



Environment

Since 1992, we have done an yearly survey of the impact of the new economic policies on India's environment, and on the rural communities which directly depend on the natural environment for survival. These reviews have revealed the following effects:

- The liberalisation of trade was having two consequences; the move towards an export-led model of growth was rapidly sacrificing natural resources to earn foreign exchange, as was especially seen in the fisheries and mining sectors; secondly, there had been a sudden flood of consumer goods and toxics coming into India, creating serious waste disposal and health problems.
- The move towards industrial and agricultural liberalisation was resulting in an atmosphere of a free-for-all, with industries increasingly ignoring environmental standards, and state governments sacrificing natural habitats and prime food growing land to make way for commercial enterprises; in addition, the goals of equity were being given up, e.g. in the move to relax land ceilings to allow agro-industrial expansion.
- The opening up of the economy to foreign investments was bringing in companies with a notorious track record on environment, and there were demands to further relax social and environmental measures.
- Privatisation, while bringing in certain efficiencies, was encouraging the violation or dilution of environmental standards, and the neglect of social services/goods for the poor.

With the induction of the new government in 1998, there were expectations that there may be a significant shift away from the policies of "liberalisation" and "structural adjustment" which characterised the first half of the 1990s. Has this expectation been borne out in the first year of the

United Front government? More pertinently for this essay, has there been any major shift away from the economic policies which have been so environmentally destructive? It appears not. Indeed, not only has there been no appreciable change towards environmentally friendly policies and programmes, but the new government has moved to further dismantle some of the regulations that had been brought in after much struggle in the 1980s. While it has not been possible to fully examine the economic trends of 1998-97 from the environmental viewpoint (and in that sense this analysis is incomplete), some examples present a strong indication of the direction in which this government is heading:

In October 1998, the Prime Minister announced his intention to devolve powers regarding clearance for power projects to State governments. In other words, he proposed that all agencies (private or public) seeking to make a power project could take direct permission from the relevant State government. Most development projects are proposed by state governments; to ask the same governments to screen such proposals is like asking a thief to guard the bank. True decentralisation would have meant giving much more power to local communities and citizens to determine their developmental priorities, as also conduct independent screening of all development projects. But all that is being proposed is for State governments to take over some of the functions currently being performed by the Union Ministry of Environment and Forests, without any strong safeguards built in to ensure that such powers are not misused.

The Prime Minister also announced his intention to relax the agricultural land ceiling as also regulations regarding the use of agricultural land for non-agricultural purposes, to make conditions easier for large-scale commercial farming and industrial expansion. The move towards floriculture, aquaculture, industrial

plantations, and others, could have severe negative impacts on the sustainability of the land which supports agriculture, as also on the poor sections of the community which get displaced or marginalised by large landholders.

Despite a clear recommendation by an expert and inter-party committee (chaired by P. Murari, former Secretary, Ministry of Food Processing) to cancel all joint venture marine fisheries agreements and not allow any new ones — due to the environmental risks and social disruption they may cause — the government has moved only partially on the issue. In February 1997, it announced that it would withdraw the New Deep Sea Fishing Policy of 1991, but stated that all permissions/licences already granted would continue to operate. Frustrated, the several million fisherfolk for whom such deals are a matter of life and death, have decided to intensify their struggle to pressurise the government to implement the committee's recommendations. In March 1997, they resumed their agitation with an indefinite *dharma* and blockage of several ports.

In October 1998, the Union Cabinet approved guidelines allowing private companies to get prospecting licences in areas up to 5000 sq. km., as against the existing limit of 25 sq. km. Simultaneously, three major joint venture projects proposed by the global mining giants De Beers and RTZ have apparently received investment clearance. RTZ is extremely notorious for a terrible environmental and human rights record in countries of South America and South-East Asia, Papua New Guinea, and South Africa. Also in the mining sector, the demand to exempt fresh proposals for mining up to 50 ha. (from the current limit of 5 ha.) was being seriously considered by the central government.

