

Policy for the environment kept under wraps

Secrecy, economics marks the new way forward

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The Union cabinet recently approved the National Environment Policy (nep). The country's environmentalists should ordinarily have greeted this announcement with applause. After all, a policy with a holistic vision to safeguard India's ecological security was long overdue. But strangely, no celebrations marked the announcement. Why?

The Union ministry of environment and forests (moef) had first put up a draft nep for public comments in August 2004. The faultlines were apparent even then. An open letter sent to moef in late 2004, by over 90 environmental organisations and activists in the country, pointed out that the process of drafting the policy

was opaque and undemocratic, despite moef 's claim to have had extensive consultations. ngos known for their environmental record were hardly involved. Not a single local community, the sector that depends most heavily on the environment, was consulted. The draft was initially put up only in English, and only on a website, rendering it out of reach of the majority. Due to substantial protest, a Hindi copy was put up, and the time for public comments extended. Even elected representatives in *panchayats*, *nagarpalikas*, and legislatures were left out, and members of parliament received the draft after some of them raised a stink.

The draft contained serious internal contradictions, with some good elements being negated by an overall tendency to subordinate environmental concerns to short-term interests. It displayed a very strong 'economic fundamentalist' approach, assuming that market and economic instruments will solve environmental problems. Monitoring of the nep 's implementation was given to the cabinet committee on economic affairs, rather than to an environmental agency. It was also scientifically and technically unsound, leaving huge gaps in conservation measures (for example, in neglected ecosystems like marine areas).

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This civil society response prompted the National Advisory Council (nac) to bring moef to the table for two rounds of consultation with ngo s. The then moef secretary defended the draft stoutly; he maintained the document had only a few minor shortcomings. Some nac members also expressed concerns. However, none of this changed moef 's handling of the process. In July 2005, a second version of the nep was produced, and astoundingly, marked 'secret' on every page! This draft got leaked, and there was another uproar amongst environmental groups. Though the draft was an improvement in some aspects, it did not abandon the economic premise of the first draft. Over 80 organisations and individuals then sent an open letter expressing concern to the prime minister. Like the first open letter, this also wasn't answered.

Given such widespread protest, the moef should have made its revised draft public, and undertaken more consultations with concerned groups, before placing the policy before the cabinet. Instead, citizens woke up one day in May 2006 to the announcement that the cabinet had approved nep.

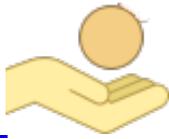
This finally approved copy is not yet in the public domain. But if it's anywhere close to the 'secret' draft of July 2005, the policy would only weaken environmental regulations. In fact, m o e f has already begun to dilute environmental impact assessment and clearance procedures, and Costal Regulation Zone regulations. nep will only legitimise these processes. Moreover, the 'secret' draft was extremely weak from a technical and scientific perspective. It missed out on critical conservation priorities (such as marine areas or wildlife conservation outside protected areas), ignored a number of innovative technological solutions, and failed to move into integrated land and water use planning. Some positives, such as the concept of declaring elements of nature as being of irreplaceable value, were lost in the cacophony of the rest of the document.

Citizens' protests continue. In March 2006, over 3,000 postcards were sent to the prime minister by *gram panchayats*, village forest protection committees, people's groups, and others from civil society countrywide. Yet again, there is no response. Obviously, this government believes in transparency only on paper.

When the nodal ministry meant to protect India's environment and people behaves in this way, it is time for people to take matters into their own hands. moef is dead; long live the environment.

Ashish Kothari and Kanchi Kohli are members of Kalpavriksh -- an environment action group

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