administration worth the name in the State. With popular leaders in jail and the Maharaja having no effective mechanism or resources to assert, it was an ideal time for Pakistan to force the issue. Hordes of Pashtun tribesmen, fully armed by Pakistan, entered the State from its western border with adequate cover from Pakistani Regulars.

Pakistani tribesmen and Regulars (though without uniform) made, rapid advances

occupying J&K territory. Maharaja did not have the forces to resist and defend. He then frantically started sounding India for help. But India was not prepared to intervene immediately. India and Pakistan signed a Non-intervention Agreement. Though tribal fighters from Pakistan entered the State, hard legal evidence was required to prove the involvement of Pakistan. Unilateral intervention by India was illegal unless the State officially joined the Indian Union. The tribesmen advanced to the outskirts of Srinagar and the Maharaja did not have much of time or other options except to sign the Instrument of Accession to India on 25th October 1947.

While accession was most crucial in the run of events, the critical factor in the history of Kashmir was the role of Sheik Abdullah and his committed band of political workers. It is said that the raiders were at the fence of the Srinagar airport when Indian forces landed there. The Sheik was released simultaneously with the signing of accession and the volunteers of Muslim Conference led by him actively worked with the Indian armed forces to take on the Pakistani raiders to eventually gain an upper hand. This was the First Kashmir war.

Even as the Indian armed forces were progressing driving out the Pakistani raiders, India committed its first diplomatic blunder by approaching the UN Security Council complaining aggression by Pakistan. Sheik

Abdullah was opposed to UN intervention as he was confident of Indian security forces liberating the entire J&K State. A ceasefire came into effect and Pakistan continues to hold on to un-liberated part (now called Pakistan occupied Kashmir-PoK), gaining a foothold to parade as a stakeholder in coming years. That was the period when Indian leadership was not mature enough in international diplomacy and placed too much reliance on the fairness of the world body not knowing that issues are seen by other countries from their view point and not on merits. Pakistan initially denied its involvement and strongly argued that the raiders were local tribesmen of Kashmir origin who were resisting occupation by Indian forces. Though Pakistan accepted the involvement of its armed forces, later, it was not taken seriously by the Security Council.

The UN Security Council passed Resolution No. 47 on 21st April 1948 imposing immediate ceasefire and called on Pakistan to secure the withdrawal from J&K of tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purpose of fighting. It had also asked India to reduce its forces to minimum strength after which the circumstances for holding a plebiscite could be put into effect on the question of Accession of the State to India or Pakistan. The resolution *per se* was unfair as it did not give due weight to the

legitimacy of accession which was concluded as per India Independence Act on the one hand and on the other is accorded *locus standi* to Pakistan in Kashmir issue instead of declaring it as aggressor. It is a travesty that the aggressor should be recognized as a stakeholder. The process of plebiscite has no place in the Act. However, the saving grace for India was that the Security Council called on Pakistan to withdraw tribal fighters and Pakistani forces. The construction of the text of resolution was such that the reduction of Indian forces and plebiscite were only to follow the withdrawal of Pakistan fighters. And significantly, the UNSC resolution has called on India, - only to reduce its forces and not withdrawal.

India being a strong believer in democratic principles initially agreed for plebiscite but Pakistan failed to withdraw its troops and the UN resolution remained only on paper. India always considered that withdrawal of troops by Pakistan from Kashmir is a pre-condition for any process to proceed further.

Much water flowed down the rivers of Kashmir since then. India and Pakistan fought four wars in all. Line of control has been defined after 1971 war in which Pakistan lost its eastern wing. The most important fallout of 1971 war was the Shimla Agreement between Indira Gandhi and Zulfikar Ali Bhutto. It was agreed that neither country would seek to alter the ceasefire line in Kashmir (named as Line of Control-LOC),

unilaterally, irrespective of mutual differences and legal interpretations and all outstanding problems will be mutually resolved. In the light of this Agreement UN Resolutions become obsolete. Further, UNSC Resolution 47 and subsequent resolutions were passed under Chapter VI of UN Charter and are considered non-binding with no mandatory enforceability. Democratic process was put in place in Jammu & Kashmir and the State framed its own Constitution. Opening part of the Preamble, reproduced below, should set rest any doubts regarding the Accession of the State to India:

“WE, THE PEOPLE OF JAMMU AND KASHMIR, HAVING SOLEMNLY RESOLVED, IN PURSUANCE OF THE ACCESSION OF THIS STATE TO INDIA WHICH TOOK PLACE ON TWENTYSIXTH DAY OF OCTOBER, 1947, TO FURTHER DEFINE THE EXISTING RELATIONSHIP OF THE STATE WITH THE UNION OF INDIA AS AN INTEGRAL PART THEREOF , AND TO SECURE TO OURSELVES“

Further, Article 3 of Part 2 of the Constitution emphasizes that Jammu and Kashmir is and shall be an integral part of India. Jurists strongly opine that the Constitution of the State was not formulated by the Constituent Assembly of India but by Constituent Assembly of Jammu and Kashmir and that it is a plebiscite. Kashmiris are therefore living under the Constitution framed by the State which had willingly accepted to be a part of India.

When armed conflict did not yield the desired results, Pakistan chose not to fight a conventional war but to bleed India through insurgency, terrorism and inciting civilian strife. It is a proxy war. There is incontrovertible evidence of Pakistan patronizing subversive activities and promoting unrest and terror in India administered Kashmir. Men are recruited, trained in camps established in Azad Kashmir, armed and dispatched across the ceasefire line providing all the necessary logistic support. Needless to say, that there are casualties among the infiltrators, security personnel and of civilians caught in the crossfire.

To look at the situation as of now, the Kashmir issue is essentially a territorial dispute, India and Pakistan claiming control. It is perhaps incorrect to call it a dispute in as much as the Prince had acceded his State to India as provided in India Independence Act 1947 like other 561 Princes of British India. Accession is unassailable and the State is legally a part of India like any other State. When it comes to the matter of peoples' right to have a say, the Constituent Assembly of the State framed a Constitution of its own, unequivocally endorsing the accession and their wish to be a part of India. There have been numerous general elections since then and the State administration is run by a legally elected government. The basic requisites of democracy have been met in its letter as well as spirit.

As against this, Pakistan continues to harp on the two-nation theory and Muslim majority in the State. It still insists upon the plebiscite based on UN resolution 47 of 1948. These arguments are beyond the pale of legitimacy in that Pakistan, in the first place, lacks the *locus standi* in the matter. This is the reason why Pakistan places more emphasis on plebiscite to decide whether Kashmiris want to join India, Pakistan or remain independent. It is important to note that UN Resolutions became irrelevant firstly because the subsequent Shimla Agreement renders the earlier process redundant and secondly, the Kashmir issue is no longer on the list of unfinished business of UN. It is for these reasons, India have been insisting that Kashmir issue is a settled matter and what remains to be done is to reclaim the part of J&K under Pakistani control and unite it with the part in Union of India.

Strictly speaking, there is also a third party interested in the matter. China, the northern neighbor, has serious objections on the boundary drawn by the British between the British India (here J&K) and China. There was a high level meeting at Shimla in 1911 or 1912 between the representatives of British India, China and Tibet to authenticate the international boundary. An agreement was almost finalized but the Chinese representative reneged at the last moment and the document

remained unsigned, though Tibetan representative is said to have signed. Chinese never forget events, particularly those they dislike; they only wait for their time. More than forty years later, China clandestinely occupied Aksai Chin, a vast stretch of land in the north-east of J&K after lulling India into the false comfort of *Hindi Cheeni Bhai Bhai* and *Panchsheel* syndrome. Not only this, when India and Pakistan are sparring on Kashmir, China concluded an agreement gaining control over Trans Karakoram (Shaksham valley) of Pakistan occupied Kashmir over which it laid claims. This pact was concluded in 1963 soon after India-China war of 1962 when no questions could be asked and no answers could be elicited. Pakistan did not have any qualms to lose the territory in return for its support in settling scores with India. Pakistan's record of tolerance is abysmal by world standards. Religious tolerance is worse and the ethnic cleansing that took place after partition is too conspicuous to miss attention. Karachi City which once boasted of nearly 50% of Hindu population has now hardly 3%. Hindu minority which was sizeable in the country has come down to mere 2-3%. More significantly, sectarian discrimination within the Muslim community is frighteningly high. Shias, Ahmediyas, Ismailias of Aga Khan's faith etc. are constantly persecuted. Not a day passes without an attack on Shia religious places and congregations. The level of intolerance is so high that an incumbent

Governor of Punjab State (P), known for his liberal views on the issue, was assassinated in broad day light. And when the assassin was tried, convicted and hanged, there are huge violent protests on the streets in Pakistan. India with its huge population has more diversity than Pakistan what with its multiple caste formations in Hindu religious fold itself. But they are all equal before law and discrimination or intolerance of any kind is an offence.

India administers about 43% of J&K territory excluding the Aksai Chin area occupied by China. It has three distinct regions of Jammu, Kashmir Valley and Ladakh. Jammu region with a population of 3 million has 30% of Muslim community. In Kashmir Valley, Muslims constitute 95% of the total 7 million populations. Muslims form 47.5% of Ladakh's 0.25 million population.

