

VANA PREMI

Nau Say Navvay Sall Tak Ke Bachon Ka Sathi

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**Asian Koel drinking water during summer from an earthen Pot
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**The Association of Retired Forest
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EDITORIAL

World Migratory Bird Day: -World Migratory

Bird Day is an annual awareness programme aimed at inspiring the global conservation of migratory birds and their habitats. Bird Migration is a periodic passage or seasonal journey of various species of birds from one region to another in response to changes in food availability, habitat or weather. Approximately 1850 bird species of world's total 10,000 bird species are long-distance migrants. Some birds migrate within a country while others migrate over international boundaries.

Why do the birds migrate? There is more than one single reason for birds to migrate. If no birds migrated, food supplies in their resident areas would be rapidly depleted during the nesting season, and many chicks and adults would starve. Competition for nesting sites would be very tough, and predators would be attracted to the high concentrations of breeding birds and nestlings would be easy prey, hence breeding would be less successful. But as food sources are regenerating in the north each spring, millions of birds migrate to those areas to take advantage of the abundance of food. As the food supplies then dwindle, they return to tropical regions i.e. resident area, which have replenished in the meantime. Birds also migrate to overcome the harsh weather, avoid predators during breeding season, avoid diseases and ensure the survival of

self and of chicks they raise.

Bird migration is the regular seasonal movement, often north and south along a flyway, between breeding and wintering grounds. Migration of species such as storks, turtle doves, and swallows was recorded as many as 3,000 years ago by Ancient Greek authors. In other civilizations, for example in Egypt, birds are portrayed as symbols of wisdom and the richness of crops. So bird migration is very much linked with the history of civilization. It's also an important ecological phenomenon, because birds provide a lot of ecosystem services to humanity.

Migration can be extremely dangerous for birds, and many don't often make it back to their starting point. Sometimes natural occurrences like harsh weather due to global warming play a role, but many times, human activities are the cause of birds' untimely demise. Threats to migratory birds have grown with habitat destruction especially of stopover and wintering sites, as well as structures such as power lines and wind mills erected by human beings for power generation.

The tiny migratory bird, called the arctic tern, makes the longest migration of any animal in the world. Shorter migrations are common, including altitudinal migrations on mountains such as the Andes and Himalayas. The bar

headed geese migrate over the Himalayas at heights of over five miles above mean sea level. But the bird with the record for the highest altitude ever is the Ruppell's griffon vulture, which collided with a plane at 37,000 feet (that's seven miles!) in 1975 and was unfortunately sucked into its jet engine. The fastest bird is great snipe: It flies around 4,200 miles (6300 Kms.) at speeds of up to 60mph, or about 90 kms. No other animal travels at such speeds for such long distances.

To prepare for the extremely taxing effort of migration, birds enter a state called hyperphagia, in which it increases its body weight (fat) in the preceding weeks, later used for energy on their long journeys. Some birds, like the blackpoll warbler, almost double their body weight before migrating. Even birds that don't fly migrate. Emus, the large Australian birds, often travel for miles on foot to find food, and many populations of penguins migrate by swimming.

World Migratory Bird day is observed every year in the second week of May. Originally, the idea of designating a day for migratory birds arose in the United States in 1993, when the US Fish and Wildlife Service, the Smithsonian Migratory Bird Center and the Cornell Laboratory of Ornithology initiated celebrations of the 'International Migratory Bird Day' which encourages bird festivals and education programmes across the United States. Although this day continues to be

successfully celebrated in the western hemisphere, something similar was missing for the rest of the world. The very first World Migratory Bird Day was launched on the weekend of 8-9 April 2006 (Two days) in Kenya. The year 2018 marks a new start for World Migratory Bird Day as it now unifies the planet's major migratory bird corridors, or flyways, namely the African-Eurasian, the East Asian-Australasian, and the Americas flyways. Furthermore, to make celebrations even more successful and relevant to bird supporters all over the world, World Migratory Bird Day will now have two peak celebration days in the year - the second Saturdays of May and October i.e. 12th May and 13th October 2018- and can in addition still also be celebrated all around the year, whenever migratory birds are present in a given locality. Today more than 70 Countries are celebrating World Migratory Bird Day.

Birds provide direct economic benefits, like helping to control population of insects, and they also play a role in pollination. These are huge economic services. If the pollination provided by the birds didn't occur, we'd have to spend millions of rupees to provide this artificially. World Migratory Bird Day cites seven flagship species: barn swallow, black-tailed godwit, Amur falcon, garganey, yellow-breasted bunting, red knot, and spoon-billed sandpiper. These seven species are kind of ambassadors.

They live in different kinds of habitats, and are all highly migratory, so they represent the threats affecting migratory birds. If we take, for example, a species like the Amur falcon, which is a little bird of prey that migrates from East Asia to South Africa - when they stop to roost in some places in India, they are hunted in a way that is unjustifiable and illegal. To overcome this, they follow what is called a “flyway approach,” which takes into account and protects all the different countries that are across the flyways and not just the breeding areas. The issue is to get the countries to work together for the conservation of these birds. Countries through which migratory birds are passing must also control illegal and unjustifiable hunting of birds, increase public awareness about the beauty of migratory birds - and the need to protect them. Along the way, some bird's species may need to rest and refuel, and the health and safety of these sites is critical to the survival of migratory birds. A number of the ambassador species are coastal birds, or shore birds. These undertake amazing migrations that can go from the Arctic to the Antarctic and across the whole world. Spoonbills, sandpipers and the red knot are closely linked to coastal ecosystems. So these species represent the need to protect the coastal habitat, because these birds travel thousands of kilometers, and they need places to stop, rest and refuel. If we degrade these flyways, it will

lead to inevitable decline of these populations, and exactly this is what happening with spoonbills and sandpipers.

Every year World Migratory Bird Day focuses on a different topic (theme) which aims to raise awareness related to various issues of Migratory Birds. The theme for the year 2018 is “Year of the Bird”. Every year people around the world take action and organize public events such as bird festivals, like the three-day annual Flamingo Festival held at Pulicat Lake and Nelapattu Bird Sanctuary in Sullurpet mandal of Andhra Pradesh. Migratory birds from Siberia visit these places during winter season for breeding. 9,000 to 12,000 migratory birds arrive at Pulicat region for breeding. The other festival known as Pelican festival is celebrated in Kolleru, one of the largest freshwater lakes in the country. More than 5,000 spot-billed pelicans, also known as grey-headed pelicans visit the lake, roost, breed and fly back with their young ones during the winter season. Besides, hundreds of painted storks and other bird species will nest in this area.

Vana Premi wishes that throughout the globe awareness programmes should be conducted to educate the public about the importance of birds which are the feathered friends of human beings, and without which we cannot live. **QMK**

LETTERS TO EDITOR

Dear Editor,

Diligence and all grace happened to be there to come across as Vana Premi (Apr, '18) reached on schedule, carrying poignant Editorial (on the late Manikandan, an in-service IFS officer of Karnataka cadre), supplemented by photo-feature, his violent death having taken place when a wild tusker trounced him in a National Park — on the World Wildlife Day!

Incidentally, I happened to be at Hyderabad that day when one more news reached me of the sad demise of Sri Sitaram Rao in his mid-eighties (a retired PCCF of AP). The said issue of yours carried a well-written obituary by the veteran KBR. **Both the coverages were very touching indeed.**

Among other items which made their way to the magazine, **of particular attention is an article on "Forest Rights Act — who lost and who gained" by Padmanabha Reddy.** Though he tried to argue that **it gave an opportunity to redress the injustice done earlier to STs and one should give priority to human life than plant life & wildlife**, yet he could not perhaps make out any strong case. On the other hand, **land distribution did not serve the purpose**, as experienced in the States like W. Bengal & Tripura (which lead from the front as they were ruled by a party which was mainly instrumental in getting the Act passed in 2006 while being a Coalition Partner at the center, and even when the Rules were formulated in 2007–08). Sadly, the ruling party subsequently lost power despite implementing the provisions with gusto, as it appears to have backfired!

It may be pointed out here that Sri JV Sharma, as can be seen, had already generated lot of literature on the subject over the years, and is helping to fight the case "opposing the FRA" in the Courts of Law on many grounds, a few of which being:

(i) Since providing grants of lands to STs & other forest dwellers has to be "in situ," **habitat fragmentation takes place which happens to be single largest threat to Biodiversity** and also leads to serious human-wildlife conflict.

(ii) As the fragmentation of forest lands takes place, **forests are bound to shrink into smaller patches** (to become honey-combed with settlements) and **connectivity gets eroded.**

(iii) **Fragmentation directly affects ecological & behavioral factors**, such as foraging movements, dispersal migration and colonization-abilities of wild animals.

(iv) **Agriculture on steep hill-slopes** — the forests being usually in such precincts — invariably **leads to serious soil erosion** and silting of streams, ponds, rivers and other water bodies.

(v) **It may encourage further extension of cultivation** (in forests) on hope that propitious times may come at some future point of time when such extensions could be sought to be regularized. It is my personal view that **this is not going to be any solution to eradicate poverty**, the question arising being **how does it help at all, while loss of environment becomes undisputed**. When there is no meeting ground, there is obviously no point in discussing over the matter with those who have a predetermined mindset and to **raise such questions in a purely mundane & materialistic debate** (as cited by Sri Sharma in some other context while dealing with the topic “Is Kawal-Tiger-Reserve a misnomer? Which appeared in March, '18 issue of Vana Premi), **& are not open for discussions:**

(i) **Why should there be Forests at all** – better divert all the lands for more visible & measurable purposes like farming, mining, industries etc., in a populous country like India (where average land-holding is not even an acre?).

(ii) **Why should there be tigers at all and sanctuaries for them** – of what material-use are they?

(iii) **Are not the funds spent on forests and their denizens a sheer waste?**

Hope, you will be able to find space to accommodate this letter in the ensuing issue of Vana Premi and mail me the feedback, if at all anything comes in response.

Sincerely,

Dr. Raghotham Rao Desai.

Editor's Note: I have gone through the article captioned as “Forest Rights Act – who lost and who gained” by Sri M. Padmanabha Reddy number of times, and in the last sentence he has said that “One should not forget that survival of humans (especially the neglected section of society) is more precious than the trees and wild life.” I would like to add something to this.

Forests and wildlife are crucial for the health and well-being of people, and our planet. We fight for forests because life as we know it simply could not continue without them. We all rely on forests for things like clean air, water, timber, medicines, and products we use every day.

Without these things we cannot survive. Finally, the fight for forests is critical global challenge: the global warming. Forests are also the habitat of wildlife.

The term ‘wildlife’ includes birds, insects, plants, fungi and even microscopic organisms. For maintaining a healthy ecological balance on this earth, animals, plants and marine species are as important as humans. The extinction of wildlife species will certainly have a fatal impact on human

race. Human population largely depends on agricultural crops and plants for its food needs. Wildlife plays a significant role in growth of crops? The fruits and vegetables that we get from plants are a result of a process called pollination. Now, for the pollination to occur, birds, bees and insects, play an important role which are wildlife. Albert Einstein once said "if tiny honey bee becomes extinct" within two years of its extinction all living organisms will also become extinct. Besides pollination, many birds also play an important role in controlling pests by feeding on them. Wildlife also plays a significant role in keeping the environment clean and healthy. Many micro-organisms, bacteria, fungi and earthworms feed on plant and animal wastes, decomposing them and releasing their chemicals back into the soil, thus, replenishing it with nutrients. Birds like eagles, crows and vultures and animals like hyena also contribute to the nature in great ways? These scavengers help remove the carcasses and dead bodies of animals thereby, keeping the environment clean.