In a bid to thwart increasing NGO use of the Supreme Court the government has drafted a Bill to regulate the use of Public Interest Litigations (PIL). The Bill proposes to charge a deposit of Rs. 1 lakh for each PIL, which a successful petitioner could get back if the judge so decides, but which an unsuccessful petitioner would lose. It also proposes that only affected parties can file a PIL (unlike at present, where

any person/group can approach the court on behalf of affected parties). These and other provisions, if the Bill comes into force, would kill the possibility of most affected communities and persons taking recourse to PILs. Indeed, the intention seems to be to curb litigation against foreign and Indian industries. In a meeting with chief ministers and power ministers in October 1996, the Prime Minister said that people were using PILs to block projects cleared by his government, and asked whether they were public interest litigations or political interest litigations.

The Silver Lining

On the somewhat more positive side, the Parliament adopted the provisions of the Panchayat (Extension to the Scheduled Areas) Act 1996, in December 1996. This legislation incorporates some of the main recommendations of the Bhuria Committee report on tribal areas,

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including granting major decision-making power to the gram sabha (village council). How precisely this Act (and the power it gives to tribal communities) relates to other existing Acts governing the natural resources found in scheduled areas (e.g. the mining, forest, land acquisition, and wildlife Acts) is not yet clear. True

empowerment would require that rights and responsibilities over all natural resources should devolve to village communities, with appropriate checks and balances to ensure conservation and sustainable use. This new Act goes one step towards this, but much greater legislative, administrative, and educational reform is needed to make this a reality. In particular, the capacity of local communities to manage resources, which has been severely eroded over the last few decades of top-down planning, needs to be rebuilt.

In another positive step, the Ministry of Environment and Forests announced that it was making public hearings mandatory for all proposed development projects, though more details on the move were not immediately available. This, incidentally, has been a strong demand of NGOs for several years; it was included in the draft notification on environmental

clearances which the MoEF had prepared in 1993, but was deleted from the text when the notification was finally issued. To its credit, and despite the severe pressures from other sectors of the government to remove all hurdles from the path of industries, the MoEF has finally decided to give public hearings a definite place.

Considerable pressure from various sources finally convinced the government to convene a meeting of the Indian Board for Wildlife, after 7-8 years of total inertia. Reportedly, the Prime Minister as chairman of the Board, assured members that his government would do all it could to protect India's wildlife. No concrete measures were, however, announced.

The judiciary has also stepped in with some bold and drastic judgements (itself perhaps a sign of the growing apathy on part of the government). In 1985-87, the Supreme Court, for instance, put a hold on all operations in forest areas and prohibited timber movement out of North-East India, banned expansion of aquaculture farms throughout the country, ordered over 1,500 polluting industries in Delhi to shift out, and stayed further construction on the controversial Sardar Sarovar (Narmada) Project. All of these decisions came in petitions filed by NGOs or individuals.

Unfortunately, some of these judgements have further intensified the conflict between livelihood needs and environmental conservation. The ban on non forest operations and trans-state forest product movement has severely affected thousands of workers in related jobs, while the order to relocate several hundred polluting industries from Delhi has meant not only layoffs for workers but also forcible acquisition of valuable agricultural land in neighbouring states. Clearly, not only the developmental lobby, but also the environmental movement, has not yet come to grips with the socio-economic and political inequities which plague our country and render even well-intentioned Acts into severely problematic ones.

Economic Survey, 1996-97 and Environment

The Government of India's *Economic Survey*, 1996-97, has for the last few years included a section on environment. However, this section is an insignificant component (usually 2 out of about 200 pages). Till last year, the section was

tucked away in the chapter on Infrastructure; this year, the Survey puts it into the Industrial Policy and Development chapter. Both of these are strange placements, as environmental issues are not restricted to either infrastructure or industrial development.