As against this, 37% of J&K territory is under the control of Pakistan. Muslims constitute 100% of 2.6 million population of Pakistan administered Azad Kashmir. 99% of 1 million population of Northern Areas of Gilgit and Baltistan are Muslims.

Thus, the J&K State, whether administered by India or Pakistan, has Muslim majority, as a whole or separately. But this alone does not mirror the ground situation correctly with regard to political decision making. Most of the Muslims in the Valley are liberal and believe in Sufism.

This is attributed to their origins and it is believed that most of them are descendants of those converted to Islam from Kashmiri Pandit ancestry. Majority of Muslims in Ladakh are Shias. Shias and Ismailees are dominant sects of Islam in Northern Areas and Gilgit who are unhappy with Islamabad for depriving them of responsible governance and this sparsely populated region is now a sort of vacuum attracting migrants from Frontier Agency and other areas disturbing the balance in sectarian populations. So, though Pakistan continues to harp on plebiscite, it is not ready to withdraw its forces from its occupied areas of J&K, as required by UN Resolution, obviously for fear of adverse verdict. A survey carried out across both Jammu and Kashmir and Pakistan-occupied Kashmir by London-based think tank Chatham House, shows that only 2% of the respondents on the Indian side favor joining Pakistan.

Kashmir was a non-issue as far as India is concerned until Pakistani raiders invaded the State in 1947. It is relevant to inform the readers that Indian National Congress which was spearheading the freedom movement during pre-partition days had a subsidiary called States Peoples Conference to take care of aspirations of the people belonging to princely States and to guide them in their struggle for responsible democratic government. Nehru as President of the Conference was working closely with various

State outfits. Sheik Abdullah as President of Muslim Conference was fighting for democratic reforms and both had a shared goal. Sheik Abdullah, though hailing from the Valley, had seen the multi-religious society of India from close quarters as a student of Aligarh Muslim University and was convinced of secularism. Frequent interaction with Congress leadership, particularly Nehru, provided a wider perceptive of the principles of democracy & secularism to Abdullah who believed that democracy was more precious than the Two-Nation concept and propagated it in J & K with full vigor.

India was then a nascent nation still charting its course for future. Even otherwise, Congress leadership never subscribed to two-nation theory propounded by Muslim League. Congress believed that India is a land of diversity which stood the test of times for centuries. They had to agree for partition when it was made the only option for freedom. The accession of J&K had further cemented the belief and secularism had become an article of faith rather than a game of numbers.

Significantly, history proved India right when East Pakistan broke away from West Pakistan to become a new nation of Muslim majority, Bangladesh. The thrust of Pakistan's case on Kashmir is that it is a Muslim majority State and is therefore its natural extension, rather an unfinished agenda of partition. Bangladesh

example should effectively counter this argument. On the other hand, India's experiment with secularism during the past more than six decades has been successful. Mehbooba Mufti's speech cited above is the case in point.

Even to go by Pakistan's untenable logic of religion as basis for national identity, India has almost as many Muslims, as in Pakistan, to stake claim to have J&K in its fold and that is exactly what the Muslims of India want. Muslims of India played stellar role in defending Pakistani aggression in J&K. Should Pakistan be too keen to go by religion, the Muslims of India also have a stronger case to counter.

Kashmir issue is hanging fire for over 68 years. Intractable problems need out of box solutions. While diplomatic interaction with Pakistan and back-channel contacts (if any) can go on to find a solution to the J&K issue, there is a need to make Pakistan and the world at large, know the feelings of Muslim Community of India. Many Muslim nations on the globe have difficulty in understanding the practical dynamics of the sub-continent and tend to go by religious appeal virulently propagated by Pakistan. It therefore becomes necessary for the Muslim voice of India to tell the world what Kashmir means to India when the sub-continent effectively rejected the two-nation theory. Efforts must be made to generate such powerful voice through a Forum

which should deliberate over the issue and talk to Muslims of Pakistan and even beyond. Much has already been said in this context by prominent Muslim leaders of India like Maulana Azad, Rafi Ahmed Kidwai, Zakir Hussain, M. C. Chavla, in the past. The present Forum may comprise of leaders from across the entire political spectrum and from various sections of the society. They may include among others, Farooq Abdullah, Omar Abdullah, Mehbooba Mufti, Ghulam Nabi Azad, Najma Heptullah, Salman Khurshid, Tariq Anwar, Asaduddin Owaisi, Mahroof Raza, Kamaal Farooqui, Mukhtar Abbas Naqvi, Azam Khan (UP), Shahnawaz Hussain, Mohsina Kidwai, Mohd. Salim of CPM, a senior leader from IUML, Javed Akhtar, Zafaryab Alam, M. J. Akbar, Sajjad Lone, Yaseen Malik, Shahid Siddiqui etc. The Forum can be widened to include intellectuals, jurists, administrators, experts in strategic studies, defence analysts, and others.

Pakistan is used to monolith culture of a single religion and is unaware of vibrancy that multi-religious society and secularism can offer for the progress and development of society. I am confident the Muslim Community of India can effectively argue their case and make the Pakistani establishment and civil society understand the virtues of a true democratic liberal society.

THE SECRET OF OLD AGE TO ALL RETIRED FRIENDS

SECRETS OF LIFE IN SIX WORDS:

Before Middle Age — Do not fear.

After Middle Age — Do not regret.

Enjoy your life while you can.

Do not wait till you cannot even walk

Just to be sorry and to regret.

When there is an opportunity, get together with

Old class mates, old colleagues & old friends.

The gathering is not just about eating; it's just that

There is not much time left!

Money kept in banks may not be really yours,

When it is time to spend, just spend,

Treat yourself well as you are getting old.

Whatever you feel like eating, just eat!

It is most important to be happy.

1. Foods good for health – eat often but that is not everything.

2. Things which are not good for health – eat less once a while;

But do not abstain from them totally.

Treat sickness with optimism, whether poor or rich.

Ever one has to go through birth, aging, sickness and death.

There is no exception that is life.

Do not be afraid or worried when you are sick. Settle all the outstanding issues

Before hand and you will be able, to leave without regret.

Let the doctors handle your body;

Let GOD / NATURE handle your life;

But be in charge your own moods!

If worries can cure your sickness, then go ahead and worry!

If worries can prolong your life, then go ahead and worry!

If worries can exchange your happiness, then go ahead and worry!

Our kids will make their own fortune. Look after old treasures.

1. Your old body – Pay more attention to health. You can only rely on yourself.

2. Retirement funds – money that you have earned it is best to keep that to yourself.

3. Your old companion – treasure every moment with your other half; one of you will Leave first.

4. Your old friends – seize every opportunity to meet up with your friends such opportunities will become rare as time goes by.

Things you must do every day! **SMILE AND LAUGH.**

Running water does not flow back. So is life, make it happy.

BLESS YOU

Courtesy: K.B.R. Reddy

EQUESTRIAN ENCOUNTERS

By

Dr. B Raghotham Rao Desai.

Genesis:

When I was appointed to forest service by the then Hyderabad Govt. (after passing out from Coimbatore Forest College) on 2nd July in 1956, the Establishment-section at the CCF's office handed over a 'note' to me about the departmental-requirements and examinations to be passed (as expeditiously as possible) to get the probation –period declared and also to get confirmed & earn future increments & promotions uninterruptedly.

And In pursuance (of Rule 11 of the Regional Languages Examination Rules of the Govt. of Hyderabad) I appeared for the 12th Regional Language Examination (conducted by the Public Service Commission from 12th to 15th of September, 1956), as it was notified & came my way and passed Telugu (since my mother-tongue was Kannada and I was required to pass either Telugu or Marathi, which were the languages of other two regions of the State). It was a pleasant surprise to find my name at the top of the 48 candidates (who passed) published in order of merit on Pp 1442-1443 of Hyderabad Govt. Gazette of Oct., 18, 1956, ending one ordeal at least that early.

Another requirement being horse-riding (and passing some departmental exams). I wanted to familiarize with horse-riding as early as possible

similarly. And when I was posted to Chincholi (vide CCF, Hyderabad S.O. No. 153 D/15-9-1956) I found in entire taluka (and Range) being hilly & the meandering Mullamari river (with its Tributaries & hill-streams crisscrossing it all over), only 9 miles (or 14 kms.) of motor able road existed which was covered by public transport (from Tandur to Chincholi) and all other routes having had to be traversed on foot or horseback! It was, therefore, not optional but a sheer necessity and hence I wanted to make most of it which would eventually help me to appear for the horse-riding test and pass it out, to fulfill the other requirement.

Travels & Tribulations:

My equinophobia had thus started during the latter half of 50s of the preceding Century when I made a trip to Bhiknalli/Yakhatpur/Chiklingdhalli/Bhairampalli felling series via Inolli F.S., to locate starting points to commence surveys for the coupes — the Silviculture System prescribed being 'Coppice with Reserves' as per the Working Plan (by Sri Munnawar Hussain for Gulbarga Dn. sanctioned by the Hyderabad Govt. in 1955) to be auctioned in 1956. Looking forward to the scenic trek from Inolli to steep Gottamgutta and on to the deserted village of Bhiknalli, I had bought an expensive pair of trekking poles —

— but my hopes of trekking were dashed when my left shoe lost its sole. I had to hire a horse per force while the staff accompanying me (comprised of a Dy. R.O., Forester, Guards and Watchers) trekked up gaily.