Whenever Forests are reserved all rights are settled and only after paying compensation to the owners the forest is reserved under various state Forest Acts. If again rights are given to anybody in the reserved forest whether to Tribal or forest dwellers it means we are unsettling the settled issues. If the Government wants to give lands to all such people let the Government purchase lands and give to them. None is against any beneficiary. Govt. can also give them the Governments' lands.

Survival of humans is totally depending on survival of Forest and Wildlife and if Forests and wildlife are destroyed or reduced in area by such Acts (which is already destroyed) it is likely that the total population of the country may be wiped out (become extinct) due to lack of oxygen, scarcity of water, uncleanliness due to absence of scavenging animals, and lack of food due to absence of pollination. And that is the reason we need to protect every inch of forests.

Editor

ERRATUM

The Editorial of April issue was based on the news from newspapers and internet in which it was reported that Mr. Manikandan was wearing cream colored shirt. The same was mentioned in the Editorial also. A reader Mr. BMT Rajeev from Karnataka informed me that it is not true and Mr. Manikandan was in camouflaging military field dress. The error is regretted.

-Editor

PROVIDING WATER FOR BIRDS DURING SUMMER

Source : Internet

Like all animals, birds need water to survive. Though they can extract some moisture from their food, most birds drink water every day. Birds also use water for bathing, to clean their feathers and remove parasites. After splashing around in a bath, a bird usually perches in a sunny spot and fluffs its feathers out to dry. Then it carefully preens each feather, adding a protective coating of oil secreted by a gland at the base of its tail. For these reasons, a dependable supply of fresh, clean water is attractive to most birds. A birdbath will even bring birds to your yard that don't eat seeds and wouldn't visit your feeders. Providing water for birds can also improve the quality of your backyard bird habitat and should provide you with a fantastic opportunity to observe bird behavior.

What's wrong with a Good Old-fashioned Birdbath? Say "birdbath" and most people think of a concrete basin on a pedestal, the kind often sold in lawn and garden shops. Though these baths make nice lawn ornaments, they aren't the best setup for most birds. For one thing, they're often too deep.

A good birdbath mimics shallow puddles, which are nature's birdbaths. Concrete baths are also hard to clean; the tiny nooks and crevices must

be scrubbed to dislodge algae and sediment. And concrete basins often crack if they freeze during winter.

Find a Better Birdbath When you're choosing a birdbath, look for one with a basin you can clean easily. It should also have a gentle slope to allow birds to wade into the water. You can make your own bath out of a garbage can lid, a saucer-type snow sled, or even an old frying pan. But if you'd rather buy one, look for a birdbath made of tough plastic that won't break if the water freezes or if your dog knocks it over.

For the ultimate birdbath, set up a permanent pool in your backyard. Dig a shallow hole in the ground and line it with plastic or cement to make it watertight. Plant ferns and other native plants around the pool to make it more attractive. You can add a pump to circulate the water if you want to create elaborate multi-level pools.

Setting up a Birdbath: Try to imitate a natural puddle when you're installing your birdbath. Birds seem to prefer baths that are at ground level, but if you are concerned about cats, raise the bath two or three feet off the ground. And put it where you'll have a good view of the birds. It's a good idea to put some sand in the bottom

of the bath, to give the birds sure footing. If the bath is on the ground, arrange a few branches or stones so birds can stand on them and drink without getting wet (this is especially important in the winter).

Place your birdbath in the shade, near trees or shrubs if possible. A shady location slows evaporation and keeps the water fresh longer. Birds can't fly well when they're wet, so they're vulnerable to predators when they're bathing. With cover nearby, they can escape quickly if interrupted by a cat or a hawk—and they'll be more likely to venture into the water.

One of the best ways to make your birdbath more attractive is to provide some motion on the water's surface. Water dripping into the basin catches the attention of birds.

You can buy a commercial product that drips or sprays water into a birdbath. Or recycle an old bucket or plastic container by punching a tiny hole in the bottom, filling it with water, and hanging it above the birdbath so the water drips slowly down.

Keeping the Water from Freezing:-Though some people advocate adding glycerin to a birdbath as antifreeze, we do not recommend it. Ingesting large amounts of glycerin can be harmful or even fatal. And if a bird bathes in a glycerin solution, its feathers may become matted. Birds bathe and preen to enhance the insulation value of their feathers, and matted feathers are poor insulators, leaving a bird susceptible to cold temperatures.

Maintaining a Birdbath: The key to attracting a large number of birds is to keep your bath full of water at all times. In the natural environment, reliable pools are rare and birds will travel great distances to visit them.

But remember to clean your birdbath every couple of days. Don't let the water become stale; clean the bath out immediately if green algae starts to form.

If you're trying to make your backyard a better place for birdlife, few things are more attractive than a well-maintained birdbath. Just add water and watch the fun.



**JAL HAI TOE KAL HAI
JAL HAI TOE JEEVAN HAI
JAL HAI TOE PED HAI
JAL HAI TOE PHAL HAI
JAL HAI TOE ANNA HAI**

A TRIBUTE TO Mr. KAMAL NAIDU

BY

B.C. CHOUDHURY

On 17-04-2018, someone who is related to Late Mr. Kamal Naidu and a close friend of mine informed me that Mr. Kamal Naidu is in a very critical condition and the hospital folks have asked the family to take him back to the residence, where he can peacefully pass away and that is what happened on the morning of 18-04-2018 and I got the news from my friend. All deaths are sad news more so when you were personally known to the person. Mr. Kamal Naidu was my well-wisher and in fact my interview to get into the WII was held in the Delhi Zoo when he was the zoo director and I stayed with him during that period. Our times in Hyderabad, particularly when he was the curator of the zoo are what all of us would be nostalgic about. My relation with him was that of this far and no further. He would tell everybody that he was my mentor and whatever I have achieved is largely due to his mentoring. So be it. May be he did in some-way or many ways.

He was a person who always wanted to do something different right or wrong but whatever he did should be in the news. He loved to play to the gallery and that also fetched him the Shourya Chakra for his gallantry in dealing with a cobra in

the Delhi Zoo. He also had shown equal bravery when he was shot at and as a reminder of that he had an imbedded part of a bullet in his lower jaw.

Personally I knew his wife, his son Srinath and daughter Swati. As a family they were close knit and quite open and welcoming to friends. I also remember the times when he would advise and seek advice from me on how to take care of new born zoo animals, particularly when the new born happened to be a cuddly tiger or lion cub. He loved to rear and play with them. I may have some pictures of this with me and also a copy of his book which he penned about his life and times with the two zoos.

All said and remembered, his demise has taken away from us a colorful personality whose contribution to forestry and wildlife in the undivided state of Andhra Pradesh and to a large extent the National Zoo will be remembered by all who were involved with him in some capacity or other.

I join his family in their moments of grief and pray that his soul rest in peace.

bcchoudhury77@gmail.com

It's very easy to give example but it's very difficult to become an example. (Mother Teresa)

RELEVANCE OF FOREST SERVICE-TODAY!

By

Dr. A. R. Maslekar

Sri M. Padmanabha Reddy's article "Forest Rights Act—who lost who gained" in the April 2018 issue of VANAPREMI was interesting, placing "views of Other side" namely the civil society's views. His last sentence drew my particular attention. He says, "One should not forget that survival of humans (especially the neglected section of society) is more precious than the trees and wild life." This made me think and I venture to put forth my views as below.

What forestry are we practicing today? What we learnt in Forest Colleges and Academies? There has been great change in the concept of conventional forestry as was practiced till 1972. National Commission of Agriculture brought in Institutional finance in Govt. forests. Social Forestry and Forest development Corporations were introduced. Lots of schemes were run with foreign funds. These opened up forest system to the public view. Many seminars were held, lot of articles and books got published. In the process Forest Officers /Foresters are sidetracked. Some heart searching occurred in the Service also. Many challenged the forestry practice, as learnt from The British.

What did we learn in Forest Colleges and Academy? We were taught so many subjects but two were basic and important, Silviculture &

Management and mostly introductory. All other subjects and field trips were secondary and were for toughening trainees physically mentally and intelligently. Field realities in the actual service were different and had less relevance to training. Two important subjects mentioned above, were to help choose a few tree species for growing favored timber e.g. Deodar, Fir, Chir, Sal, Teak and one or two associate species in different regions. All other considerations became secondary to this objective, including bio diversity and Wild life. Silvicultural systems of Europe hardly were applied here and were not applicable. Our own Selection system and cut and plant systems were more suitable. Finally Forest Development Corporations adopted clear felling and planting. Social Forestry took to planting on non-forest lands. Thus all what was taught in "Management" came to only clear felling and planting and only planting on non-forest lands. So called scientific forestry was given up. Service also went through some experiments (Fads?) First to come was Logging Training. Then came Social Forestry, then the wildlife management, followed by aerial photos/remote sensing, and automated data processing, GIS and GPS. Then came the

Management as followed in corporate world, and Indian Institute of Forest Management (IIFM) was specially created to train forest officers there. This was given up for Joint Forest Management and Village Eco Development, and finally Biodiversity. Final blow came from FERA. Now stage has come where Forest service has been left with no forests to work as they want 50 % forest lands are under JFM/VED, 25 % under Wild Life management, 5 % under FDCs, and rest is open and encroached /unworkable.

So what was achieved with all this “progress” in forestry? More and more forest lands were lost, forests were degenerated in quality, FERA allottees who got Forests with valuable NTFPs like *Tendu* and bamboos want to collect and trade in them without Forest Officers interference please see Down To Earth, 16-31 Dec 2017). And in balance Forest Service lost its say and authority. Public wants Trees and wildlife for entertainment for weekends.

Present Govt. is also not very supportive and has been liberal in giving off forest lands for Developmental activities. Only yesterday Govt. of India, cut the CRZ from 200 mts. to 40 mts. General public is also inconvenienced by Forest Rules and Regulations. What everybody talks is about TREES, whether in urban areas or elsewhere. Only enlightened public talks about wild life and connected forests. Politics has overtaken all management in every sphere. There is no initiative left for forester's actions. Our own FSI includes tree cover in non- forest areas as “Forest” Cover in their Bi-annual reports. What kind of jugglery is this? It is reported that once Pt. Nehru had commented that forests were better off without foresters. (during his visit to FRI in 1955).

I will not be surprised if this inconvenient forest Service and Forest Departments are altogether wound up. Beware, foresters, safeguard your survival if you think that you are still wanted around!



DRAFT NATIONAL FOREST POLICY 2018 UNVEILED

By
J. V. Sharma

The Government of India, through Ministry of Environment, Forest & Climate Change (Forest Policy Division) F. No. 1-1/2012-FP (Vol. 4) unveiled the Draft National Forest Policy 2018 document for the knowledge of general public and invited, vide Even No. dated 14.03.2018, comments, suggestions and views of stakeholders to be received in the Ministry within 30 days i.e. before 14.04.2018. The draft Policy Document is at last out after active denials and stoic silence on the part of Government.

In this connection, I invite attention of the readers to my two articles "Is change in Forest Policy imminent?" and "Does National Forest Policy 1988 need any change?" published in January 2017 and October 2017 issues of *Vana Premi* wherein I expressed apprehensions that the Government has an agenda to revise the Forest Policy to make matters easy for diversion of forest lands and that the revision could prove to be a retrogression for forests of the country. It was also pleaded that the existing Forest Policy 1988 is neither bad nor deficient to invite changes. It was also said that the revision was not warranted when many of the key issues of the policy remain unaddressed or grossly flouted. Examples were also cited to drive home the points made.

