

राष्ट्रीय पर्यावरण परिषद्

की पहली बैठक

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पर्यावरण एवं वन मंत्रालय

**FIRST MEETING OF THE
NATIONAL ENVIRONMENTAL COUNCIL**

April 25, 1994 New Delhi

Ministry of Environment & Forests

**AGENDA NOTES FOR THE FIRST MEETING OF THE
NATIONAL ENVIRONMENTAL COUNCIL**

APRIL 25, 1994

**PARLIAMENT HOUSE ANNEXE
NEW DELHI**

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AGENDA ITEM NO. 1

ISSUES RELATING TO FOREST COVER AND OTHER ALLIED MATTERS

The best indicator of the forest wealth of a country is its forest cover. The assessment made by the Forest Survey of India (FSI) in its State of the Forest Report (1987), based on satellite imageries pertaining to the period 1981-83, showed that the total forest and tree cover of the country was 6,42,041 sq. kms. The FSI's State of the Forest Report (1989), based on the satellite imageries of the period 1985-87, however, reported that the forest cover of the country was 6,40,134 sq. kms. The FSI's State of the Forest Report (1991) based on the satellite imageries of the period 1987-89, reported that the forest cover of the country (excluding tea gardens) to be 6,39,182 sq. kms. FSI's latest State of the Forest Report (1993) based on satellite imageries of the period 1989-91, indicates that the total forest cover of the country to be 6,40,107 sq. kms.

2. It will be seen from the above that based on the satellite imageries for the period 1981-83 which formed the basis of the State of the Forest Report 1987 and the imageries for the period 1985-87 which formed the basis of the State of the Forest Report 1989, the country was losing forest cover at the rate of 475 sq. kms. per annum or 1900 sq. kms. for the entire period. However, taking into account factors like exclusion of tea gardens, better accuracy in area measurement and finer resolution, the imageries for the period 1987-89 which formed the basis for the State of the Forest Report 1991 indicate that the forest cover of the country has increased slightly at the rate of 280 sq. kms. per annum or 560 sq. kms. during the two year period in question. Also in the State of the Forest Report (1991), the dense cover (crown density above 40%) has increased by 7140 sq. kms. and the open forests (crown density below 40%) has declined by 6567 sq. kms. The State of the Forest Report (1993) has again shown that the forest cover in the country has increased at the rate of 462.5 sq. kms. per annum or a total of 925 sq. kms. in the two year period in question. The State of the Forest Report (1993) also indicates that dense forest cover (crown density above 40%) has increased by 568 sq. kms. and open forest cover has increased by 345 sq. kms.

3. The improvement in the forest cover of the country which has been shown up in the State of the Forest Report 1990-91 as also in the State of the Forest Report 1993, appears to have been possible on account of the strict implementation of the Forest (Conservation) Act, 1980 as also expanded afforestation and tree planting activities. However, whereas for the country as a whole the forest cover has increased as mentioned above, there is anxiety about the State of the forests in the North-Eastern region where forest cover has declined by 635 sq. kms. as shown by the State of the Forest Report (1993).

4. While the information given above shows an improvement in overall situation, these gains are only marginal specially if we consider the large scale dependence of the tribals and neighbouring villages on forests. It is conservatively estimated that about

220 million tonnes of fuel, 250 million tonnes of grass and green fodder, over 12 million cu.m. of timber and thousands of tonnes of non-wood forest products are removed from our forests annually. Against this backdrop, it does not appear to be possible that fuel, fodder, timber, bamboo and other forest produce can continue to be extracted from our forests sustainably without massive investment to extend tree cover, improve the density and productivity of the forests and provide protection for their regeneration. The total withdrawal of forest products in the form of fuel, fodder, timber and other minor forest products has been estimated at about Rs. 30,000 crore per annum.