The animal which I rode was stubborn, wayward and, I so strongly felt, murderous. He made it a point to walk on the very edge of the path, perhaps with the ill-intention to drop me into the yawning chasm by my side! He would make unwary walkers lose balance by willfully brushing against them!!

I was sure it was the foul-smelling gas he emitted which made the accompanying staff to distance away behind. I felt I had heard the animal snort with glee — when, at last, I alighted from the mischievous fellow, he bolted into the unknown, with my precious poles still trapped to him.

From then on I had to undertake all the visits & inspections on foot, until I reached the far-off point near another deserted village ("Be ChiraaghMouza") of Bhairampalli from where another horse (or was it a mare?) had to be rode to reach far-away headquarters. During that close encounter, I found the fellow to be a biter who tried to bite anyone who came near. After three or four unsuccessful attempts, it finally managed to get a nip at me as I climbed with the help of its owner who was a chatterbox continuously talking to his talkative friend, accompanying him throughout. The ride was

eventful especially when the animal bit its owner who was walking alongside, busily talking to his friend!

It was only after returning to Chincholi that I felt a pea-sized lump on my lower back, at a place where I could not see it. A mirror showed a reddish brown blob resembling a scab. I waited for it to fall off. The lump would grow fat and thin periodically, scaring me. After about a fortnight of mental anguish, I pulled out the lump during my bath and put it down safely on a soap dish.

A surprise awaited me when I looked at the lump in the sunshine — all its eight legs were waving! Suddenly, I realized that the 'lump' was a tick — a present from that animal — that had attached itself to me and sucked my blood for fifteen days at a stretch. Yet I felt a wave of thankfulness that it was a tick and not a crab!

Conclusion:

Not everything will be as it appears outwardly: indeed very true is the quotation, "Don't judge a book by its cover", which is also a "mantra" chanted by all and sundry, implying that outer appearances can be deceptive and our conclusions thence could be erroneous. In other words, the way a person or a situation or the circumstance or an incidence is 'packaged', augurs that way we instinctively perceive it, although this can in most cases be misleading.

NEEM: THE WONDER TREE OF INDIA

By
C.R. Rao

Neem (*Azadirachta indica*), is a native of INDIA and Burma which was introduced into Africa in the 18th century. In Ghana it has become a leading producer of firewood for the densely populated Accra plains and in countries from Somalia to Mauritania to halt the spread of the Sahara desert.

Near Mecca, a Saudi philanthropist planted a forest of, 50,000 *Neem* plants for shade and comfort of the 2 Million pilgrims who camp every year on the plains of Arafat, where Prophet Mohammed is said to have bidden farewell to his followers. For centuries INDIA'S farmers have known the trees withstanding the periodic infestation of locust swarms. Indian scientists took up *Neem* research as far back as 1920s. Heinrich Schumutterer, a German entomologist witnessed in 1959, *Neem* trees were the only green things left standing after the onslaught of a locust plague in the Sudan. On investigation, Schumutterer and his students found that *Neem* extracts applied to vegetable crops would repel locusts and it is the beginning of lively research on *Neem*. BY 1991, several hundred researchers in at least a dozen countries were doing research on various aspects of *Neem* and its products.

Neem products are unique, in that they are not outright killers of many insects, but alter the behavior resulting in the insect can no longer feed or breed or metamorphose. Azadirachtin, one of the outstanding components of *Neem*,

disrupts the metamorphosis of insect larvae, in preventing the larvae developing into pupae, the next stage. They die without producing a new generation. It is pertinent to mention here that more than 200 species of insects are affected by *Neem* sprays. Another *Neem* component Salannin is also a powerful repellent which stops many insects from touching the plants, which they normally find most "eatable".

Neem based products show several remarkable qualities. TOXIC CHEMICALS LIKE malathion become immune to certain insect pests, whereas, *Neem* based products affect an insect's life cycle and physiology, inhibits feeding, disrupts growth, larvae fail to molt.

Mixing *Neem* extracts with other materials like sesame oil, Pyrethrins and Permethrin can boost the effectiveness. FOR example *Neem* leaves; dry *Neem* cake and seeds are used in some mosquito coils. Amending soil with sawdust and *Neem* cake has completely controlled root knot index to 0, in Tomato which is very sensitive to nematodes. *Neem* leaf extracts control aflatoxins which are highly carcinogenic. This is significant in keeping foods fungus free in tropical countries like ours, for protecting food supplies, from fungal attack. *Neem* is used as a fungicide, against plant viruses, as anti-bacterial, in dental treatment, in malaria control work, for birth control, as veterinary medicine, *Neem* cake as a

fertilizer, as control for nematode and white ants.

HOW NEEM REACHED AFRICA; Sir Frederick G. Guggisberg was Governor of Goldcoast (Ghana) from 1919 to 1927 and he introduced seeds or seedlings of *Neem* from India sometime during that period, into Ghana. That is perhaps the reason, the tree is linked to the Governor (king) Guggisberg, locally called "Goo-Gay", short word for Guggisberg. From Ghana it was later introduced into Nigeria in 1928. In the Sudan, the tree is commonly seen at railway stations and Mosques. Probably they were brought by a diligent colonial Forester, who appreciated the tree's value for shade, fuel, wood and for oil for lamps.

From Senegal, Djibouti went to India in 1950 to bring *Neem* seeds. Many of trees now seen throughout the country result from his farsighted efforts. Senegal has more *Neem* trees than any other African Country.

Saudi Arabia:

About 40 years ago, *Neem* was introduced into the country, and got acclimatized very well to the hot arid conditions. It is interesting to know that about 50,000 trees were planted to provide shade and shelter to about 2 Million pilgrims to Hajj festivities annually.

MEDICINAL USES OF NEEM PRODUCTS; The earliest Sanskrit writings on medicinal uses of *Neem*, its fruits, seeds, oil, leaves, roots and bark, show varied medicinal uses of *Neem*. 'Aristhaa', its Sanskrit name means reliever of sickness.

As a fungicide: About 14 common fungi which are difficult to control by systemic fungicides have been effectively controlled by *Neem* extracts.

As anti-bacterial: Common bacteria like *Staphylococcus*, which causes food poisoning and many pus forming disorders like boils, abscesses, secondary infections, *Salmonella* (typhoid and food poisoning), Infections and inflammations are controlled by *Neem* oil.

As anti-Viral; Small pox, Chicken pox, and warts have been traditionally treated with a paste of *Neem* leaves. *Neem* was effective in prevention but not cure. Herpes hepatitis B virus, have been controlled by *Neem* leaf extracts. In Horticultural studies, crude extracts of *Neem* products have effectively controlled certain plant viruses.

As Dental medicine: *Neem* has been known from many Ayurvedic records as an excellent cure for dental and gum inflammations. It also prevents bad breath and as a cure for periodontal problems.

Chagas disease; In Latin America, about 20 Million people suffer from this dreaded disease. Heinz Rembolt of Marfinsreid, Germany found a cure from Azadirachtin, to prevent the molting of the insect, which causes the dreaded disease.

Neem oil as a Mosquito repellent: If you want to organize an open-air function mosquito-free, try this well tested method. Put out "diyas" with *Neem* oil and light the wicks. Arrange the diyas in wide circles, around the function hall, away from the children and walk ways. The oil must be replenished every half hour. There will not be any mosquitoes as long as the oil lamps are burning. Keep the cotton wicks low, to burn slowly.

Ø **One tip to get good and clean oil.** The pulp around the Neem seed has a sweet compound which makes it susceptible for fermenting and getting a black mold around the seed. The fruits must be washed soon after collection and dried. The oil from such seed will be clear and honey coloured. This type of oil is being used in capsule form for diabetes now.

NEEM OIL PREPARATION FOR CROP PROTECTION:

Currently *Neem* oil preparations based on different % of Azadirachtin content is reported to control white flies, thrips, mealy bugs, leaf miners, looper, caterpillars, aphids, ant flies, cockroaches, fleas, weevils, webworms, horn worms, sawflies, gypsy-moths in green houses. No toxicity was observed on several tests done on fish, birds, bees, rabbits and rats by *Neem* products.

NEEM OIL AS SPERMICIDE: *Neem* oil was tried on "in vitro" studies of Rhesus monkeys and human spermatozoa, which proved to be an ideal contraceptive. "In vivo" studies on rats, rabbits, Rhesus monkeys and human volunteers proved that *Neem* oil emulsions applied intra-vaginally, before the sex act, prevented pregnancy in all the species. Perhaps this is also the cheapest method for family planning.

NEEM LEAF EXTRACTS TO REDUCE MALE FERTILITY:

Male antifertility activity was reported by using leaf extracts, by several researchers, N.L.Sadre, Vibhavari Y.Deshpande, K.N.Mindulkar (1983), H.Schumuttere & KRS.Aschmer(1984).

PREPARATION OF EXTRACTS:- Farmers using *Neem* products, must be able to make their own

extracts, for use in their fields. For this "low tech" methods must be devised by Krishividyanakendras. The quality of neem extracts and their subsequent use as an effective tool depends on the way the seed is handled, stored and extracted. So optimal handling of the *Neem* material is to be studied in detail. Conditions of the seed before extraction and increasing the storage life of *Neem* formulations are vital.