As if to prove me right, the Draft National Forest Policy 2018 did not fail to accord equal importance to livelihood security of the people on par with ecological security. Forests at best occupy about 20% of the geographical area of the country and mostly comprise of hilly, inaccessible and soils of poor quality once considered unviable for farming or any other productive and profitable use. The Governments who always talked loud about poverty and employment could not deliver any of their promises in the seven decades after Independence despite controlling 80% of the prime land resource of the country. It is therefore a ridiculous proposition to look at the forests as panacea for livelihood concerns of the people. To put it mildly, it is nothing but foolhardy. Similarly obnoxious are the other provisions now given primacy like participatory management, community forest management etc.

Indifferent health did not permit me to have prompt access to the Government Notification inviting comments and suggestions. The 30-day time limit has been inadequate for any systematic study and appraisal of the draft policy much less to offer any meaningful responses. I could prepare my

May - 2018

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responses, in a hurried manner, only for two (Preamble and Goal & Objectives) of the four main topics of the draft policy. Paucity of time did not allow me to respond to other important topics of Essential Principles of Forest Management and Strategy. As it is always better to respond, however incomplete it is, than go by default, my comments, suggestions and views on the first two topics were forwarded by e-mail to the given addresses. I had however pointed out in the covering letter that the time allowed for submission of responses is inadequate and requested the concerned grant another 60 days-time to facilitate detailed deliberations.

My covering letter addressed to Deputy Inspector General of Forests, Forest Policy Division, MoEF&CC together with my comments are furnished below.

Draft National Forest Policy 2018:

To

The Deputy Inspector General of Forests,
National Forest Policy,
Ministry of Forests, Environment and Climate Change,
Paryavaran Bhavan, New Delhi.

Sir,

Sub: Draft National Forest Policy 2018 – Inviting comments/suggestions/views of stakeholders including

Public/Private Organizations, Experts and Concerned Citizens – Responses from J. V. Sharma, IFS (Retired) – Submitted – Reg.

Ref: F. No. 1-1/2012 – FP (Vol. 6), Govt of India, Ministry of Environment, Forest & Climate Change, Forest Policy Division Dated 14.03.2018.

I am J. V. Sharma, IFS (Retired) aged 85 Plus retired in the State of Andhra Pradesh in 1990, residing at Flat-7, Block-27, MIG-II, BaghLingampally, Hyderabad – 500 044 with contact Nos. 040-2761 9751 & Mobile 0 9441319151. My present avocation is environmental activism and I regularly write for *Vana Premi* and *Vana Vikas*, Journals of Associations of Retired Forest Officers, Telangana & Andhra Pradesh and Karnataka respectively and more than a hundred articles of mine are published in these magazines. I also happen to be the first in the country to challenge the legality and provisions of Forest Rights Act which is now pending before the Hon'ble Supreme Court of India. I am a credible stakeholder by my own right in the present context of revision of National Forest Policy not to speak of Constitutional duty under Art. 51-A (g)

May - 2018

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The GoI, vide the reference cited, invited Comments/ Suggestions/ Views of stakeholders on the Draft National Forest Policy 2018 giving 30 days-time, so as to reach Ministry by 14.04.2018. It is also made clear that responses received thereafter will not be considered. It is in public knowledge that the exercise of revision of Forest Policy 1988 has been going on for at least last three years, notwithstanding silence and denials on the part of the concerned. Seeking comments and views from stakeholders is a nationwide exercise and a mere 30 days-time for filing responses is unfair given the government itself took months and years to unveil the draft policy. Fixing such woefully inadequate time for responses tend to reduce the entire process to an empty formality. We therefore request the Government to consider granting at least another 60 days to facilitate the genuine stakeholders to deliberate over the Draft Policy and come up with meaningful suggestions.

I may also state that what matters most in issues concerning policy matters are relevance to ground level and experience of field dynamics. Forest officers who have spent years on the field should be able to present a pragmatic picture to facilitate arriving at right solutions. In my own case, I have been in indifferent health for over a month and it takes time to recover and be fit enough to undertake a serious exercise of this nature. Since the objective is to ensure the "cause" should not suffer by default, it is only fair and proper I am allowed to file Parawise comments granting an extra time of 60 days.

However, since the present time limit holds good till it is revised, I, perforce, file herewith my responses on some key areas of the proposed Policy for favor of consideration and hope I will be granted time sought for submission of detailed responses at least as a special case.

Thanking you,

Yours faithfully,

J. V. Sharma Date: 13.04.2018.

Encl: Comments.....

"Draft National Forest Policy 2018"

COMMENTS/SUGGESTIONS/VIEWS OF STAKEHOLDERS ON NATIONAL FOREST POLICY 2018

(Ref: GoI F. No. 1-1/2012-FP (Vol. 4), Ministry of Environment, Forest & Climate Change, Forest Policy Division, Dated 14.03.2018)

Stakeholder: J. V. Sharma, IFS (Retired), Flat No. 7, Block No.27, MIG-II, APHB Qrs., Baghlingampally, Hyderabad-500 044, E.mail: jvsharma32@gmail.com, Mobile: 0 9441319151, Phone: 040-2761 9751.

Para 1. Preamble:

I consider it necessary to place on record at the outset that the existing National Forest Policy 1988 is not that bad or outdated to need a revision, particularly so when some of the key items of the policy remain either unaddressed or grossly flouted. The National Forest Policy 1988 is not that deficient as to need a full scale revision. Should there be a revision at all, it should better be to make the Policy more forthright, expressive, and assertive in key areas to ensure meaningful compliance.

Legal experts often emphasize that Preamble is the soul of any policy document. We can turn to our own Constitution to learn how powerful and expressive the Preamble is. It expressed the aspirations of the entire nation in the fewest words and presented a clear view of the nation the people want it to be. Similarly, Preamble to the National Forest Policy also should be a guide for the people to follow. It is not out of place to mention that the Hon Supreme Court has also said in Lafarge Mumium case that National Forest Policy should be taken as a guide in letter as well as spirit in all matters concerning forests.

Like the force of action flows from the provisions of Constitution, the contents of the Policy should also provide the guidance, power and authority. The Draft Policy or the existing NFP '88 remain silent on key areas, for reasons not known, in this aspect. To clarify the point further, "the forests" and "environment" had been the dark area of our Constitution until 42nd Amendment in mid-seventies. Fathers of Constitution, who had uncanny, foresight and vision, prepared the bulkiest Constitution, visualizing every conceivable situation and provided the necessary checks and balances. Strangely, the forests and environment did not figure in the scheme of things then under their consideration. The subject 'Forests' was included in the State List of VII Schedule of the Constitution. Nation witnessed colossal abuse of forests during this period which led to Constitutional Amendment in 1976 incorporating significant changes a) with inclusion of subject 'Forests' in the Concurrent List of VII Schedule, b) incorporation of Article 48-A making it mandatory for the Government to protect and improve the environment and to safeguard the forests and wildlife in the country under 'Directive Principles of State Policy' and c) insertion of Article 51- A spelling out Fundamental Duties of a Citizen which specifically includes 51-A (g) which makes it a fundamental duty of a citizen to protect and improve the natural environment including the forests, lakes, rivers and wildlife. These three Constitutional Provisions, together and separately, enjoin upon the Government as well as the citizens to care for environment which by implication prohibit misuse of the natural resources named. It also otherwise means that even the Government is

barred from venturing into populist measures which hurt the environment and forests and the citizen is also equally prevented from receiving sops at the cost of environment. These are the very vital provisions that cannot miss any policy document.

Further, the environmental law evolved a great deal during the past two decades. It owes a lot to higher judiciary in the country who have gone deep into nuances of the available legal framework and interpreted it to lay down the law. There are several landmark judicial pronouncements of far reaching significance which go to serve the cause of environment and forests. Law interpreted by the Apex Court is the law of the land which is binding on all. To cite only a few examples, the Supreme Court of India has interpreted the definition of 'forests'. It is for the Government and people to go ahead with such concepts. Equally important and crucial are the Judicial Pronouncements of Supreme Court that breach of environment amounts to violation of Art. 21 (Protection to Life): Public Trust Doctrine applicable to forest and inter-generational equity. A brief mention of these judicial pronouncements together with the Constitutional provisions mentioned above, in the Preamble, will not only provide muscle to the Policy Document but will also confer unassailable authority to the document.

The proposed draft of the Preamble can be modified on the following lines:

"In the light of provisions of Constitution of India in Articles 48-A, 51-A (g) and 51-C read with item 17-A of List-III-Concurrent List of Schedule VII under Article 246 and various judicial pronouncements by Higher Judiciary from time to time in relation to environment and forests and aspects connected thereto, it has become expedient to revise the National Forest Policy 1988 to assert that Forests are the essential component of environment to be treated as sacrosanct and reckoned as second in national priorities next only to the defense of the country."

Para 1.1: No comments.

Para 1.2: The last sentence of the Para that 1988 Policy has been instrumental in strengthening the ecological security, sustainable forest management and participatory forest management is highly subjective. General opinion is that the 1988 Policy is implemented more in breach and the much talked about participatory forest management is a disaster. It would be better if the conclusions drawn are corroborated by proper field audit by impartial authorities rather than relying on others. It is universally believed that there is drastic fall in the extent as well as content of the forests which by any stretch of imagination cannot qualify for sustainable forest management. The sentence may be deleted.

Para 1.3: No comments.

Para 1.4: Facts stated in the Para are based on subjective conclusions. That there is increase in forest and tree cover and reduction in the diversion of forest land for other land uses, is factually incorrect what with unprecedented diversion of forest land for non-forest use in the decade 2004-2014 (Figures for 2014-2018 are not readily available). Adding 1, 38, 20,514 Acres of forest alienated under Forest Rights Act, the forest area lost is phenomenal and unprecedented. Suffice it to say that the FRA was effectively implemented only in 16 States which had 18.87% of geographical area under forest cover and Forest Rights Act took a toll of 2.23% of the said 18.87%. Further, to say that implementation of NFP '88 has resulted in increase of forest and reduction in diversion of forest land is patently incorrect. The first sentence of the Para beginning with "As a result" and ending with "economic growth" can be deleted. The remaining Para can be retained.

Para 1.5: Words "participatory forest management" in the third line and "multi-stakeholder convergence in forest management while building on our rich cultural heritage of co-existence and relying on our rich and diverse forest resources" later, are highly contentious issues in the present context. As stated under Para 1.2, participatory forest management is a disaster and all that was done under JFM and CFM in the past is hard to find its traces barring very few exceptions. As for the remaining words, it is a narrative to please the political bosses than a statement of facts. Only acceptable part is India had rich cultural heritage of co-existence but that was in the past. It cannot be said the same in the present context. 2018 is certainly not like 1950. Similarly it cannot be said now that cultural heritage of co-existence which existed in the past can hold well in today's context. Major deficiency in this Para, is 'not able to read the ground situation correctly' and try to romanticize the illusory picture we dreamt about half century ago. To rely upon on our rich and diverse forest resources of the past now when the forest resources are no longer rich, is like running after mirage. Diversity, however, is more pronounced now which can only make conditions for forests more ominous. These contentious parts may be deleted from the Para.