5. The forestry sector makes important contribution to the economic, social and ecological well-being of our country besides playing a role in maintaining and sustaining the environment. Forests not only provide timber, fuelwood and a large number of non-wood forest products, but also play a very important role in regulating hydrological cycle, soil conservation and recycling of dead and decayed material, maintenance of atmospheric equilibrium and acting as a gene pool for various plants and animals. It is estimated that in India, forests meet nearly 40% of the energy needs of the country, including more than 80% of the rural energy requirements, the bulk of it as a direct subsidy to the poor. Among the landless rural families, forest development and harvesting are important sources of income. The dependence of tribals on forests for sustenance and income generation is more significant. The overall estimate is that 33% of livelihood of the tribals is earned from forests and forest products.

6. After the National Wastelands Development Board (NWDB) was transferred to the newly created Department of Wastelands Development in the Ministry of Rural Development, the National Afforestation and Eco-Development Board (NAEB) was set up in the Ministry of Environment & Forests in September, 1992. The NAEB has been made responsible for promoting afforestation, tree planting, ecological restoration and eco-development activities in the country. The NAEB is to give special attention to the regeneration of degraded forest areas and lands adjoining forest areas, national parks, sanctuaries and other protected areas as well as the ecologically fragile areas like the Western Himalayas, Aravallis, Western Ghats, etc. The NAEB operates several Plan schemes the focus of which is to increase the availability of fuelwood, fodder and non-timber forest produce in order to reduce the gap between the supply and demand for these products. The NAEB is also the nodal agency for monitoring afforestation and tree planting activities under the 20-Point Programme undertaken annually in the country. With the funds made available for these activities, the annual coverage comprises of plantation of around 116 lakh hectares of public lands, including forest lands, and distribution of around 135 crore seedlings for plantation on private lands.

7. Although the State Governments have their own arrangements to monitor implementation of afforestation and tree planting activities, the NAEB has given special importance to this work. In this connection, the State Governments were advised to make available the information on tree planting/afforestation to the peoples' representatives as well as the public.

8. Towards this approach, the detailed district/taluk-wise information in respect of afforestation/tree planting activities undertaken during 1991-92 has been compiled and computerised reports for 30 States and Union Territories have been placed in the library of the Parliament as well as in the library of the Ministry of Environment and Forests. Information in respect of the remaining States is being obtained from the State Governments. Sample checking in respect of the actual work done during the year 1991-92 in selected districts is being done through independent agencies like research institutions, retired forest officers, NGOs, etc. The reports for 44 districts out of 48 identified districts taken up for sample checking in respect of the afforestation/tree planting activities undertaken during 1991-92 have been received. The reports indicate that in 31 districts, the survival percentage is over 70%. It is 60% to 70% in respect of 8 districts. In 5 districts, it is below 50%. In the case of the districts where the survival percentage is low, the concerned State Governments have been requested to take action to ensure that the survival of the saplings planted is higher.

9. The above mentioned exercise is being repeated for the afforestation and tree-planting activities undertaken during the year 1992-93. The State/UT Administrations have been requested to furnish the taluk/block/district-wise details of afforestation/tree planting activities. So far information from 9 States and UTs has been received. The information has been compiled and placed in the library of the Parliament and the library of the Ministry of Environment and Forests. It has also been decided to conduct sample check in 50 districts in the country through the independent agencies/experts/NGOs.

10. As against the prescription of the National Forest Policy 1988 that one-third of the total geographical area of the country should be under forest cover, the present forest cover is only 19.47% of the geographical area. Also good forest cover (more than density above 40%) constitute only 11.73% of the total geographical area. In view of this, greatly expanded efforts are required to increase the forest cover of the country both for ecological and environmental reasons as also to meet the requirements of the people. The problem of deforestation in the North-Eastern region has to be tackled especially.

11. Whereas forests contribute so greatly to the welfare of the country, the investment in the forestry sector has continued to be neglected. Thus from the I to the VI Five Year Plan, the investment in the forestry sector constituted between 0.39% and 0.71% of the total Plan outlay. In the VII Five Year Plan, the allocation increased to 1.03% of the total Plan outlay. Again, the investment in the forestry sector during the VIII Five Year Plan has fallen to 0.94% of the total Plan outlay.