NON INSECT PESTS: *Neem* could benefit Horticulture, Sylviculture, and Agriculture as systemic fungicides, as a preventive in stopping fungal diseases in plants, in viruses on trees and for crops threatened by snails and slugs.

HUMAN HEALTH: Studies of *Neem* medicinal values are; in alleviating pain & fever, anti-bacterial and anti-viral, in controlling dental cavities, use of *Neem* twigs for dental cleaning and oral health for poor people who cannot afford tooth paste, topical treatment of lice, for psoriasis, for treatment of intestinal parasites like tape-worm, for malaria, elephantiasis, sleeping sickness and "chagas" disease

VETERINARY MEDICINE: Many avenues of exploratory research in Veterinary Medicine, using *Neem* products are available.

Neem oil is traditionally used in India for many years to repel insects, ticks, tropical skin parasites, intestinal parasites such as round worms & tape worms.

Source:- NEEM, A Tree for solving Global Problems. NATIONAL ACADEMY PRESS, Washington, D.C 1992

FREEZING LEMONS - WHO KNEW?

Read this – it may save your life or the life of a friend or loved one. The more you read, the more you want to know... it's not long, so, read it. It's amazing!

Amazing frozen lemons All it is.....is a frozen lemon

Many professionals in restaurants and eateries are using or consuming the entire lemon and nothing is wasted. How can you use the whole lemon without waste? Simple, place the washed lemon in the freezer, section, of your refrigerator. Once the lemon is frozen, get your grater, and shred the whole lemon (no need to peel it) and sprinkle it on top of your foods.

Sprinkle it to your vegetable salad, ice cream, soup, cereals, noodles, spaghetti sauce, rice, sushi, fishdishes, whisky... the list is endless.

All of the foods will unexpectedly have a wonderful taste, something that you may have never tasted before. Most likely, you only think of lemon juice and vitamin C. Not anymore.

Now that you've learned this lemon secret, you can use lemon even in instant cup noodles.

What's the major advantage of using the whole lemon other than preventing waste and adding new taste to your dishes? Well, you see lemon peels contain as much as 5 to 10 times more vitamins than the lemon juice itself. And yes, that's what you've been wasting.

But from now on, by following this simple procedure of freezing the whole lemon, then grating it on top of your dishes, you can consume all of those nutrients and get even healthier.

It's also good that lemon peels are health rejuvenators in eradicating toxic elements in the body.

So place your washed lemon in your freezer, and then grate it on your meal every day. It is a key to make your foods tastier and you get to live healthier and longer! That's the lemon secret! Better late than never, right? The surprising benefits of Lemon! Lemon (Citrus) is a miraculous product to kill cancer cells. It is 10,000 times stronger than chemotherapy. Why do we not know about that? Because there are laboratories, interested in making a synthetic version that will bring them huge profits.

You can now help a friend in need by letting him/her know that lemon juice is beneficial in preventing the disease. Its taste is pleasant and it does not produce the horrific effects of chemotherapy.

How many people will die while this closely guarded secret is kept, so as not to jeopardize the beneficial multimillionaires large corporations? As you know, the lemon tree is known for its varieties of lemons and limes.

You can eat the fruit in different ways: you can eat the pulp, juice press, prepare drinks, sorbets, pastries, etc... It is credited with many virtues, but the most interesting is the effect it produces on cysts and tumors.

This plant is a proven remedy against cancers of all types. Some say it is very useful in all variants of cancer. It is considered also as an anti-microbial spectrum against bacterial

infections and fungi, effective against internal parasites and worms, it regulates blood pressure which is too high and an anti-depressant combats stress and nervous disorders.

The source of this information is fascinating: it comes from one of the largest drug manufacturers in the world, says that after more than 20 laboratory tests since 1970, the extracts revealed that it destroys the malignant cells in 12 cancers, including colon, breast, prostate, lung and pancreas..

The compounds of this tree showed 10,000 times better than the product Adriamycin, a drug normally used chemotherapeutic in the world, slowing the growth of cancer cells.

And what is even more astonishing: this type of therapy with lemon extract only destroys malignant cancer cells and it does not affect healthy cells. So, give those lemons a good wash, freeze them and grate them. Your whole body will love you for it!!!!!! Courtesy: K.J.M Reddy (Canada)

A YOUNG WOMAN FORESTER'S MISSION IMPOSSIBLE

Here's an incredible saga of a woman forester in the Seshachalam biosphere, who has to crisscross Kadapa and Chittoor districts to reach her highly inaccessible, 20,000-acre Moghilipenta beat.

The Moghilipenta beat is on an elevated plateau in Kadapa, surrounded by a zigzag of the Seshachalam hill ranges, the hotbed of red sanders smuggling. Ragala Subbalakshmi, 25, Forest Beat Officer (FBO) with the Balupalle range of Railway Kodur division in Kadapa district, is a lone ranger here.

She has to travel 60 km by road from Balupalle to Tirupati and then to the Tirumala hills in Chittoor. After reaching Tirumala, she has to trek 35 km deep in the forests towards Kadapa, traversing valleys, slopes and ridges, taking a minimum two days.

During the past two years, she has been alone, as the Assistant Beat Officer's post fell vacant.

This makes her a lonely soul in a vast jungle, unarmed, taking each step amid dangers, which could be smugglers or animals.

As it is humanly impossible to carry out her duties as an FBO, the superior officers are kind to her, not insisting on her performing a daily beat.

The Divisional Forest Officer (Tirupati wildlife), T.V. Subba Reddy, told *The Hindu* that the woman was a dynamic beat officer. "During the British Raj, there was a motorable track between Balupalle and Moghilipenta plateau."

The official said a periodic beat was being arranged with a dozen men escorting her.

Ms. Ragala told *The Hindu* that "though it is a tough job, it gives me immense happiness in serving the department."

"Hard work gives me much pleasure. Adventure is, in fact, great learning."

TIME FOR GREENING MOTHER LAND

By
Dasari Nagabhushanam

Don't take oath for the work couldn't be done
Grow not innumerable unwanted saplings
No need of mathematicians for multiplication of plants
Criminal count of unplanted plants not intended
Exclude unfit areas of land for greening
Even if meagre – useful required are the best
Stop filling with waste scrap of filthy weeds
Grow and distribute the plants needed by the people
Build up awareness on each plant given to them
Plant the saplings with perfume of perfection
Nurture carefully with motherly affection
Take responsibility round the clock for utmost protection
Don't bother about tracing of evidences for casualties
Grown crown is the honest truth of unmovable plants
Soothing shade resulted from scorching summer sun
With dedicated screening effort of chlorophyll leaves
Rule out the rubbish rude accountability for the sake of punishing
Stop projection of unrealistic configurations without any vision
Don't become hilarious in front of so many who are very keen
Stand like beckon for the entire humanity with glow of green
Beautify the whole Mother Land with carpet of green screen

Look at the sparrows; they do not know what they will do in the next moment. Let us literally live from moment to moment.” – Mahatma Gandhi

GANGULYS TRANSFORM BARREN LANDS INTO FOREST IN ANANTAPUR

Timbaktu village Chennethapalle(Anantapur): As one traverses through the tens of villages in the ChennethapalleMandal one can witness the green paradise created over two decades by pioneers C K Ganguly and his wife Mary along with a friend D'Souza, who set their foot on barren lands with bald mountains at its backdrop in early 1990's in C K Palle.

C K Ganguly and his wife Mary along with a friend D'Souza purchased 32 acres of land in 1990s and began planting saplings to turn it into a green agro forest. Protection of environment and eco-restoration were their objectives. The land was fondly named Timbaktu. With people's participation, they have now developed 3,000 hectares of forest land. Wild animals and birds find their new home here.

Effective policing by people's committees prevented tree felling inspired after reading a book authored by Japanese named Masanobu Fukuoka on natural farming "The One-Straw Revolution", they bought 32 acres of land in the village and began to plant trees regularly and help the land regenerate itself.

Along with like-minded friends, they began to nurture a dream of transforming it into a green

agro forest. The couple named the land 'Timbaktu' which meant "the last horizon where the earth meets the sky".

Obuleshu, a resident of C K Palle recalls that the temperatures were hot then with hardly any trees or green cover in the vast stretches of land and it was difficult to find a shade giving tree. Today the greenery is there for everyone to see, he asserts.

Ganguly fondly called as Babloo is a household name in the region and protection of environment and eco-restoration had been the key thrust areas of 'Timbaktu Collective'.

The once barren lands and bald mountains have been transformed by a green revolution ushered in by the Gangulys' with active people's cooperation. Women's cooperatives, empowerment through savings and credit societies, organic farming, nature schools, water conservation and rural enterprise etc. are other pet areas of the Timbaktu.

Interacting with The Hans India Babloo says, "We began by constructing small earthen bunds and small rock-filled check dams. Water-harvesting trenches were dug in the revenue wastelands belonging to Kogira, Kambalapalli and

Shyapuram villages of Roddam Mandal and Mushtikovela, Subbarayunipalli and Guvvalagovindampalli villages of ChennakothapalliMandal.