Para 2. Goal and Objectives: The Draft Policy sets the goal of safeguarding and ecological and livelihood security of people of the present and future generations based on sustainable management of the forests for the flow of ecosystem services. Given the importance of environmental benefits that flow from forests, safeguarding ecological security is undoubtedly paramount. And this should be the only goal just for the simple reason that India is a populous country with ever increasing population while the land area remains constant. The population of

the country at the time of Independence was around 30 Crores which quadrupled by 2011. Thus, of the two factors that matter with linkage of livelihood security are the population and sustenance base. In the instant case while the sustenance base is constant or is even shrinking in quality & content, the population is highly variable with upward spiraling trend. It is neither practical nor possible to find a workable equation between a constant and variable. It fails the very elementary test of Supply Vs Demand. Besides this, the upward trend of industrialization and change in life style of population is already posing serious threat to livable environment exerting enormous pressure on the sparse environmental resource. Present trend in the country is on urbanization. India which was 90% rural about 75 years ago is urbanized to 40% now. With ever increasing population it is only time before urbanization gains primacy and it is perhaps writing on the wall that whatever environmental assets we have, would have vanished. It is time India wakes up to impending challenges and safeguards all existing environmental assets as precious wealth not open to any other use including the populist & romanticized word 'livelihood' of the population. The words "livelihood security of the people" in the first sentence of the Para may be deleted.

Para 2.1 and 2.2: No comments.

Para 2.3: For the reasons and explanation given under Para 2 the Para may be deleted.

Para 2.4, 2.5 and 2.6: No comments.

Para 2.7: Despite Forest Conservation Act and the mechanism provided to process the claims for diversion of forest land, it is seen that diversions are permitted sooner or later and forest lands are lost forever. Vast chunks of forests are being lost at great speed on one pretext or the other. 43 lakh hectares of forest land was diverted by the States in first thirty years of the Republic from 1950 to 1980 at an average 1.43 lakh hectares per annum. It is believed that roughly half of these diversions were made for projects, industries, mining and agriculture. Encroachments took heavy toll of forests accounting for the loss of about 70,000 hectares per annum. Enactment of Forest Conservation Act in 1980 arrested the momentum of forest loss to 40,000 hectares per annum between 1980 and 2004. But the period 2004 to 2014 proved disastrous for forests as the forest-loss more than doubled to 82,000 hectares per year in the decade. Despite such heavy diversions there is a sustained campaign by vested interests that FCA is the most serious impediment for developmental projects while the fact is that only 331 projects were rejected against 10,294 projects received during the period. That most of the projects obtained clearances and the rejections worked out to less than to 0.032% and the rejected area accounted to a mere 2.5% of the area diverted should nail the lie

effectively. Point to be made in this context is that there is professionalism deficit, besides other reasons, which made the large scale diversions possible. Subjective considerations appear to influence the decisions a great deal. FAC, though a statutory committee, does not always appear to be objective as it is expected to be. Cases are seen where the FAC changed its stance no less than four times. It should be treated as a systemic deficiency and the mechanism should be strengthened by involving a judicial member. In view of the extremely delicate environmental position, it is necessary to place total embargo on diversion of forest land except for defense purposes with an oversight mechanism of NGT or similar body in exceptional cases where the diversion is not prejudicial to the interests of forests or wildlife and their management. The Para may be suitably modified.

Para 2.8 and 2.9: No comments.

Para 2.10: The words “cultural and spiritual services” in the Para are too vague and are likely to be misinterpreted variously to serve the narrow partisan purposes in future. Once environment is accepted as universal necessity, it has to be deemed to be above ever thing else. Environment is sacrosanct. The Para may be modified deleting the above mentioned words.

Para 2.11: Para may be strengthened by adding “according to internationally accepted standards” at the appropriate place.

Para 2.12 and 2.13: No comments.

Para 2.14: The Para calls for incentivizing sustainability of community managed forests. Barring a few examples in North-East, community owned and community managed forests are hard to find anywhere in the rest of the country. There was a time when substantial area was set apart for community purposes at the time of reservation proceedings. With increase in population and irresponsible land management by authorities all such spare land is totally used up and the Governments are forced to acquire private land even for public purposes. The FRA provided for community rights and an extent of 97,12,773 Acres of forest land is alienated on this account. Needless to say those lessons are not learnt on past experience and the fate of these community rights land cannot be any different. The FRA case is pending before the Supreme Court. India is not in a position to enjoy the luxury of passing on the forest management responsibility to others outside the Forest Act.

Para 2.15 and 2.16: No comments.

Note: Paucity of time does not permit going into other aspects of Essential Principles of Forest

Management and Strategy of the Draft Policy. If permitted, responses on these aspects will be submitted within 60 days sought for.

A few words of caution:

Indians have compulsive weakness for land. With increasing population the demand for land is bound to peak further in coming years. Now that all the spare land at the disposal of the States is used up/squandered, all eyes are bound to be on the forest land. The Government with its emphasis on development and in search of investors' offers sops in the shape of land, power, water, tax benefits etc. and modes like Public-Private Partnership, Eco-Tourism etc. are becoming convenient tools to garner the forest land. No-Go areas are being identified to make matters easy for project proponents. As per information available in public domain, only about 12% of the forest area supports tree cover with 70% density and as per norms only such areas will be treated as No-Go areas. It otherwise means that the balance 88% of forest areas is up for grabs for direction. It is not clear yet whether the MoEF had taken any final decision in the matter. I am aware of an eco-tourism project for which a Reserve Forest area of 264 acres in the heart of Twin Cities of Hyderabad-Secunderabad was given away to private investors under PPP mode when the components of the project were patently objectionable. Most of the area was to be developed with Star hotels, malls, multilevel parking lots, convention centers, multiplex theatres, bars, card rooms, spa etc. Surprisingly, the MoEF accorded Stage I & II clearances and the project report containing the objectionable components was approved by the Ministry. The statutory FAC did not have qualms to change its stand at least four times. The example is cited to drive home the point that despite statutory mechanism in place, diversion of forest land for non-forest purpose has become an art of the possible. The National Forest Policy should spell out clearly that PPP and Eco-Tourism Projects are never to be granted in forest land. In fact, all such projects already in operation need to be revisited to ascertain that are serving the intended purpose.

A man ninety years old was asked to what he attributed his longevity. I reckon, he said, with a twinkle in his eye, it is because most nights I went to bed and slept when I should have sat up and worried. (Dorothea Kent)

CAN DROUGHT BE PREDICTED AND TEMPORALLY ANALYZED?

By

Dr. B. Raghotham Rao Desai

Introduction:

Drought as one of the most complex environmental disasters, affects continuously all parts of the world. Droughts occur virtually in all climate zones such as high as well as low rainfall areas and are mostly related to the reduction in the amount of precipitation received over an extended period of time like a season or a year. Temperatures, high velocity winds, low relative humidity, timings & characteristics of rains (including distribution of rainy days during growing seasons), intensity & duration of rains, and onsets & terminations play significant roles in the occurrences of droughts.

Meteorological drought is based on the degree of dryness (in comparison to some normal or average) & duration of the dry period, being usually measured by how far from normal the precipitation has been, over some period of time. And the Agricultural drought refers to a period with declining soil-moisture and consequent crop failure caused by the imbalance between soil-moisture available and the water requirement of crops. The decline of soil-moisture depends on several factors which affect the droughts along with differences

between actual Expo transpiration & potential evapotranspiration. Yet one more type of drought, the Hydrological drought, is represented by the water shortage formed by the imbalance caused between surface- water and groundwater.

Methodology:

Drought is an extreme hydrological event which affects the livelihood and socio-economic development of people. The scenario of drought frequency and severity has drastically changed over in the last decade and also there is a decreasing trend in the seasonal rainfall & number of rainy days. The return periods of several consecutive rainfall events in India may be predicted using various portability distribution methods although its pattern happens to be uneven through year in and year out. The erratic distribution and spatio-temporal variation of rainfall is the major cause of failure in the rainfed & drought prone areas. While analyzing return period of rainfalls is vital, detailed knowledge of rainfall pattern helps in predicting probable maximum precipitation and designing of different soil & water-conservation structures such as check dams,

spin ways, ponds etc., to meet the irrigation requirements during drought period. Determination of annual maximum daily rainfall & thus peak runoff is used for the hydrologic designs of several hydraulic structures, to enhance & improve the effective utilization of available water resources.

Distribution & Strategies:

The drought-prone areas are confined mainly to the peninsular and western parts of the country, having only a few pockets in the central, eastern, northern and southern parts. These regions suffer drought mostly due to the cumulative effects of changing precipitation pattern, excessive water utilization and ecologically unsuitable agricultural practices. However, most drought strategies in India are accounted on net sown area or crop-yield. The risk management strategies will mitigate the impacts of future

drought events, and thereby reducing social vulnerability. Spatially-distributed rainfall is important since it can improve characterization of drought. It allows performing comparisons of the spatial arability of drought detected between different drought indicators.

Conclusion:

Drought monitoring is crucially important for agriculture and freshwater planning and management. Over the years several indices have been proposed to detect and monitor droughts each with its own strengths and weaknesses, the most widely accepted is based on probability concept, to detect drought events on temporal basis, predicting the probable maximum precipitation and annual one day maximum rainfall at different return periods.



CELEBRITY POACHERS

By
K.B.R. Reddy

The recent verdict of the Jodhpur Chief Judicial Magistrate's Court sentencing the Bollywood star Salman Khan on 05.04.2018 to five year imprisonment, besides a fine of Rs. 10,000/-, in a 19 year old case of killing two black bucks, is an eye opener to many in the country. One question that arises for consideration is whether the actor had gone to Rajasthan for shooting of a film or shooting the mute and dumb animals?

The offence took place on 01.10.1998. A thorough investigation was made by utilizing the services of experts. The investigators deserve all praise for performing the onerous task. The trial lasted for five years between 2013 and 2018. The prosecution took considerable time to get at the final result. It is probably the procedural wrangles and often times the tactics played by lawyers that are attributable to the LAW'S DELAY. The pursuit of the case with determination by the "Bishnois," for their sentimental reasons is commendable. The status of the actor in the society, his bank balance and his image on the silver screen did not help him from escaping the punishment. Was he not aware that hunting wild animals is immoral and against the law? What drove him and his party to kill innocent wild animals? It is the ego and sense of pride that overshadowed his wrongdoing. The conviction is not for rioting or protest for political reasons or an emotional outburst against enemies. Do

such people who mercilessly kill dumb denizens deserve to be loved and respected? Certainly not. But what we know from the media is that his fans were jubilant when he was released from the prison after he was granted bail. It is because of lack of character, discipline, culture and education.

Writing down the judgment covering 201 pages, analyzing and appreciating the evidence of crucial witnesses and scientific evidence of experts, is unmistakably an extraordinary and arduous job. The Magistrate observed that the accused being an actor, his conduct is followed by common people. The actor broke into tears when the judgment was pronounced.

Repentance came too late. Even if he succeeds in his appeal like the other cases and manages to get acquittal, the stigma attached to his name as a poacher will not be erased.

