

## ALMANAC

Sunday, July 11, 2010 ♦ Hindu day: Jyeshtha Krishna:  
30 ♦ Rahukul: 4.30 pm to 6.00 pm ♦ Parsi day: Asman  
P27 ♦ Muslim day: Rajabba M28

Books on 'Effective Communication' and 'How to get bank loans?' written by Dr Pramod Joglekar, will be released at a function organised by Dilipraj Publication at Nath Pai Hall, Navi Peth, near Nivara Old Age Home, at 6 pm on Sunday.

pune metro

# Striking a balance between environment, development



mittees including the Expert Group on the Biodiversity Act, the committee to revise the National Wildlife Action Plan, the Environmental Appraisal Committee for River Valley Projects etc.

**In accordance with the Biodiversity Act 2002, has a State Biodiversity Board and Biodiversity Management Committees been set up in Maharashtra?**

State Biodiversity Board has not been formed in Maharashtra as there are some issues but the rules have been notified. But some communities have set up committees on their own but in most places if villagers are asked about this Act they do not know about it and it is not available in Marathi. There is nothing in the system that mandates that the relevant department ensures the work is done. After seven years, we are yet to implement the Act.

**Are there any activities that have been conducted as per the Act?**

It was recently announced that guidelines to make biodiversity registers have been made but unless the biodiversity committees are in place and in control of the gram sabhas how can people's knowledge be documented. As every new policy requires the formation of a new insti-



ASHISH KOTHARI

With the green cause gaining momentum all over the country along with sustainable and inclusive development, it is perhaps time to reassess the two Acts passed to empower those whose voices are often muffled or unheard -- the Biodiversity Act 2002 and the Forest Rights Act 2006. **Shruti Khairnar** speaks to Ashish Kothari, founder-member of Kalpavriksh, a 30-year-old environmental research and action group. He coordinated the Technical and Policy Core Group to formulate India's National Biodiversity Strategy and Action Plan. Kothari has been a member of several government com-



tutions this is another problem. There are 10-15 institutions for every village like watershed and forest management, Nabard committee, self-help groups etc and that causes confusion.

**How has the implementation of the Forests Rights Act 2006 fared so far?**

Now we have Forests Rights Act in which gram sabhas are supposed to set up committees to protect and manage forests and that overlaps a lot with biodi-

versity committees. There is no clarity from the government where the agencies concerned should be sitting with the villages telling them the different laws, schemes and to help them determine what kind of a management set-up they need and what laws can empower them. **What is ground reality when it comes to tribals claiming forest land?**

There are three crucial aspects to this. One is the indi-

vidual land titles, the second and a crucial aspect is the community right to use forest produce other than teak wood to manage and protect the forest and almost nowhere in India has that been followed. A lot of communities don't know that they have these rights. The third part is development rights. The Forest Rights Act also empowers villagers to basic roads, health facilities, schools but this is also generally being ignored. Of-

ficials are saying that a lot of false claims are coming to them. What activists are claiming and villagers saying that even when they give proof, it is not accepted as it's not in the government records making them ineligible. This is false as under the act there are all kinds of evidences that you can produce including oral evidence. I think the truth is somewhere in the middle as there are people also misusing the act and making false claims.

**So has the bureaucracy been only a hindrance or have there been any success stories of the Forests Rights Act?**

There are some exceptions like one district collector in Gadchiroli actually made a list of all the villages and asked the forest department to dig up all the evidence they had for them. He made a package for every village and then sent it to the gram sabhas. That's why claims in Gadchiroli are much more stronger. So it depends on a good officer rather than the system.

**Has the government been manipulating the existing Acts to actually suit corporates in the country set up projects?**

The government has passed an important circular last year that for forest

land to be given to any industry or project the procedures under the Forest Rights Act have to be completed. Also the consent from the gram sabhas must be sought. That has not been followed. When the government approves projects it is not done under the Forest Rights Act but as a violation of the act.

**Any cases where people have won rights to forest lands and not corporates?**

Vedanta mines and Posco in Orissa are two cases where local people have also claimed rights to that forest land. In Maharashtra there are two villages where community forest rights act have already been accepted. There is a peculiar case of a village called Ghati where they have got the rights to the forest under the stringent conditions that means that the land virtually is under the forest department.

**Can the Forest Rights Acts be implemented in cities as well to protect urban forests?**

The problem in Forest Rights Act is that for getting the rights there needs to be a gram sabha or panchayat. What we are saying is that the equivalent of a gram sabha in a city is a ward. So wards should have the same powers as a gram

sabha in case of forests in urban areas.

**The Green India Mission's public consultation recently happened in the city. Do you think this mission can be implemented?**

Rs 44,000 crore for the mission will go down the drain unless proper mechanisms are in place to reach the grassroots institutions and having transparency and accountability of where the money is going. It is possible if you don't have a bureaucracy that is hanging on your head.

**What are the concerns and challenges regarding these Acts and the possible solutions?**

There are a lot of contradictions with the forest rights act and biodiversity act but these are still minor. The bigger contradiction is between the forest and wildlife act and the development laws. The government says environment is priority but it does not show in the policies as environment laws need to be powerful. You can do irrigation through big dams but this can also be done through small projects. So development, yes, but in what form? You need flexibility, good knowledge, transparency, and an open mind for the right kind of development.

TODAY

GO GREEN DECCAN

Path at 10 am



Pune to miss date with total solar eclipse



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