As has happened in previous years, the *Economic Survey*, 1996-97, also appears to treat environment as an irritating aside which has to be paid lip-service to. The cross-cutting significance of the health of our natural resources is still lost on our country's planners, if the Survey is anything to go by. While occasional mention of pollution and hazards does crop up in the chapters on agriculture and infrastructure (with some consequent stress on Environmental Impact Assessments), there is no attempt to systematically analyse the two-way relationship between environment and development as it unfolds every year, and then take corrective measures. The section on environment gives a general picture of the dismal situation regarding pollution, and then lists a few steps that the government is taking to tackle these. It does not link the year's major economic developments with this situation; it does not analyse whether the impact of these developments was detrimental or corrective. Nor does it do the reverse: analyse the implications of the environmental situation for future economic development in India. And for reasons that are not clear, it completely ignores mentioning the state of the country's forests, other natural habitats, and wildlife, much less analysing the impacts of the economic policies on these habitats and species.

Ninth Five-Year Plan (1997-2002) Approach Paper

The *Approach Paper to the Ninth Five-Year Plan*, the formulation of which started before this government, but which was finalised only by the current government, is a mixed bag in its integration of environmental concerns. The section on agriculture shows regard for ecologically fragile areas such as mountains and deserts, and recommends "eco-friendly" agricultural development there, though no further details are given on what this means, and no analysis is done on how existing attempts to push unsustainable farming techniques into these areas are going to be changed. There is a welcome

renewed emphasis on land reforms, but no link is made between this and the statements of the Prime Minister on relaxation of the land ceiling (discussed above). Emphasis on the conservation of water in dryland areas, on the watershed management approach, and on cost-benefit analysis of dams are other positive aspects, as is the stress on people's involvement in community forestry. There is also a strong statement, somewhat unrealistic and sloganeering, but nevertheless welcome, that "S&T programmes will have a goal of achieving zero toxicity, zero environmental impact and will be oriented to full eco-friendliness".

On a macro level, there is a new commitment towards development of natural resources accounting methodology "so that decisions can be taken on the basis of the full cost to the Nation". In addition, a clear statement is made to the effect that "environment protection ... has to be integrated with the overall development process and wellbeing of people". However, this focus does not appear to inform much of the rest of the Plan, the only occasional exceptions being the ones mentioned above. Curious contradictions appear throughout, suggesting that the government is still very much within the mind-frame of the conventional development model. For instance, it states that the 'Ninth' Plan will lay stress on conservation and optimal utilisation of natural resources...keeping in view the international availability of such resources and the need to maintain a viable balance of payments position! As in the past, the Plan also stresses on the need to offer sops to industries in so-called "Backward Areas", and does not discuss the contradictions that arise when such areas — invariably ecologically and culturally fragile — are opened up to industrial development. Such a thrust pervades the Approach, making the environmental concerns that are scattered through it seem somewhat misplaced. Wildlife conservation gets only two sentences in the Approach.

Possibly the most important stress in the Approach is on village level governance structures, primarily the Panchayat bodies. Unfortunately, here too, no link is made with

environmental issues. For instance, it remains unclear whether the vast forest and other lands which are controlled by the government will come under any form of control by local bodies, or whether environmental sustainability will become a critical responsibility of the panchayats or gram sabhas.

Conclusion: Hope Still Lies with Movements

Perhaps the most serious aspect of the new political regime is its explicitly pronounced antipathy to environmental causes. Prime Minister Deve Gowda went on record, in meetings with industrialists and chief ministers, expressing displeasure at the way environmentalists were trying to obstruct development. He asked whether they were patriots or not! As mentioned above, he also ridiculed public interest litigations.

Other colleagues of his, such as the Home Minister Shri Inderjit Gupta, and Planning Commission Chairman Shri Madhu Dandavate, have expressed greater sympathy with people's movements and environmental concerns. Perhaps that explains the positive elements of the Ninth Plan Approach Paper. But again, the primary hope appears to lie with the myriad mass movements and alternative development efforts that dot the country. The continuing dynamism

of the movements like the Namada Bachao Andolan and the fisherfolk's struggle, the expanding network of community or jointly managed forests now covering over 2 million hectares, the hundreds of organic farming experiments showing an alternative to chemical-intensive agriculture, the regeneration of small-scale water harvesting structures, and the revival of village-level institutions of governance, all these and others point towards an alternative vision and path. If the ruling elites would care to slow down and look around, they may find answers to the problems that they pretend to be taking care of, but are only intensifying.

Contributed by Ashish Kothari

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