This event led me to a flashback when we had detected at Hyderabad, a case of poaching a tiger in the forest of Amarabad reserved forest a few years ago. The accused belonged to an affluent family and had good relations in political as well as official circles. The upright DFO A.H. Moosvi (as he then was), undaunted, uninfluenced and uncompromising, decided to proceed with the prosecution of the case. There was a thorough investigation of the matter. The

gusty Sardar Santokh Singh, as Range Officer in charge of the case, had done a marvelous job in preparing the papers with alacrity and laid the charge sheet before the concerned criminal court. Sri A.H. Moosvi, Sri Jagan Mohan Rao, as the DFOs concerned gave the evidence. A professor of the Veterinary College who conducted the post mortem and a Forensic Scientist (Ballistic Expert) were examined as experts. Of course, I also gave my testimony as an active participant in the investigation. The trial lasted many years. We had to even opt for change of court as we lost faith and confidence in that court where the trial commenced. The case was transferred at our request to another court and we made the case so strong that it was difficult for the accused to escape. But the Magistrate cleverly convicted the accused without sentencing and gave them the benefit of the Probation of Offenders Act. We realized there was a deficiency in the law and therefore suggested an amendment to the Act. As a result Sub-Section (5) under Section 51 of the Wildlife Protection Act was inserted in 2002, which reads as follows:

“S.51 (5) Nothing contained in Section 360 of the Code of Criminal Procedure, 1973 (2 of 1974) or in the Probation of Offenders Act, 1958 (20 of 1958) shall apply to a person convicted of an offence with respect to hunting in a Sanctuary or a National Park or of an offence against any provision of Chapter VA unless such person is eighteen years of age.”

Almost ten years ago, a group of hunters from Hyderabad comprising a person enjoying the patronage of powerful politicians and a kingpin for organizing poaching, a sharpshooter and a few police personnel set out in two vehicles for a misadventure of illegal hunting in Tiger Reserve of Amarabad. They shot a deer, skinned it and bundled the meat. They still wanted to kill more animals for meat and shot a sambar but could not get at the carcass. Recklessly they were searching in the night for the carcass. Information reached the forest officers; they organized themselves for a confrontation with the poachers. They succeeded and rounded up them all. But one person who was at the helm escaped. When attempts were being made to arrest him, he tried for bail; but the bail petition was dismissed. Skillful investigation followed. Weapons were seized and all of them were remanded to judicial custody. Police personnel were dismissed from service. Trial lasted considerable time. Arguments were heard. Judgment is awaited.

In the year 2002, a Minister of State in Mizoram received a barking deer handed to him by an animal lover with a request to send it to the Zoo at Aizawl. The animal was killed and its meat was cooked for a feast to the Chief Minister. There was a hue and cry in the media. An enquiry was held by the Forest Department. The enquiry disclosed that the Minister committed an offence under the Wildlife Protection Act. Yet the Chief Minister desired no further action

need be taken. Therefore a public spirited person filed a PIL in the High Court at Guwahati. The court ordered to take appropriate action in the matter in accordance with law. There is no news afterwards.

I came across an article by Vivek Menon, Executive Director of Wildlife Trust of India (published in The Hindu Magazine of Sunday dated April 15, 2018) in which he recalled two instances of celebrity hunters. "The first was that of a scion of a well-known industrialist family in Delhi". He goes with family every Christmas and books the same rest house. In the visitors' book he was writing the purpose of visit as 'shikar'. After the commencement of the Wildlife Act, the purpose was recorded as 'holiday'. Whatever be the purpose recorded in the visitors' book of the rest house, forest watchers and *gujjars* were at his beck and call to help the family. The forest officers were watching the movement. At an appropriate moment, when the young scion employed a chopper to kill a crocodile, he was nabbed. The vigilant forest officer has seen him convicted and the chopper confiscated.

The author made reference to another case involving "the best known cricket captain of yore

who used his royal lineage and stardom to shoot antelope in Haryana. His untimely death prevented a conviction but he did spend a couple of days in the police custody....."

On the question of exuberance displayed by the fans of Salman Khan when he came out of the prison, the writer recalled an instance; the Australian cricket team, when caught in a cheating case. "The whole nation erupted and handed them strict punishment". The scenario in India is different. The author feels: "If Indian fans and the media turn a similar cold shoulder to those who flaunt their irreverence of the law, we could see a change in the prevailing situation."

A veteran and a revered forester said, poaching cases are hard to detect and harder to convict. Even then, the present generation of foresters is struggling to detect cases of poaching in a spirit of dedication, sometimes risking their lives, and inevitably in non-compoundable cases, the cases are being prosecuted. Their primary aim is to secure conviction. The society and particularly the press should appreciate the effort.

Smile is a cooling System of heart, Sparking system of eyes, lighting system of face, Relaxing system of mind, so activate your all system & keep smiling.

SUPREME COURT ON TIME LIMIT FOR STAY GRANTED IN CIVIL/CRIMINAL MATTERS

By
Dr. Akula Kishan

There are number of civil/criminal cases filed by the Department or by interested parties and immediately after filing of the cases, the Courts generally give orders 'staying' the matter in question until further orders. And in land cases, it is the practice that interim orders are obtained in the form of 'statusquo' or 'not to dispossess the petitioner till disposal of the case' and the cases remain pending decades and the valuable forest land remains in the hands of private persons, who may not have any proper legal title to the land.

The Honorable Supreme Court in the case of Asian Resurfacing of Road Agency Pvt. Ltd & Another. vs Central Bureau of Investigation (Criminal Appeals nos.1375-1376 of 2013) **has passed orders limiting the validity of stay granted for six months only**, and beyond six months the same has to be renewed after six months. The operative portion of the order is as follows:

"35. In view of the above, situation of proceedings remaining pending for long on account of stay needs to be remedied. Remedy is required not only for corruption cases but for all civil and

criminal cases where on account of stay, civil and criminal proceedings are not taken up. In an attempt to remedy this situation, we consider it appropriate to direct that in all pending cases where stay against proceedings of a civil or criminal trial is operating, the same will come to an end on expiry of six months from today unless in an exceptional case by a speaking order such stay is extended. In cases where stay is granted in future, the same will end on expiry of six months from the date of such order unless similar extension is granted by a speaking order. The speaking order must show that the case was of such exceptional nature that continuing the stay was more important than having the trial finalized. The trial Court where order of stay of Civil or Criminal proceedings is produced, may fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence unless order of extension of stay is produced.

36. Thus, we declare the law to be that order framing charge is not purely an interlocutory order not a final order. Jurisdiction of the High

Court is not barred irrespective of the label of a petition, be it under Sections 397 or 482 Cr. P.C. or Article 227 of the Constitution. However, the said jurisdiction is to be exercised consistent with the legislative policy to ensure expeditious disposal of a trial without the same being in any manner hampered. Thus considered, the challenge to an order of charge should be entertained in a rarest of rare case only to correct a patent error of jurisdiction and not to re-appreciate the matter. Even where such challenge is entertained and stay is granted, the matter must be decided on day-to-day basis so that stay does not operate for an unduly long period. Though no mandatory time limit may be fixed, the decision may not exceed two-three months normally. If it remains pending longer, duration of stay should not exceed six months, unless extension is granted by a specific speaking order, as already indicated. Mandate of speedy justice applies to the PC Act cases as well as other cases where at trial stage proceedings are stayed by the higher court i.e. the High Court or a court below the High Courts or other courts relating to PC Act or all other civil

or criminal cases, where stay of proceedings in a pending trial is operating, stay will automatically lapse after six months from today unless extended by a speaking order on above parameters. Same course may also be adopted by civil and criminal appellate/revisional courts under the jurisdiction of the High Courts. The trial courts may, on expiry of above period, resume the proceedings without waiting for any other intimation unless express order extending stay is produced.

37. The High Courts may also issue instructions to this effect and monitor the same so that civil or criminal proceedings do not remain pending for unduly period at the trial stage”

The orders of the Hon'ble Supreme Court of India were delivered on 28-03-2018 and any interim stay granted in any Civil/Criminal matters would be in force for six months only, i.e. till September, 2018.

Therefore all the pending cases may have to be taken out, especially in land matters and action should be taken to resume the forest lands wherever possible.

JUST FOR LAUGHS

A mother-in-law was welcoming her newly-wed daughter-in-law and explaining the hierarchy: I am Vice President, Home affairs Minister as well as Finance Minister of this house. Your father-in-law is the President, Defense and Security Minister and Foreign Affairs Minister. My son I mean your husband runs the Ministry of Demand and Supply, Finance and Economic affairs, and my daughter runs the Planning and Development Ministry. Now you tell me which Ministry would you like to run? The daughter in law instantly replied with a smile “Dear mother in law I will be leader of the opposition”

Birthday Greetings

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

S.No.	Name of the member	D.O.B.		
	Sarva Sri		9.	M.Bhabji Rao 08-05-1968
1.	G.Gurunathudu	10-05-1949	10.	B.Saidulu 09-05-1974
2.	B.Soma Sekara Reddy	10-05-1954	11.	N.Nageshwara Rao 10-05-1971
3.	S.Kishan Das	10-05-1955	12.	G.Ravi 15-05-1962
4.	Qamar Mohd Khan	11-05-1947	13.	Smt.G.B.Rekha Banu 15-05-1984
5.	M.A. Waheed	12-05-1953	14.	Ch.Ganga Reddy 19-05-1966
6.	M.Purushotham Reddy	14-05-1952	15.	Y.Ramesh 20-05-1959
7.	K.C.Augustin	21-05-1930	16.	G.N.Pavan Kumar Rao 20-05-1967
8.	Shaik Noor Ahmed	22-05-1946	17.	D.Asha Kiran 20-05-1980
9.	S.Rama Rao	25-05-1950	18.	K.Mahaboob Basha 21-05-1986
10.	B.S.Yousuf Sharief	23-05-1953	19.	J.Gopal Rao 22-05-1963
11.	K.Pradeep	28-05-1954	20.	N.Jogender 24-05-1965
12.	T.Samboji Rao	01-06-1948	21.	P.Balaswamy 25-05-1960
13.	Y.Ram Mohan Rao	02-06-1941	22.	V.Krishna 25-05-1966
14.	Gunturu Satyanarayana	04-06-1954	23.	K.Ramkishan 01-06-1963
			24.	D.Chandrasekhar Rao 01-06-1959
S.No.	Name of Serving Officers	D.O.B.		
1.	Smt. R. Yesoda Bai	14-05-1986	25.	Smt.N.Kshitija 01-06-1976
2.	Dr. Sekher Babu Geddam	15-05-1986	26.	T.Chakrapani 01-06-1966
3.	S.Ramesh	19-05-1974	27.	D.Ravindranath Reddy 02-06-1982
4.	Mohammad Diwan Mydeen	21-05-1978	28.	P.Ramakrishna 02-06-1972
3.	Chinmay K Misra	25-05-1957	29.	K.Srinivas 04-06-1977
6.	C. Sarvanan	01-06-1978	30.	A.V.S.R.K.Appanna 04-06-1963
7.	S.S.Sreedhar	04-06-1966	31.	Shaik Salaam 04-06-1963
8.	Smt.S.J.Asha	07-05-1975	32.	Y.V.Narsimha Rao 05-06-1980
				Secretary

GREENHOUSE GASES AND CLIMATE CHANGE

By
D. Raveendranathan

A **greenhouse gas** is a gas in the atmosphere that absorbs and emits radiant energy within the thermal infrared range. This process is the fundamental cause of the greenhouse effect. The primary greenhouse gases in Earth's atmosphere are water vapour, carbon dioxide, methane, nitrous oxide, and ozone. Although water vapour is the most abundant greenhouse gas, it is a relatively ineffective one. The ozone that lingers in the lower atmosphere is a pollutant and contributes to respiratory diseases like asthma. But in the upper atmosphere, ozone protects us from the more severe forms of the sun's radiation. The region of the atmosphere in which ozone is most concentrated is known as the ozone layer, which lies from about 10 to 20 miles (16 to 32 kilometres) above the Earth. Because ozone absorbs certain wave lengths of harmful ultraviolet radiation, this layer acts as an important protection for life on the Earth. In recent years the ozone has thinned or disappeared in parts of the ozone layer, creating an ozone hole that lets in dangerous amounts of ultra violet radiation. Ozone holes are created in part by the presence of certain industrial or commercial chemical released into the atmosphere. Without greenhouse gases, the average temperature of Earth's surface would be

about "18 °C (0 °F), rather than the present average of 15 °C (59 °F).