The massive tree plantation campaign was all part of 'operation Kalpavalle Forest', he adds. The idea was to plug the gullies so as to reduce the run-off and get as much water as possible to stay on the land and percolate into the soil. Later, bigger check-dams and rock-filled dams were built to save as much rainwater as possible. Today, the main check dam of Timbaktu holds water sufficient for almost five months, he revealed.

What initially started with 32 acres of barren land has now spread to over 3,000 hectares covering seven villages of wasteland and it has been transformed into a forest. Echoing the same sentiments of several villagers who are part of the Timbaktu movement, Pothanna of Dcharampalle stated that he spent 18 years as a forest watcher in the Kalpavalle forests and

presided over forest protection committees with a membership of 70 people.

Due to effective policing by the people's committees, tree felling had been checked effectively, he adds. Anantharam of Kogira village says, "Those days these lands were barren. All these miles of greenery you now see are trees planted by us", says Anantharam of Kogira village with a sense of pride. "We plant 10 acres every year.

This ensures that, over the years, a new generation of forest comes up. Each watcher was given the task of planting 1,200 tamarind plants and their maintenance," he added. The work done by Timbaktu has had tremendous impact not only on the people but also for the birds and animals in the area. Many animals have returned to the area including wild boars, jackals, foxes, bears, wolves, deer, leopards and many, many varieties of birds. (Source: Hans India with thanks)

When a person can no longer laugh at himself, it is time for others to laugh at him.

The person who reads too much and uses his brain too little will fall into lazy habits of thinking.

DUE TO PENDENCY OF DISCIPLINARY/ JUDICIAL PROCEEDINGS RETIREMENT BENEFITS CANNOT BE STOPPED

By
Dr. Akula Kishan

In many cases involving Forest Officers and Forest Subordinates the disciplinary cases or judicial proceedings are prolonged and citing the pendency of such proceedings the retirement's benefits are withheld for years together. Recently when I contacted the Special Secretary for Forestry, I was informed that there are 600 cases pending and some cases date back to 1982 and in some cases the retired person also died and the family is waiting for some relief at least now. Is this the reward to persons who served for decades., There are guidelines fixing time limits for disposal of disciplinary case but the time limits are not adhered to. I am furnishing below extracts from the judgement of Supreme Court of India in ***State of Jharkhand & Ors. Vs. Jitendra Kumar Srivastava & Anr. [(2013) 12 SCC 210 = AIR 2013 SC 3383]***. By citing the judgments the affected persons may approach the Tribunal concerned for specific directions for release of (1) pension (2) encashment of leave (3) DCRG.

JUDGMENT

2. Crisp and short question which arises for consideration in these cases is as to whether, in the absence of any provision in the Pension Rules, the State Government can withhold a part

of pension and/or gratuity during the pendency of departmental/ criminal proceedings? The High Court has answered this question, vide the impugned judgment, in the negative and hence directed the appellant to release the withheld dues to the respondent. Not happy with this outcome, the State of Jharkhand has preferred this appeal.

4. Feeling aggrieved with this action of the withholding of his 10 percent of the pension and non-release of the other aforesaid dues, the respondent preferred the Writ Petition before the High Court of Jharkhand. This Writ Petition was disposed of by the High Court by remitting the case back to the Department to decide the claim of the petitioner for payment of provisional pension, gratuity etc. in terms of Resolution No. 3014 dated 31.7.1980. The appellant, thereafter, considered the representation of the respondent but rejected the same vide orders dated 16.3.2006. The respondent challenged the rejection by filing another Writ Petition before the High Court. The said petition was dismissed by the learned Single Judge. The respondent filed Intra Court Appeal which has been allowed by the Division Bench vide the impugned orders dated

31.10.2007. The Division Bench has held that the question is squarely the full Bench decision of that Court in the case of *Dr. Dudh Nath Pandey vs. State of Jharkhand and Ors.* 2007 (4) JCR 1. In the said full Bench Judgment dated 28.8.2007, after detailed discussions on the various nuances of the subject matter, the High Court has held:

"To sum up the answer for the two questions are as follows:

(i) Under Rule 43(a) and 43(b) of Bihar Pension Rules, there is no power for the Government to withhold Gratuity and Pension during the pendency of the departmental proceeding or criminal proceeding. It does not give any power to withhold Leave Encashment at any stage either prior to the proceeding or after conclusion of the Proceeding.

(ii) The circular, issued by the Finance Department, referring to the withholding of the leave encashment would not apply to the present facts of the case as it has no sanctity of law".

5. Mr. Amarendra Sharan, the learned Senior Counsel appearing for the petitioner accepted the fact that in so far as the Pension Rules are concerned, there is no provision for withholding a part of pension or gratuity. He, however, submitted that there are administrative instructions which permit withholding of a part of pension and gratuity. His submission was that when the rules are silent on a particular aspect,

gap can be filled by the administrative instructions which was well settled legal position, laid down way back in the year 1968 by the Constitution Bench Judgment of this Court in *Sant Ram Sharma vs. Union of India* 1968 (1) SCR 111. He, thus, argued that the High Court has committed an error in holding that there was no power with the Government to withhold the part of pension or gratuity, pending disciplinary/criminal proceedings.

6. The aforesaid arguments of the learned Senior Counsel based on the judgment in *Sant Ram Sharma* would not cut any ice in so far as present case is concerned; because of the reason this case has no applicability in the given case. *Sant Ram* judgment governs the field of administrative law wherein the Constitution Bench laid down the principle that the rules framed by the authority in exercise of powers contained in an enactment, would also have statutory force. Though the administration can issue administrative instructions for the smooth administrative function, such administrative instructions cannot supplant the rules. However, these administrative instructions can supplement the statutory rules by taking care of those situations where the statutory rules are silent. This ratio of that judgment is narrated in the following manner:

"It is true that there is no specific provision in the Rules laying down the principle of promotion of junior or senior grade officers to selection grade posts. But that does not mean

that till statutory rules are framed in this behalf the Government cannot issue administrative instructions regarding the principle to be followed in promotions of the officers concerned to selection grade posts. It is true that Government cannot amend or supersede statutory rules by administrative instructions, but if the rules are silent on any particular point Government can fill up the gaps and supplements the rules and issue instructions and inconsistent with the rules already framed”.

There cannot be any quarrel on this exposition of law which is well grounded in a series of judgments pronounced post Sant Ram Sharma case as well. However, the question which is posed in the present case is altogether different.

7. It is an accepted position that gratuity and pension are not the bounty. An employee earns these benefits by dint of his long, continuous, faithful and un-blemished service. Conceptually it is so lucidly described in *D.S. Nakara and Ors. Vs. Union of India; (1983) 1 SCC 305* by Justice D.A. Desai, who spoke for the Bench, in his inimitable style, in the following words:

“The approach of the respondents raises a vital and none too easy of answer, question as to why pension is paid. And why was it required to be liberalized? Is the employer, which expression will include even the State, bound to pay pension? Is there any obligation on the employer to provide for the erstwhile employee

even after the contract of employment has come to an end and the employee has ceased to render service? What is a pension? What are the goals of pension? What public interest or purpose, if any, it seeks to serve? If it does seek to serve some public purpose, is it thwarted by such artificial division of retirement pre and post a certain date? We need seek answer to these and incidental questions so as to render just justice between parties to this petition.

The antiquated notion of pension being a bounty a gratuitous payment depending upon the sweet will or grace of the employer not claimable as a right and, therefore, no right to pension can be enforced through Court has been swept under the carpet by the decision of the Constitution Bench in *Deoki Nandan Prasad v. State of Bihar and Ors. [1971] Su. S.C.R. 634* wherein this Court authoritatively ruled that pension is a right and the payment of it does not depend upon the discretion of the Government but is governed by the rules and a Government servant coming within those rules is entitled to claim pension. It was further held that the grant of pension does not depend upon any one's discretion. It is only for the purpose of quantifying the amount having regard to service and other allied matters that it may be necessary for the authority to pass an order to that effect but the right to receive pension flows to the officer not because of any such order but by virtue of the rules. This view was reaffirmed in *State of Punjab*

and Anr. V. Iqbal Singh (1976) ILLJ 377SC".

8. It is thus hard earned benefit which accrues to an employee and is in the nature of "property". This right to property cannot be taken away without the due process of law as per the provisions of Article 300 A of the Constitution of India.

9. Having explained the legal position, let us first discuss the rules relating to release of Pension. The present case is admittedly governed by Bihar Pension Rules, as applicable to the State of Jharkhand. Rule 43(b) of the said Pension Rules confers power on the State Government to withhold or withdraw a pension or part thereof under certain circumstances. This Rule 43(b) reads as under:

"43(b) The State Government further reserve to themselves the right of withholding or withdrawing a pension or any part of it, whether permanently or for specified period, and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to Government if the pensioner is found in departmental or judicial proceeding to have been guilty to grave misconduct, or to have caused pecuniary loss to Government misconduct, or to have caused pecuniary loss to Government by misconduct or negligence, during his service including service rendered on re-employment after retirement".

From the reading of the aforesaid Rule 43(b), following position emerges:-

(i) The State Government has the power to withhold or withdraw pension or any part of it when the pensioner is found to be guilty of grave misconduct either in a departmental proceeding or judicial proceeding.

(ii) This provision does not empower the State to invoke the said power while the department proceeding or judicial proceeding are pending.