The major greenhouse gases making climate change are Carbon dioxide, Nitrous oxide, Methane, Hydrofluorocarbon, Perfluorocarbon, Sulphur hexafluoride. Human activities since the beginning of the Industrial Revolution (around 1750) have produced a 45% increase in the atmospheric concentration of carbon dioxide (CO₂), from 280 ppm (parts per million) in 1750 to 408 ppm in 2017. This increase has occurred despite the uptake of more than half of the emissions by various natural "sinks" involved in the carbon cycle. The vast majority of anthropogenic carbon dioxide emissions (i.e., emissions produced by human activities) come from combustion of fossil fuels, principally coal, oil, and natural gas, with comparatively modest additional contributions coming from deforestation, changes in land use, soil erosion, and agriculture. Nitrous oxide occurs in small amounts in the atmosphere, but recently has been found to be a major scavenger of stratospheric ozone, with an impact comparable to that of fluorinated carbons. It is estimated that 30% of the greenhouse gases in the atmosphere are the result of human activity, chiefly agriculture.

Nitrous Oxide [N₂O]) emitted from anthropogenic activities at national level from: Energy; Industry; Agriculture; Waste; and Land Use Land Use Change & Forestry (LULUCF).

Municipal Solid Waste (MSW): Systematic disposal of solid waste is carried out only in the cities in India resulting in CH₄ and CO₂ emissions due to aerobic conditions generated by accumulation of waste over the years.

Waste Water: The waste water generation emissions are the sum total of emissions from domestic waste water and waste water disposal in industries. Waste water management in both these categories are normally discharged to the natural river course without carrying out effluent treatments. Much of these harmful gases are produced either naturally or by various human activities; which we should reduce. Brief description and effects of six important greenhouse gases are given below:

1. Carbon dioxide (CO₂) – A naturally occurring gas produced by living organisms and fermentation. It is a normal component of the breath we exhale; it is hazardous in concentrated volumes. Large quantity of carbon dioxide is produced by the combustion of carbonaceous fuels. Carbon dioxide emissions from fuel burning, responsible for about 87 percent of global warming, have increased by about 45 percent since the industrial revolution.

Cement Production; To produce cement,

calcium carbonate must be heated to high temperatures to produce lime (CaO). As part of that chemical reaction, the greenhouse gas carbon dioxide (CO₂) is released to the atmosphere. Lime is then further refined to produce cement powder. The calcium carbonate-to-lime chemical reaction accounts for 50% of CO₂ emissions associated with cement. Another 40% of emissions come from burning the fuel used to achieve the high temperatures needed, and the remaining 10% is emitted during the grinding and transportation phases. Due to the large amounts of carbon dioxide produced in the manufacturing of cement, and the vast amounts of concrete mixed worldwide every year (>3.4 billion tons), the cement industry is responsible for 5% of all greenhouse gas emissions.

2. Nitrogen oxides (N₂O) – Nitrogen oxides are naturally occurring from microbial action in soil. N₂O is also produced by fuel burning. Scientists say its production is increased by the use of nitrogen based fertilizers in agriculture, as well as by the use of catalytic converters in automobiles.

3. Methane (CH₄) – Methane is a naturally occurring, in-flammable gas. Methane is produced by geological coal formations and by the decomposition of organic matters. Leading man-related sources of methane are landfills; livestock digestive processes and waste,

especially ruminants (cud-chewing animals); and wetland rice cultivation. Fugitive Emissions: Methane(CH₄) escapes into the atmosphere due to mining of coal, and due to venting, flaring, transport and storage of oil and natural gas. In Tamil Nadu, there are three operational blocks with 31 mining leases; in which 600 tonnes of oil and 30 lakh cubic meter of natural gas are being produced per day. During this process, there is leakage of methane gas around 75000 cubic meters per day and it would be detrimental to the atmosphere, it will affect the rainfall pattern adversely.

4. Hydrofluorocarbon gasses (HFCs) – Chlorofluorocarbons (CFC), the coolant, cleaning, and propellant gases were blacklisted internationally due to its ozone-eating characteristics. HFCs do contribute to global warming. Global warming potential of HFCs is 4,000 to 10,000 times that of CO₂.

5. Perfluorocarbons (PFC), or perfluorocompounds – Man-made replacement gases for CFCs but result also as a by-product of aluminium smelting. PFCs also used as a purging agent for semi-conductor manufacture and small amounts are produced during uranium enrichment processes. Global warming potential of Perfluorocarbons (PFC), or perfluorocompounds is 6,000 to 10,000 that of CO₂.

6 Sulfur hexafluoride (SF₆) – Very low

atmospheric concentration makes it an ideal test gas for gas concentration monitors. Principle uses: insulating material for high-voltage equipment like circuit breakers at utilities. Also used in water leak detection for cable cooling systems. SF₆ is a man-made gas.

The adverse effects of global warming –Over last 10000 years temperature remained remarkably stable across the globe, changing by little more than 2 degree Fahrenheit on an average. Even during the 'Little Ice Age', which lasted from the 1300 AD to 1850 AD, which resulted advancing of glaciers, average temperatures were little more than 2 degree Fahrenheit. The effects of global warming could change average temperatures five times as much as little ice age did – though in the opposite direction. Over the next century, the rate of the effects of global warming should follow a steep upward curve.

The adverse effects of global warming are enormous. The effects are already being felt on our planet, on human life, plants and animals worldwide. The predicted effects of global warming on the environment and for human life are numerous and varied. It is generally difficult to attribute specific natural phenomena to long-term causes, even though, some effects of recent climate changes already we are witnessing; rising sea levels, glacier retreat, arctic shrinkage, and altered patterns

of agriculture are cited as direct consequences. Among secondary and regional effects extreme weather events, expansion of tropical diseases, changes in the timing of seasonal patterns in ecosystems, and drastic economic impact are predicted.

Major adverse effects of global warming are listed below:

(i) Polar ice caps melting – The ice caps melting is a four-pronged danger.

(a) It will raise sea levels. There are more than 5,773,000 cubic miles of water in ice caps, glaciers, and permanent snow. According to the National Snow and Ice Data Center, if all glaciers melted today the seas would rise about 230 feet. This may not happen at once; but sea level will rise certainly and consequently, low lying areas will be submerged.

(b) Melting ice caps will throw the global ecosystem out of balance. The ice caps are fresh water, and when they melt they will desalinate the ocean, or in plain English – make it less salty. The desalinization of the gulf current will distort ocean currents, which regulate temperatures. It will give very confusing and irregular pattern of cooling and warming effects in some areas.

(c) Temperature rises and changing landscapes in the Arctic Circle will endanger several species of animals. Only the most adaptable will survive.

(d) Global warming will certainly reduce ice caps substantially. Ice caps are white, and reflect

sunlight, much of which is reflected back into space, further cooling Earth. If the ice caps melt, the only reflector is the ocean. Darker colors absorb sunlight, further warming the earth.

(ii) Increased probability and intensity of droughts and heat waves –

Although some areas of Earth will become wetter due to global warming, other areas will suffer serious droughts and heat waves. Africa will receive the worst of it, with more severe droughts also expected in Europe. Water is already a scarce commodity in Africa, and global warming will worsen the conditions.

(iii) Warmer waters and more hurricanes –

As the temperature of oceans rise, so will the probability of more frequent and stronger hurricanes.

(iv) Spread of disease – As northern countries warm, disease carrying insects migrate north, bringing plague and disease with them.

(v) Economic consequences – Most of the effects of global warming will not be good. These effects bring economic consequences badly for almost all the countries of the world.

Rise in global warming – Ocean might have become 'saturated' with our emissions – An alarm bell:

When the industrial revolution started, the level of CO₂ in the atmosphere was around 280 parts per million by volume (ppmv) but that has risen to around 408 ppmv due to our burning of fossil

fuels. Because of tremendous rise in CO₂ (about 45% rise) the global warming scenario has been deteriorated or faster. The melting of arctic ice, severe climate changes are some of the effects among many, of the global warming. This unexpected, growth of CO₂ level in the atmosphere, scientists suspect, are due to mainly two reasons

1) Inefficiency in the use of fossil fuels which increased the CO₂ level.

2) A decline in the natural ability of land and oceans to soak up CO₂ from the atmosphere, i.e., decline in global carbon sinks. In addition, the growth of global population is responsible for significant growth of atmospheric CO₂, as well major responsible factors such as, the issues like reduction of emission of greenhouse gasses in the atmosphere are to be tackled efficiently.

Climate change due to global warming –

A. Climate change is a global issue that affects us all. Changes in climate patterns mean that extreme weather events such as heat waves, floods, storms, droughts and bushfires will become more frequent, more widespread or more intense. Climate change science is providing a better understanding of the causes, nature, timing and consequences of climate change. Climate change science is a very complex subject. Various investigations, studies, reports suggest that world is warming up, but how this will affect us in the future is difficult to

qualify. Climate change is the result of changes in our weather patterns because of an increase in the Earth's average temperature. The weather elements at a given location vary from time to time throughout the year, but generally are expected to remain within set limits over a long time period. This is known as our climate. This natural variation in temperature ensures we have cold and warm years. This is actually a natural and essential feature of our atmosphere without which our planet would be uninhabitable. There are three major cultivations in Tamil Nadu in respect of paddy such as Kuruvai, Thaladi, and Samba. Due to monsoon failures, Kuruvai cultivations were almost totally abandoned; Thaladi and Samba cultivations are being carried out partly. Now the Cauvery delta farmers are finding it difficult to provide water till harvesting. The climate change has created the farmers in a desperate drought condition due to scarcity of water, especially Pudukottai Cauvery delta area received 49% deficit of NE monsoon rains during the year 2017 caused by methane emission in the hydrocarbon lease units; when there is excess NE monsoon rains even in Chennai. This year's (2017) Northeast monsoon (NEM) has been erratic. Though Tamil Nadu has experienced a nine per cent deficit, which theoretically is seen as normal, the wide gap in spatial distribution of rainfall makes it

'subnormal'. The monsoon has totally failed in eight districts with deficits ranging from 30 per cent to 49 per cent, while 14 others have received below-normal rain. Chennai has been lucky, having received 19 per cent excess rain. Y E A Raj, former deputy director-general of meteorology, said the monsoon has failed in western and some southern districts. Pudukkottai is reeling under 49 per cent deficit, Ramanathapuram 47 per cent, Coimbatore 44 per cent, Trichy 43 per cent and 38 per cent for both Sivaganga and Erode. "For a water-stressed State like Tamil Nadu, an overall deficit of 10 per cent also matters and spatial distribution has also been poor. Places like Kerala receive 250 cm of rainfall annually, and a 10 per cent deficit doesn't matter much, but Tamil Nadu receives only 43 cm during NEM." The Southwest monsoon (SWM), which brings copious rainfall to the rest of the country but not Tamil Nadu since it is a rain-shadow region, was surprisingly very active over the State this year. Between June and September, the State received 414.2 mm of rainfall as against a normal of 321.4 mm, which is 29 per cent in excess. In Coimbatore, where NEM failed, SWM brought a whopping 169 per cent excess rainfall. Similarly, Theni received 131 per cent excess, Tiruppur 100 per cent, Perambalur 90 per cent and Sivaganga 75 per cent. In Kanyakumari and Tirunelveli Districts the first SW monsoon showers received only on

September 27 against normal showers of June. Drought has affected sugar production in Tamil Nadu. Sugar output in Tamil Nadu expected to be the lowest this season despite a bumper harvest reported by major sugar-producing States, according to the South Indian Sugar Mills Association (SISMA). There is bumper harvest in Uttar Pradesh, Maharashtra, and Karnataka during the current season (2017-2018), Palani G. Periasamy, president, SISMA, told The Hindu. However, Tamil Nadu is expected to produce just six lakh tonnes. "We used to produce 25 lakh tonnes six or seven years ago. Last year, we did 10 lakh tonnes. This year, it will be just about six lakh tonnes," he said.