(iii) The power of withholding leave encashment is not provided under this rule to the State irrespective of the result of the above proceedings.

(iv) This power can be invoked only when the proceedings are concluded finding guilty and not before.

10. There is also a Proviso to Rule 43(b), which provides that:-

"A. Such departmental proceedings, if not instituted while the Government Servant was on duty either before retirement or during re-employment.

i. Shall not be instituted save with the sanction of the State Government.

ii Shall be in respect of an event which took place not more than four years before the institution of such proceedings.

iii Shall be conducted by such authority and at such place or places as the State Government may direct and in accordance with the procedure applicable to proceedings on

which an order of dismissal from service may be made:-

B. Judicial proceedings, if not instituted while the Government Servant was on duty either before retirement or during re-employment shall have been instated in accordance with sub clause (ii) of clause (a) and

C. The Bihar Public Service Commission shall be consulted before final orders are passed.

It is apparent that the proviso speaks about the institution of proceedings. For initiating proceedings, Rule 43(b) puts some conditions, i. e, Department proceeding as indicated in Rule 43(b), if not instituted while the Government Servant was on duty, then it shall not be instituted except:-

- (a) With the sanction of the Government,
- (b) It shall be in respect of an event which took place not more than four years before the institution of the proceedings.
- (c) Such proceedings shall be conducted by the enquiry officer in accordance with the proceedings by which dismissal of the services can be made.

Thus, in so far as the proviso is concerned that deals with condition for initiation of proceedings and the period of limitation within which such proceedings can be initiated.

11. Reading of Rule 43(b) makes it abundantly clear that even after the conclusion of the departmental inquiry, it is permissible for the Government to withhold pension etc. ONLY

when a finding is recorded either in departmental inquiry or judicial proceedings that the employee had committed grave misconduct in the discharge of his duty while in his office. There is no provision in the rules for withholding of the pension/gratuity when such departmental proceedings or judicial proceedings are still pending.

12. Right to receive pension was recognized as right to property by the Constitution Bench Judgment of this Court in *Deokinandan Prasad vs. State of Bihar*; (1971) 2 SCC 330, as is apparent from the following discussion:

"29. The last question to be considered, is, whether the right to receive pension by a Government servant is property, - so as to attract Articles 19(1)(f) and 31(1) of the Constitution.

This question falls to be decided in order to consider whether the writ petition is maintainable under Article 32. To this aspect, we have already adverted to earlier and we now proceed to consider the same.

30. According to the petitioner the right to receive pension is property and the respondents by an executive order dated June 12, 1968 have wrongfully withheld his pension. That order affects his fundamental rights under Articles 19(1) (f) and 31(1) of the Constitution. The respondents, as we have already indicated, do not dispute the right of the petitioner to get pension, but for the order passed on August 5, 1966. There is only a bald averment in the

counter-affidavit that no question of any fundamental right arises for consideration. Mr. Jha, learned counsel for the respondents, was not prepared to take up the position that the right to receive pension cannot be considered to be property under any circumstances. According to him, in this case, no order has been passed by the State granting pension. We understood the learned counsel to urge that if the State had passed an order granting pension and later on resiles from that order, the latter order may be considered to affect the petitioner's right regarding property so as to attract Articles 19(1)(f) and 31(1) of the Constitution.

31. We are not inclined to accept the contention of the learned counsel for the respondents. By a reference to the material provisions in the Pension Rules, we have already indicated that the grant of pension does not depend upon an order being passed by the authorities to that effect. It may be that for the purposes of quantifying the amount having regard to the period of service and other allied matters, it may be necessary for the authorities to pass an order to that effect, but the right to receive pension flows to an officer not because of the said order but by virtue of the Rules. The Rules, we have already pointed out, clearly recognize the right of persons like the petitioner to receive pension under the circumstances mentioned therein.

32 question whether the pension granted to a

public servant is property attracting Article 31(1) came up for consideration before the Punjab High Court in *Bhagwant Singh v. Union of India* A.I.R. 1962 Pun 503. It was held that such a right constitutes "property" and any interference will be a breach of Article 31(1) of the Constitution. It was further held that the State cannot by an executive order curtail or abolish altogether the right of the public servant to receive pension. This decision was given by a learned Single Judge. This decision was taken up in Letters Patent Appeal by the Union of India. The Letters Patent Bench in its decision in *Union of India v. Bhagwant Singh* I.L.R. 1965 Pun 1 approved the decision of the learned Single Judge. The Letters Patent Bench held that the pension granted to a public servant on his retirement is "property" within the meaning of Article 31(1) of the Constitution and he could be deprived of the same only by an authority of law and that pension does not cease to be property on the mere denial or cancellation of it. It was further held that the character of pension as "property" cannot possibly undergo such mutation at the whim of a particular person or authority.

33. The matter again came up before a Full Bench of the Punjab and Haryana High Court in *K.R. Erry v. The State of Punjab* I.L.R. 1967 P & H 278. The High Court had to consider the nature of the right of an officer to get pension. The majority quoted with approval the principles laid down in the two earlier decisions of the

same High Court, referred to above, and held that the pension is not to be treated as a bounty payable on the sweet will and pleasure of the Government and that the right to superannuation pension including its amount is a valuable right vesting in a Government servant. It was further held by the majority that even though an opportunity had already been afforded to the officer on an earlier occasion for showing cause against the imposition of penalty for lapse or misconduct on his part and he has been found guilty, nevertheless, when a cut is sought to be imposed in the quantum of pension payable to an officer on the basis of misconduct already proved against him, a further opportunity to show cause in that regard must be given to the officer. This view regarding the giving of further opportunity was expressed by the learned Judges on the basis of the relevant Punjab Civil Service Rules. But the learned Chief Justice in his dissenting judgment was not prepared to agree with the majority that under such circumstances a further opportunity should be given to an officer when a reduction in the amount of pension payable is made by the State. It is not necessary for us in the case on hand, to consider the question whether before taking action by way of reducing or denying the pension on the basis of disciplinary action already taken, a further notice to show cause should be given to an officer. That question does not arise for consideration before us. Nor are we concerned with the further question regarding the procedure, if any, to be adopted by the

authorities before reducing or withholding the pension for the first time after the retirement of an officer. Hence we express no opinion regarding the views expressed by the majority and the minority Judges in the above Punjab High Court decision, on this aspect. But we agree with the view of the majority when it has approved its earlier decision that pension is not a bounty payable on the sweet will and pleasure of the Government and that, on the other hand, the right to pension is a valuable right vesting in a government servant.

34. This Court in *State of Madhya Pradesh v. Ranojirao Shinde and Anr.* MANU/SC/0030/1968: [1968]3SCR489 had to consider the question whether a "cash grant" is "property" within the meaning of that expression in Articles 19(1)(f) and 31(1) of the Constitution. This Court held that it was property, observing "it is obvious that a right to sum of money is property".

35. Having due regard to the above decisions, we are of the opinion that the right of the petitioner to receive pension is property under Article 31(1) and by a mere executive order the State had no power to withhold the same. Similarly, the said claim is also property under Article 19(1) (f) and it is not saved by Sub-article (5) of Article 19. Therefore, it follows that the order dated June 12, 1968 denying the petitioner right to receive pension affects the fundamental right of the petitioner under Articles 19(1)(f) and 31(1) of the Constitution, and as such the writ petition under Article 32 is

maintainable. It may be that under the Pension Act (Act 23 of 1871) there is a bar against a civil court entertaining any suit relating to the matters mentioned therein. That does not stand in the way of a Writ of Mandamus being issued to the State to properly consider the claim of the petitioner for payment of pension according to law."

13. In *State of West Bengal Vs. Haresh C. Banerjee and Ors.* (2006) 7 SCC 651, this Court recognized that even when, after the repeal of Article 19(1)(f) and Article 31 (1) of the Constitution vide Constitution (Forty-Fourth Amendment) Act, 1978 w.e.f. 20th June, 1979, the right to property was no longer remained a fundamental right, it was still a Constitutional right, as provided in Article 300A of the Constitution. Right to receive pension was treated as right to property. Otherwise, challenge in that case was to the vires of Rule 10(1) of the West Bengal Services (Death-cum—Retirement Benefit) Rules, 1971 which conferred the right upon the Governor to withhold or withdraw a pension or any part thereof under certain circumstances and the said challenge was repelled by this Court.

Fact remains that there is an imprimatur to the legal principle that the right to receive pension is recognized as a right in "property".

14. Article 300 A of the Constitution of India reads as under:

"300A Persons not to be deprived of property save by authority of law. - No person shall be deprived of his property save by authority of law." Once we proceed on that premise, the answer to the question posed by us in the beginning of this judgment becomes too obvious. A person cannot be deprived of this pension without the authority of law, which is the Constitutional mandate enshrined in Article 300 A of the Constitution. It follows that attempt of the appellant to take away a part of pension or gratuity or even leave encashment without any statutory provision and under the umbrage of administrative instruction cannot be countenanced.

15. It hardly needs to be emphasized that the executive instructions are not having statutory character and, therefore, cannot be termed as "law" within the meaning of aforesaid Article 300A. On the basis of such a circular, which is not having force of law, the appellant cannot withhold - even a part of pension or gratuity. As we noticed above, so far as statutory rules are concerned, there is no provision for withholding pension or gratuity in the given situation. Had there been any such provision in these rules, the position would have been different.