Telangana state is located in semi-arid region with rainfall as major source of water. The rainfall is seasonal in character with short rainy season of 3 to 4 months and the state experiences dry conditions for 8 to 9 months in various parts and more so in southern parts of Telangana. The major occupation for two-thirds of the population is agriculture. The area under canal irrigation is hardly 5.28 per cent and the major sources of irrigation are rain dependent. Even if water is available for irrigation, energy availability for pumping water may become serious constraint. Acute water scarcity conditions for longer periods will trigger drought. Prolonged water scarcity conditions

prevailing over larger areas lead to severe droughts. During most of the years, some parts of the state or the other experience drought which do not have access to water resources other than rainfall. Therefore, there is need to develop strategies for drought mitigation as a protection from drought. At the same time, there is need to identify drought management practices that can rescue the people from miseries of drought as and when situation demands

Andhra Pradesh declares 196 mandals as drought-hit

PTI | Updated: Oct 28, 2015, 15:59 IST

HYDERABAD: The Andhra Pradesh government has declared 196 mandals (revenue units comprising a varying number of villages) in seven districts, as drought-affected during the Kharif season of this year.

“Government after careful examination of the recommendations of the committee on drought and keeping in view of the reports furnished by the District Collectors have decided to declare 196 mandals (out of a total 670 in the state) in seven districts of Andhra Pradesh, Srikakulam-10 Prakasam- 21, Nellore-14, Chittoor -39, Kadapa-33, Anantapur- 39 and Kurnool 40, as drought affected Mandals in Khariff-2015,” a Government Order (GO) said.

Majority of the drought-hit mandals are in the Rayalaseema districts of Kurnool, Kadapa,

Chittoor and Anantapur, while others are in the coastal districts of Srikakulam, Prakasam and Nellore.

The Tamil Nadu State Action Plan on Climate Change (TNSAPCC) predicts that the state could have climate-related events of higher intensity in the coming years. Quoting studies carried out by the Centre for Climate Change and Adaptation Research (CCCAR) of Anna University, TNSAPCC states that the average annual maximum temperature for Tamil Nadu could increase by 3.1°C by 2100 from the baseline of 1970-2000. Similarly, the average annual minimum temperature could increase by 3.5°C. Average annual rainfall, on the other hand, could reduce by up to 9%. The rainfall pattern could shift more towards the northeast monsoon, which could bring more intense cyclones and floods.

The advent of hot weather marked by temperatures are raising between 1.6 degrees Celsius and 5 degrees Celsius above normal in States such as Rajasthan, Jammu and Kashmir, Uttarakhand, Uttar Pradesh, Himachal Pradesh, and Madhya Pradesh. Taking the long term view, India has to pursue mitigation of Greenhouse gases vigorously, since there is a perceived link between increases in average temperatures caused by climate change and the frequency and intensity of extreme weather events.

NEWS AND NOTES

Salman Khan guilty, sentenced to five years in jail for killing blackbuck 20 years ago; - A

JODHPUR court on Thursday i.e. 4-4-2018 sentenced actor Salman Khan to five years in jail for killing two blackbuck in Kankani village, near Jodhpur, in October 1998. The court of Chief Judicial Magistrate (Jodhpur Rural) Dev Kumar Khatri acquitted all the other accused in the case — actors Saif Ali Khan, Tabu, Neelam and Sonali Bendre, and Dushyant Singh, a resident of the area.

“After the court convicted Khan under Section 9/51 of the Wildlife (Protection) Act, he was sentenced to five years imprisonment along with a monetary fine of Rs 10, 000,” said Mahipal Bishnoi, counsel for the Bishnoi community. “We had asked for maximum punishment available under the provisions of the Act, which is six years, but the court sentenced him to five years. From the beginning, our case was strong because of watertight evidence and the fact that the witnesses stuck to their statements,” he said. He said the prosecution’s main argument was that Khan was a habitual offender.

According to the prosecution, on the night of October 1, 1998, Khan was in a Gypsy with the others when he killed two blackbuck in Kankani village. The actors were shooting for the film, *Hum Saath Saath Hain*, in the area.

Blackbuck is protected under the Wildlife (Protection) Act, 1972.

Shortly after the sentence was pronounced on

Thursday, the actor was taken to the Jodhpur Central Jail. His lawyers have filed a bail application.

“We have appealed against his conviction and have also applied for bail. We had argued that when the Gypsy in question was searched for the first time, bullets weren’t recovered and only bloodstains were found. The bullets were recovered after a few days when the vehicle was searched once again,” said Hastimal Saraswat, who appeared for Khan. **Timeline of the blackbuck poaching case**

Blackbuck Case: Salman Khan convicted for five years

“We respect the decision of the Hon’ble Court. While we are studying the judgment, it just came as a surprise, as the entire investigation and facts of this case were the same as those for which Salman has been acquitted by the Hon’ble High Court of Rajasthan in two cases, and even by the Hon’ble CJM in the Arms Act matter for the alleged offence on the very same night as is the subject matter of the present case,” Khan’s lawyer, Anand Desai, said in a statement.

“Also, in the present case, the Hon’ble Court has acquitted all the five co-accused, which would imply that Salman was out hunting alone in the middle of the night in a remote area outside Jodhpur. We have preferred an appeal to the Hon’ble Sessions Court and applied for an urgent hearing today. The Hon’ble Court will

hear the appeal for suspension of the sentence/ bail at 1030 tomorrow,” said the statement.

In 2016, the Rajasthan High Court had acquitted Khan in two other poaching cases. The actor was accused of hunting two chinkaras in Mathania, near Jodhpur, on September 26, 1998, and another chinkara at Ghoda Farms, in the same area, two days later. In 2006, a trial court in Jodhpur had convicted Khan in both the cases and sent him to jail.

The Rajasthan government's appeal against the High Court's decision is currently pending in the Supreme Court.

In January last year, the chief judicial magistrate's court in Jodhpur acquitted the actor in another case in which he was charged under Sections 3/25 and 3/27 of the Indian Arms Act. The police, on a complaint from the forest department, had also booked the actor under relevant sections of the Arms Act in the 1998 case.

This is Khan's fourth stint in the Jodhpur Central Jail, which also houses Asaram Bapu, accused of sexual assault; Shambhulal Regar, accused of killing a Muslim labourer last December; and former Rajasthan MLA Mahipal Maderna, an accused in the Bhanwari Devi murder case.

“Khan is being kept next to Asaram Bapu's barrack. The cell is built for four-five people, but Khan is being kept alone. There's a fan in the room and dinner was served at 5 pm today,” said a jail official. He said security has been stepped up around the barrack. Criminals associated with gangster Lawrence Bishnoi, who had earlier threatened the actor, are also lodged in the same

jail.

Grown up tigers can't be released from Park:

Arunachal forest officials: - ITANAGAR: Two tiger cubs, rescued in 2012 from Angrimin Dibang Valley district in Arunachal Pradesh, have grown up in captivity and now can't be released them into the wild due to delay in procedures, forest officials said today.

Male 'Iptra' and female 'Chipi' have been brought at the Biological Park here in September 2013 after they were rescued from Angrim.

“The tigers are well settled now and they have gained weight and increased in size. The approximate weight of the male tiger now is around 300 kg while the female weighs more than 200 kg,” park curator Raya Flago said.

Fed on the stipulated diet of 10 kg beef each per day, Iptra and Chipi were supposed to be released in the wild but it is too late now as they have grown and might not cope well in the wild. Moreover, delay in certain official procedures has sealed their chance for releasing in the wild, he said.

“During 2015 we have submitted a proposal to the National Tiger Conservation Authority (NTCA) for releasing Iptra and Chipi to the wild. However, due to delay in certain formalities it could not be materialized. There are certain protocols to be followed for releasing tiger in the wild,” he said.

Over 100 tiny plastic bits present in every meal: Study: We could be swallowing over 100 tiny plastic particles with every meal, according

to a study which found that polymers from soft furnishings and synthetic fabrics get into household dust and settle on our plates.

Researchers from Herriot-Watt University in the UK made the discovery after putting Petri dishes containing sticky dust traps on the table next to dinner plates in three homes at meal times. Up to 14 pieces of plastic were found in the Petri dishes at the end of a 20-minute meal - the equivalent of 114 plastic fibers falling on the average dinner plate given their much larger size. The scientists, from Herriot-Watt University concluded that the average person swallows up to 68,415 potentially dangerous plastic fibers a year simply through sitting down to eat.

The researchers set out to compare plastic fibers found in mussels with the amount in the average household meal.

They found fewer than two micro plastics in each mussel, which could be linked to the marine environment, and concluded that the average person can expect to consume 100 plastic particles a year through eating the shellfish.

Delhi upgrades to BS-VI fuels at no extra cost, for now: - State-run fuel retailers will not additionally raise petrol and diesel prices to recover the cost of upgrading to Bharat Stage-VI fuels in Delhi, the country's first city where 100% petrol pumps will be officially selling the cleaner fuel from Sunday.

Instead, the retailers will, for now, "optimize" processes to make up the higher production cost of BS-VI fuel since Delhi is the only city to get

this fuel nearly two years ahead of the April 2020 deadline for covering the entire country. This means fuel prices will be revised daily only to the extent required by the movement of crude and product prices in global markets. But there would be no additional increase on account of the upgrade, estimated at 50 paisa per liter.

"We will not pass on the cost (of upgrading) to consumers for the time being. There are no plans to recover (the cost) from customers immediately. The mechanism will be decided later (till supplies expand to more cities)," Indian Oil director (refineries) B V Rama Gopal said on Saturday.

Refineries had invested over Rs 55,000 crore for producing BS-III/IV fuels. They are pumping in another Rs 28,000 crore more for upgrading to BS-VI standards by 2020.

Delhi will benefit from cleaner fuels, but only partially since the fleet of vehicles crowding its roads are of BS-VI vintage. Rama Gopal said in spite of BS-IV vehicles, cleaner fuel will reduce particulate matter in vehicular emission, which has been identified as a major air pollutant, by 10-20% and lower other gaseous emissions. Consumers too would benefit as the life of costly catalytic converter fitted in their cars will get extended. "Compared to BS-IV, the converter will get very low levels of sulphur and CO Etc. for processing with BS-VI fuels. This will make them last longer," he said.

Govt. sets target of 35% pollution cut for 100 cities: - As part of its dedicated air pollution

abatement programme for 100 polluting cities, the Centre has formulated a National Clean Air Programme (NCAP) to fight the menace through a long-term strategy.

The programme focuses on target oriented approach with specific time-lines to reduce various pollutants in cities including Mumbai, Kolkata, Pune, Nagpur, Lucknow, Kanpur, Varanasi, Agra and Chandigarh. All these cities will also have their own city-specific action plans, like the one in Delhi, under the NCAP.