16. We, accordingly, find that there is no merit in the instant appeals as the impugned order of the High Court is without blemish. Accordingly, these appeals are dismissed with costs quantified at Rs. 10,000/- each.

NEWS AND NOTES

Diet Diary: The vitamin D route to fight

tuberculosis: -According to the World Health Organization (WHO), tuberculosis is the number one killer infectious disease globally. India is the worst affected country, accounting for one fifth of the global incidence. About one-third of the world's population has latent tuberculosis, which means people have been infected by TB bacteria but are not yet ill with the disease and cannot transmit the disease.

A disease which was earlier thought to affect the underprivileged and economically weaker sections, no longer confines itself to that strata of society.

Tuberculosis is caused by bacteria (*Mycobacterium*), which begins to cause disease in people with a weak immune system or those who are malnourished. Common symptoms include fatigue, low grade fever, night sweats, chills, loss of appetite, cough and unexplained weight loss. High risk populations include weaker sections of society, undernourished and the immuno-compromised, the elderly, those HIV positive, gluten sensitivity and celiac disease. High index of suspicion is required to diagnose intestinal tuberculosis in known cases of celiac disease as both conditions present with similar complaints.

Tuberculosis though can be prevented by a healthy diet that supports a strong immune system. Most people, however, make dietary changes only after getting infected. While several nutrients are important to maintain a healthy immune system including zinc, vitamin A, B, C, E & D and proteins, the role of vitamin D is beginning to assume great importance in regulating the immune system.

According to some studies, vitamin D is associated with high incidence of immune system disorders and fast progression of infectious diseases. Today, vitamin D deficiency is an epidemic affecting people across the world. Most commonly, vitamin D is associated with bone health and the skeletal system, however, it has been found to play a beneficial role in the prevention and treatment of number of chronic disease affecting the immune system.

Evidence that vitamin D protects against tuberculosis has been reported in several clinical studies. Not only this, vitamin D has also been found to enhance recovery from tuberculosis. This suggests a therapeutic role of vitamin D in tuberculosis. A systemic meta-analysis published in the International Journal of Epidemiology in 2007 to explore the association between low vitamin D and risk of tuberculosis, reported a higher risk of tuberculosis among people with vitamin D deficiency.

The good news is that tuberculosis is curable and preventable. Eating a healthy nutrient dense diet, maintaining a good digestion and intestinal health and following an active lifestyle along with a positive outlook can prevent and improve malnutrition, strengthen the immune system and prevent tuberculosis. Public health education stressing the need for adequate dietary intake of vitamin D is necessary.

Odd-even phase II: Air quality monitoring van to be in action from April 6 in Delhi: -

Delhi government will hire a mobile air quality monitoring van to operate in at least 15 areas on the ring road from April 6 in the run-up to

the second phase of the odd-even scheme from April 15 to 30. The monitoring will continue till the end of the scheme.

The van run by Nevco Engineering Private Limited will start at 8 am from Lajpat Nagar and monitor air quality till 8 pm from the same spots. It will cover AIIMS, ISBT, R.K.Puram, Hyatt Hotel, Delhi Secretariat, Sarai Kale Khan, DhaulaKuan, Model Town, Shalimar Bagh, Vidhan Sabha and Delhi Cantt, among other spots, said sources.

The same van monitored air quality in over 200 spots during the first phase of the scheme in January. The van measures particulate levels including PM 10, PM 2.5 and PM 1, and gaseous pollutants such as NO₂, SO₂ and ozone. It has a pipe and noose device which sucks in the ambient air. A structure known as Aeroqual calculates the pollutant level, which is uploaded online in real-time. The first phase of the odd-even scheme in January was the first time the Delhi Pollution Control Committee (DPCC) used such a device for air quality monitoring.

Scientists said this time the van was being restricted to a localized area to evaluate the impact of the scheme, and to rule out weather and temperature factors. "We are trying to cover the same locations every day at roughly the same time, along a fixed route to get an idea of how the pollutant levels vary before and during the odd-even scheme," said an official. "During the first phase... while we went to more areas, every spot was covered only once during the 15 days of the scheme."

Environment minister Imran Hussain said monitoring would be undertaken in a three-tier system — existing fixed DPCC stations, manual monitoring with portable machines that will be deployed in NCR and the mobile van.

The mobile machine will collect data twice before the start of the scheme and twice during the scheme. "This data will be collected and monitored at 10 different locations near sides of roads, 20 different residential areas and 15 industrial areas," said an official.

CONVOCATION AT T.S. FOREST

ACADEMY: The convocation of the XX Batch of Forest Beat Officers was held on 31.03.2016 in the auditorium at Telangana State Forest Academy, Dulapally. The FBOs participated in the course, commenced in October 2015 and completed in March 2016, over a period of 6 months. In all, 28 candidates including 1 Post-Graduate, 15 Graduates and the remaining 4 are Intermediate and Matriculates. The event was compered by Deputy Director Sri B.V. Rao.

Earlier, passing out parade and Marchpast were held in the stadium of the Academy and the Chief Guest, the Principal Chief Conservator of Forests & Head of the Forest Force Sri P.K. Sharma took the salute.

The FBOs were taught 15 subjects of forestry in silviculture, social forestry, forest botany, engineering, forest survey, forest protection etc. Besides, they are also given weapon training for a week in the Police Academy,

The course is organized under the overall guidance of the Director of the Academy Sri P. Raghuv eer and the Deputy Director Sri D.V. Reddy. In addition to class room lectures, field excursions and visits were arranged for 15 days, as part of the course. The batch visited Kawal Tiger Reserve, other Wildlife Sanctuaries, Genetics Research Centre, Clonal Plantations, Coffee Plantations, Study of trade in Tendu leaf including collection, curing and disposal to contractors etc. etc.

In the final examination, students E. Rajender Reddy and E. Priyanka were the toppers.

These students and others received medals, which passed the exam with distinctions in different subjects, field events etc.

The Prl.C.C.F congratulated all those FBOs who successfully completed their course. He gave certificates to all the trainees. In his message to the FBOs, the PCCF exhorted them to perform their duties honestly with devotion and dedication. He advised the trainees to exhibit zeal in carrying out Government programmes like *Haritha Haram* etc. He quoted as a matter of pride for the increase in the tiger population in Kawal Tiger Reserve and Nagarjunasagar Reserve. This achievement would not have been possible but for the zealous performance of duty by Beat Officers concerned under the supervision of their superiors. The PCCF suggested to the FBOs, who are passing out, to use the modern technology in their performance of duties. He stressed the importance of maintaining good health and following discipline.

K.B.R

California sea lion pup rescued from restaurant returned to wild: -LOS ANGELES

(Reuters) - A young California sea lion found malnourished and injured inside a waterfront San Diego restaurant was returned to the wild on Tuesday, after eight weeks of rehabilitative care at SeaWorld's animal rescue center.

The female sea lion pup, nicknamed Marina, made headlines when she was discovered huddled in a booth at the Marine Room, a white-tablecloth eatery known for its gourmet seafood menu, in early February.

She was one of many hundreds of sea lions, mostly pups, to turn up starving and stranded

along the California coast since last year, apparently the result of warming seas that have disrupted the marine mammals' food chain.

At the time of her rescue, Marina, then 8 months old, weighed only about 20 pounds (9 kg), about half the ideal weight for her age, and was suffering from an eye injury of unknown origin, according to SeaWorld.

After being nursed back to health, her eye healed, Marina was taken by boat, along with eight recently rescued and rehabilitated sea lions to be returned home in the Pacific, 12 miles to 14 miles (19 km to 23 km) off the coast of San Diego, SeaWorld said.

Video footage of the event showed a sliding door being raised to open a small pen holding Marina and another sea lion on the deck of the SeaWorld vessel. With a little prompting, the pair quickly waddled out of their enclosure and into the water.

"I was part of the team that rescued Marina, and really to see how emaciated this pup was and knowing the odds were against her, to be part of the team that returned her to the wild today is an emotion that's hard to describe," stranded-animal coordinator Jody West berg said in the video clip, made available by SeaWorld.

"The thing I want everybody to know about Marina is she was a feisty, sassy animal, and part of the success of her rehabilitation was that effort and that energy Marina put forth," Westberg added.

So far in 2016, SeaWorld San Diego says it has rescued more than 300 marine mammals. At about this time last year, a record 2,250 sea lions had been found stranded on Southern California beaches since the start of 2015, federal scientists reported. ***(Please see the last cover page for photo)***

How I save water: This lawyer reuses the water he bathes with:

- AmoghGosavi, a resident of Dahanukar Colony, Kothrud, has been taking small steps towards saving water at home. While taking a bath, he stands in a bucket so that the water, which would otherwise go into gutters, can be reused to wash vehicles. He also keeps a bucket under the AC duct to collect the dripping water, which is filled to the brim in two to three days. Besides, he is trying to encourage these water-saving methods by sharing them on social media as well. Gosavi, a lawyer, got this idea of keeping a bucket under the AC duct when he visited an office which practiced the same and collected 30 liters of water every day through this method. "When the problem of water crisis started, our housing society immediately decided to act. All of us know we should fix leaking taps to save water, but somehow it always gets delayed due to some reason. So we called a plumber and fixed all the taps in the society. The cost was paid from the society expenses. This has helped us. Till now, we haven't had the need to call for a water tanker even once," he says. Gosavi says that despite drought situation, it's common to see wastage of water. "Late last night, when I went to drink sugarcane juice along with my friends, the owner cleaned the shop with four buckets of water, one after the other. I had a heated argument with him regarding it. I told him that each bucket held 30 liters of water which was wasted by him, but he did not listen. There are several ways in which you can avoid wasting water. If he cleans the floor with minimal water or alternates the cleaning process, a lot of water could be saved. But people do not understand the seriousness of the situation"

Seven super foods for diabetes: - New Delhi, April 6 (IANS) With diabetes being the theme

for World Health Day this year, an expert says one should include millets, beans and fish in regular diet to keep diabetes away.

NehaSewani, dietician of weight loss company Truweight, has shared what should be included to keep diabetes under control.

- * Millets: These are very good source of protein, resistant starch, vitamins and minerals like iron, calcium, phosphorus and potassium. They are rich in anti-oxidants.

- * Beans: They are rich in fiber and protein, and also provide satiety and help control hunger pangs.

- * Fish: They are a good source of omega-3 fatty acid which helps keep cholesterol and triglycerides in check. The omega-3 also helps the body fight against oxidative damage caused due to free radicals.

- * Cinnamon: It helps in controlling the blood sugar levels, the active ingredient being the Coumarin. It should be taken early in the morning.

- * Spiraling: It contains vitamins such as Vitamin A, B-complex, and Vitamin E, minerals like iron, zinc, copper and selenium. It fulfills the micro-nutrient deficiencies which are usually present in diabetics due to improper food intake.

- * Alfalfa: It is a very good source of chlorophyll, vitamin A, B-complex, Vitamin C, Vitamin E and Vitamin K. It contains minerals like calcium, phosphorus; magnesium and zinc along with phytoestrogens which help enhance the body's immunity to fight against bacterial infection, fungal infection and also helps in lowering blood glucose.

- * Sweet potato: It is a good source of fiber. It also contains vitamin A and C which helps in enhancing the body's immunity.

A VILLAGE COMES TOGETHER, ALL FOR THE LOVE OF A TREE

By
Arup Chanda

Even as the country witnesses myriad political protests, unrest of a different kind is unfolding in Alipurduar. As the word of cutting down of a tree spread in Shamuktala village of north Bengal, people gathered to protest the felling of the Krishnachura tree, the blossoms of which adorn the New Udayan School's compound.

The head teacher along with the governing body members of the school decided to cut and sell the tree, prompting villagers to come together and start an agitation in protest to the move. The demonstrating villagers, who have informed the State Forest Minister of the matter, were joined by people from other adjoining districts as well. The villagers said that they had nurtured the Krishnachura, known as Gul Mohur elsewhere in the country, like their own child. Several students and teachers of the school too are opposed to the move and have great affection for the tree.

Ranjan Biswas said, "My grandfather donated the

land for this school. I will never permit the felling of this tree." "We have asked school authorities to refrain from cutting the tree because of such a popular movement," Buxa Range Officer said. However, school Principal Ajoy Debnath says, the tree has grown too big and poses the risk of falling onto students. "That is why we had decided to uproot it. As such, we called for a tender and decided to give it away for Rs.4, 000."

But housewives such as Anupama Majumdar and Shampa Biswas say, "We will never let it be cut just because some men want money."

State Forest Minister Binoy Burman too was moved by such an agitation. He said, "Such a positive agitation should be supported. I will take steps to ensure that the tree is not cut."

Source: The New Indian Express, dated 29 February 2016

There are two primary choices in life; To accept conditions as they exist or accept the responsibility for changing them.

LEGAL NOTES

Union of India, vs Kamath Holiday Resorts

Goa, Daman and Diu were administered as a single Union Territory until 1987, when Goa was granted statehood leaving Daman and Diu as a separate Union Territory. Each enclave constitutes one of Union Territory's two districts. Daman and Diu are approximately 650 km apart from each other by road.

Daman has 28 sq. miles. The main settlement is city of Daman. According to the Constitution of India Administration of Daman and Diu is carried out by an Administrator appointed by the President of India as an Agent of the President, not as a head of state/government or a Governor. In a Reserved Forest of Daman, M/s Kamath Holiday Resorts Pvt. Ltd. wanted to establish a snack bar and restaurant to cater to the needs of tourists visiting the area. They obtained the permission of the Collector and started work after execution of contract. They made heavy investment. But, after some time the work was stopped for the reason that there is no prior permission of the Central Government.

When the work was stopped, a writ petition was filed in the Bombay High Court and the matter was heard by a Bench comprising V. Kotwal and G. Guttal, JJ. Their Lordships of the High Court observed in the judgment stating that "Greenery, pleasant environment, sea breeze and gay

relaxed mood furnish the settings for an ideal health and holiday resort". The Collector granted permission in view of aesthetic importance and to give facilities to the visiting tourists. The writ petition was allowed on 28.04.1989 in a lengthy judgment and it was held that prior permission of the Central Government is not required to the project.

Aggrieved by the judgment of the Bombay High Court, Union of India filed appeal before the Supreme Court. The appeal was heard by a Bench comprising Justices A.S. Anand and Faizuddin. In this case, it was the Conservator of Forests who raked up the matter and objected to the grant of lease affecting the reserved forest. The lease was for a period of five years and it was renewable on the same terms. The Supreme Court found that the objection made by the Conservator of Forests was legal as there was restriction for use of forest land for non-forest purpose as envisaged under Sec. 2 of the Forest Conservation Act. Whenever such need arises the State Government or other Authority was required to put the matter for prior approval of the Central Government and make an order directing forest land to be used for non-forest purpose.

Since the area leased to the respondents was

within a Union Territory, the Collector apparently entertained the view that observance of the procedure under Sec. 2 of the Forest Conservation Act was not required, the administration being the Central Government. But the Conservator of Forests held strongly the opposite view and stopped further activities of the respondents.

It was earlier held by the High Court that the officer of the Central Government moving in the matter need not seek prior approval of the Central Government under Sec. 2 of the Forest Conservation Act.

This assertion and interpretation as accepted by the High Court was held in the teeth of the clear applicability of the Act to the whole of India except the State of Jammu and Kashmir.

The Act was obviously meant to apply to the Union Territory as well; and not to the states alone. From the use of the expression, 'other authority' in Sec. 2 is all comprehensive and far wide so as to include any authority concerned with the matter. Such authority instantly being the Collector was required to seek approval of the Central Government. Nothing of the kind was done here. The High Court erroneously approved

the action of the Collector who had acted solely without seeking the prior approval of the Central Government.

The Supreme Court found it necessary to marshal priorities; instantly on one side those of the Tourist Department and on the other side of the Forest Department. All current streams of thought lead towards protection of environment and preservation of forest wealth. On the other hand there are demands in justification of other use telling on the forests. A balance would have to be struck, in cool and dispassionate manner.

As way out Their Lordships directed that the proposal of the Collector and the objection of the Conservator of Forests are sent to the Central Government. The Central Government may after obtaining the advice of the Advisory Committee pass such order as may be warranted in the facts and circumstances. The Collector shall abide by the orders of the Central Government. The Court granted a period of three months for completion of the exercise. The appeal is disposed of on 9 January 1996 with directions

A.I.R., 1996 S.C. 1100

K.B.R.

***Love and compassions are necessities not luxuries,
without them humanity cannot survive.***



ANDHRA PRADESH FOREST DEVELOPMENT CORPORATION LTD.



- A fully owned, financially well managed State Government Company. Raising massive plantations to cater to the needs of the wood based industries.
- Watershed approach adopted for raising plantations, to make them ecologically sustainable, socially acceptable and commercially viable, with the long-term goal to improve the site quality of plantation areas.
- Largest grower of about 29,640 Ha of Eucalyptus Clonal Plantations in the country and is harvesting about 2.50 Lakh MTs of Pulpwood every year. Besides this, it has Bamboo, Coffee and Teak plantations over 12,000 Ha.
- The corporation has bagged awards “ **Flavour of India- Fine cup awards** ” for producing quality coffee during the years 2003, 2005, 2007 to 2015.

Plant A Sapling And Protect The Environment

Vice Chairman & Managing Director,
A.P. Forest Development Corporation Ltd.,
3rd Floor, H.No. 5-9-22/108, Adarshnagar Colony, Opp. New MLA Quarters, Hyderabad – 500063.
Telephone Nos. 040-23394392/23319503/23392776, Fax: 040-23320032
Website: <http://apfdc.gov.in> Email: vcmd_apfdc@yahoo.co.in



Please see page no. 46

BOOK POST

Registered with RNI R.No. Apeng/2002.2185
Postal Regn. No.LII/RNP/HD/1154/2015-17

To _____

If Undelivered, Please return to : Editor : VANA PREMI, Office of the Principal Chief
Conservator of Forests, Aranya Bhavan, 5th Floor, Room No. 514, Saifabad, Hyd - 500 004, T.S.

Date of Publication: 26-04-2016 Total pages 52 Date of Dispatch : 4th or 5th of every month