Under this programme, reported by the TOI last month, the environment ministry targets 35% reduction of air pollution in the next three years and 50% reduction in the next five years for at least the 100 identified cities across India.

Concept note of this plan, accessed by Greenpeace India under RTI, talks about tackling pollution from various sources. It identifies power, transport, industry, residential and agriculture sectors as the key contributors making air toxic.

The note talks about setting up an effective multi-layered institutional framework to meet the air pollution abatement targets in all the 100 cities under the NCAP. Though the government has already notified a Comprehensive Action Plan (CAP) for Delhi, it will soon formally roll out the national plan for the remaining cities. Long-term strategy within the national plan will, however, also be implemented in the capital city.

"The government has formulated a separate NCAP as a long term time-bound national level

strategy to tackle the increasing air pollution problem across the country in comprehensive manner", said Union environment minister Harsh Vardhan. Responding to a Parliament question in Rajya Sabha, the minister in his written response on Monday said, "The overall objective of the NCAP is comprehensive management plan for prevention, control and abatement of air pollution besides augmenting and evolving effective ambient air quality monitoring network across the country".

A non-attainment city is considered to have air quality worse than the National Ambient Air Quality Standards. The list of 100 cities, identified on that basis, also include Guwahati, Vishakhapatnam, Bhilai, Surat, Bhopal, Indore, Amravati, Nashik, Kolhapur, Ludhiana, Allahabad, Jodhpur, Jaipur, Udaipur and Alwar among others.

"The concept note on the NCAP is a big step in the right direction to achieve breathable air across the country and we hope that the CPCB and environment ministry along with other ministries and departments come up with a detailed action plan soon and inform the public", said Sunil Dahiya, a senior campaigner at Greenpeace India.

Increasing number of monitoring stations, data dissemination, public participation on planning and implementation, setting up of Air Information Center for data analysis and setting up of an updated national emission inventory are key proposals of the NCAP under this note.

LEGAL NOTES

Sardar Khan S/o Khalid Khan Pathan V. Range Forest Officer Yavatmal & others

On 19-07-1999, two bullock carts loaded with teak were intercepted by the Range Forest Officer, Bittergaon. They were seized by him and a forest offence was registered. The cart-men were arrested and their statements were recorded. At their instance the scene of felling was inspected on 23-08-1999. Three more persons Balaji Chittalwad, Sundarsingh Rathod and Hanumanta Jadhao were examined. They stated that they have loaded the tractor and trolley with teak wood under instructions of Sardar Khan. They further stated that they took tractor and trolley to Sardar sawmill. The investigation disclosed that the timber felled was loaded into tractor bearing registration No. MH 26C 1973 and trolley bearing registration No. MH 26C 8380 belonging to Sardar Khan's brother. The tractor and trolley were therefore seized.

On 26-10-1999, the seizing Forest Officer made a report to the authorized officer with request for confiscation of tractor and trolley. The authorized officer issued a notice to show cause as to why the tractor and trolley should not be confiscated. Sardar Khan and (2) others submitted replies to the show cause notice. Sardar Khan took a plea, that the tractor belonged to his brother and he was only a nominal owner. A plea was taken to say that the tractor was lying with Rainbow Tractors Limited, Wazegaon from 5-7-1999 to 20-7-1999 for repairs. Sardar Khan

denied that the tractor was used for illegal transportation of teak wood.

The authorized officer conducted necessary enquiry and after hearing the parties directed confiscation of tractor, trolley, bullock carts etc by an order dated 17-08-2000. Sardar Khan filed appeal to the Additional Session Judge, Pusad which was dismissed on 08-02-2002. Sardar Khan then approached the High Court of Bombay by filing Crl. P. No. 482/2002.

The petitioner assailed the order of the Learned Additional Session Judge on several grounds and the same points were argued before the High Court by his counsel. A summary of the arguments is recorded below:

1. The petitioner was not given proper opportunity of being heard by the authorized officer. The authorized officer has not supplied to the petitioner statements relied on by him.
2. Though the petitioner has placed enough material before the authorized officer to secure release of the tractor and trolley, but the authorized officer did not consider the request of the petitioner.
3. The statements relied on by the authorized officer were not admissible for ordering the confiscation. The statement had been retracted by their makers.
4. The procedure for confiscation of property is not adequately provided in the act as is seen in the Customs Act 1962.

5. The tractor and trolley were not actually caught with the contraband articles and therefore reliance on such statements of the witnesses is extremely dangerous.

6. Adjudication by the authorized officer is like being a judge in his own case, since the information seeking confiscation is laid before the authorized officer by his own subordinate. The case was heard by a Division Bench of Bombay High Court comprising J.N.Patel and R.C. Chavan, JJ. The High Court disbelieved the grounds of the petition that were urged before the bench.

The petitioner stated that the tractor was kept for repairs during the period from 05-07-1999 to 20-07-1999, but on 15-07-1999 diesel of 215 litres was drawn for this tractor. Full opportunity to represent his case had been given to the petitioner who had even engaged a lawyer to defend his case before the authorized officer. The driver of the tractor, DattaJewaliwar stated that the tractor and trolley had been used for transporting the teak wood. For these reasons, the order of the authorized officer was upheld by the Learned Additional Session Judge, Pusad which does not call for any interference.

All the documents relied by the Department before the authorized officer were supplied to the petitioner who was represented by an advocate. Some witnesses retracted their statements but this happened only when the matter was being examined by the court of Additional Session Judge. Indian Forest Act has elaborately provided for the procedure for confiscating properties involved in forest

offences.

On the question of admissibility of the statements recorded by the forest officers, the counsel for the respondents relied on **Dr. Emerico D'Souza V. State through the Deputy Conservator of Forest (1995 Forest Law Times 72)**. According to this decision the statement to a forest officer is not hit by section 25 of the Evidence Act and can be read in evidence.

The authorized officer is a Quasi-Judicial Authority. He would be prevented from considering any material only if it is shown that consideration of such material is barred by any specific provision of law. It was observed that the order passed by the authorized officer exhibits an exemplary endeavour of considering and efficiently dealing with all aspects of the matter.

When a departmental authority is prescribed to exercise the quasi-judicial powers, the officer exercising those powers acts independently. In this case the authorized officer was satisfied that the forest offence had been committed and that the tractor and trolley had been used in committing such an offence.

In conclusion, the court observed that both the Authorized Officer and the Learned Additional Session judge who heard the appeal have considered all the requirements of the law and applied law correctly to the facts which were unfolded before them. The petition consequently failed and was dismissed.

2006(1) Mah LJ606

K.B.R.

OBITUARY

M. Kamal Naidu
21.08.1939 – 18.04.2018



Sri Madhavkrishna Kamal Naidu left for heavenly abode on 18.04.2018 at his residence in Hyderabad. He has been ailing for some time. In spite of all possible medical attention provided to him, he could not get well and succumbed to the disease. He would have turned 79 in August 2018. Sri Kamal Naidu was the son of the late Madhavkrishna Naidu, a retired Major of Indian Army and the late Smt. Bhuvaneshwari. He had his early education in Nilgiris at Lawrence School, Lovedale. He later joined Agriculture College and earned Master's degree in Agriculture Science in 1961 from the Agriculture University at Rajendranagar. He was selected the same year for undergoing training at the Indian Forest College during 1962 –64. After the Forest College training, he had practical training under the DFO Kadapa. He was then posted as DFO Atmakur in Kurnool district in 1965 and he worked as such for three years. He was promoted to the Indian Forest Service in 1966. After his tenure at Atmakur, he held charge of several divisions Viz., Nizamabad (1968), Karimnagar East (1971), Paloncha (1971) and Guntur (1972). While in Paloncha, Naxalites without any provocation fired at him two bullets – one got embedded in the jaw and another in the right arm. Fortunately, he escaped a threat to his life. After undergoing treatment, he went on central deputation on teaching assignment at the IGNFA and NFRC Dehra Dun, EFRC Kurseong and CFRC Chanda. When he was repatriated to the State, he was posted as the Curator of the NZP at Hyderabad, in which capacity he worked for four years. He was promoted to super time scale and was appointed in 1981 as CF R&D and Working Plans and then transferred and posted as CF, Social Forestry at Kadapa. He had another term of central deputation and held the post in succession as Joint Director, Wildlife in the Ministry and later Director of the Delhi Zoo. On 03.07.1985, he was bitten by a black cobra when he was trying to rescue two lion cubs from the cobra's attack. It was a life and death problem for him to get anti-venom in Delhi. He recovered after two weeks. He was awarded in 1988 *SHOURYA CHAKRA* in recognition of his bravery. He was again called by GOI and was asked to hold the post of Dy.D.G.F. in charge of Research and Training.

Sri Naidu had two assignments abroad – one from the American Zoo Association, USA and another from the Oxford University Forest Institute. On return from abroad, he was promoted as CCF and

posted as the Special Secretary to Government. He was awarded the prestigious award of 'OUTSTANDING CIVIL SERVANT'. He was promoted as PCCF and worked as Mg. Director of APFDC. Finally before retirement, he held the post of Chairman, Godavari Valley Development Corporation, which was previously held by very senior civil servants. Sri Kamal Naidu finally retired on superannuation in August 1997.

Sri Kamal Naidu was well informed, well read and well-travelled person. He had zest for an active life. After retirement, he was the Chairman and Director of WWF-AP Chapter- at Hyderabad for five years from 1998 to 2003. In 1999, he was the advisor to UPSC for selection of candidates for forest, wildlife and environment posts. During 1999-2003, he served as advisor to the Central Zoo Authority. He was appointed as a member of the Supreme Court commission in 2006 for resolving an inter-state dispute.

The life and destiny of Sri Kamal Naidu are interwoven with several ups and downs. Soon after his college education he secured a decent job of his taste. Life was smooth until he had fallen victim to the naxalites bullets in Paloncha division. He survived. He escaped death again when he risked his life to rescue two lion cubs in the Delhi zoo and had been bitten by a cobra. On the whole, it was an illustrious career and contented life till he was tormented by an incurable disease in the later part of his life.

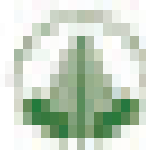
During his service he was very popular among his friends and his students. He has been very hospitable to his friends and colleagues and they cherish the memory of their association with him. He was a voracious reader and a prolific writer. He published many papers and wrote three books viz., Trail of a Tiger, A Handbook for Zoo Directors and Tigers of Nallamalais. In the Foreword of the last book, Ruskin Bond described the author of the book saying, "*his knowledge of the ways of the birds, animals, reptiles and insects is enviable.*" He was a zealous supporter of Vana Premi and took great interest in the activities of the Association of Retired Forest Officers. He had been one time President of the Association.

The demise of Kamal Naidu is a great loss to his friends, colleagues, relatives and all those of different ranks who worked with him. We express our sense of sorrow and deep sympathy to the bereaved family. Sri Kamal Naidu is survived by wife Rohini, son Srinath, Daughter Swathi and three grand-children (one grand-daughter and two grand-sons).

We pray God to rest his noble soul to rest in peace!

KBR

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- To provide visitors with the basic concepts to make their interpretive experience more enjoyable and meaningful while also the visitors gain an understanding of the forest.
- To provide visitors with a more comprehensive understanding of the forest and its history and its role in the forest's ecosystem and its role in the forest's ecosystem.
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PART 1. INTRODUCTION AND PURPOSE OF THE PLAN

THE NATIONAL FOREST FOUNDATION
1000 10th Avenue, Suite 1000, Denver, CO 80202

The National Forest Foundation is a non-profit organization

dedicated to the preservation and management of the National Forest System
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