12. The inadequacy of the funding of the forestry sector has to be seen in the context of the fact that this low level of investment was made available to protect and develop 19.47% of the total geographical area of the country. Given the level of the withdrawal mentioned above, which mostly meet the subsistence needs of the poorer sections of the country's population, it is not difficult to see that the country's forest cover has reduced over time and it is only in the last few years that there appears to be slight increase in the forest cover. There is clearly a need to enhance investment in the

forestry sector in the years to come. At present, the total investment in afforestation and tree planting activities is around Rs. 800 crores per year. However, it is felt that an investment of at least Rs. 3,000 crores per year is required to deal adequately with problems of protecting and developing the country's forest areas.

13. While the Plan allocation in the Forestry Sector in the past has been inadequate, the non-Plan investment in the sector has been equally low. The non-Plan component mainly caters to the expenditure on establishment for protection and maintenance of forest resources, including natural forests and artificially regenerated plantations, and other assets created under developmental schemes. The present level of non-Plan allocation in the sector is about Rs. 700 crores per year. Looking to the vastness of the country's forest resource and considering the various pressures which this valuable resource is subjected to, this amount is clearly inadequate. By a very conservative estimate, the value of India's growing stock of 4,196 million cu.m. is assessed at Rs. 4,00,000 crores. Assuming a very nominal annual maintenance expenditure of 0.5% on the value of the capital asset, the minimum investment required for only the maintenance of the country's forest resources works out to Rs.2,000 crores per year.

14. In the light of the above, it has become imperative to enhance investment in forestry sector for ensuring sustainable supply of goods and services specially for rural India. The National Environmental Council may deliberate on this issue and advice on ways and means for securing appropriate investments in this sector.

AGENDA ITEM NO. 2

ISSUES RELATING TO WILDLIFE PROTECTION AND MANAGEMENT OF HERITAGE SITE.

India has got about 500 national parks and sanctuaries over all the bio-geographic zones of the country. The protected area of the country covers about 4.3% of the country's land area, of which, national parks cover only 1%. The value of the protected area in the conservation of biodiversity, carbon sequestration and preservation of wide variety of genepool reserve is of great significance to human eco-system. The world conservation strategy says that the national parks should be completely protected and managed mainly for study of science and conservation. The sanctuaries fall under habitat species management area where conservation is done through managerial intervention.

OPENING PROTECTED AREAS TO PUBLIC

2. There is no scientific model known by which biodiversity can be replicated in totality. But very often there are demands from the public and the politicians to open up protected areas for human use. Whereas, certain types of activities can continue in the sanctuary even within the purview of present Wildlife (Protection) Act, but commercial use of any species from the sanctuary will defeat the very purpose of creation of the sanctuary itself. Arguments are very often given that if people are debarred from use of the living resources from the protected areas then the people will not feel any urge to conserve the protected area. This is unfortunately a wrong notion because if that would have been true, then forest areas outside the sanctuaries and national parks would not have suffered degradation and sanctuaries and national parks would not have remained the main repositories of biodiversity.

3. The benefits that come out of the protected areas in terms of soil and moisture conservation, climatic amelioration and preservation of genepool, which ultimately form the base of many scientific developments, have to be properly pursued by all sectors of the society, and if this message can be spread from the highest level of the government, certainly a lot of problems associated with the people demanding access to protected area for use of living resources could possibly be tackled. There is a threat to the protected areas now from the growing consumerism. National Environmental Council may deliberate on the issue and suggest measures which ensure protection and preservation of the protected areas.

PROBLEM OF INSURGENCY IN HERITAGE SITE - MANAS

4. India is one of the signatories of World Heritage Convention (1972) which aims to protect the world's cultural and natural heritage. Among five Indian heritage sites, Manas Tiger Reserve was declared as one of the World Heritage sites in 1985.

5. Manas Tiger Reserve is situated in the Western Assam along the foothills of Eastern Himalayas covering an area of about 350 Sq. Kms. It has suffered a major setback since 1989 in the wake of ongoing BODO agitation. The extremist raided the Head Quarter of Panbari Range in the core area in February, 1989, and burned 20 number buildings, looted one rifle and two guns and burned government vehicles. This was followed by a series of such incidents and three forest officials were also killed. Among wild animals, two tigers, six rhinos, two elephants, besides, a large number of deers were also killed by them. Due to lack of security, the forest staff evacuated the interior camps and shifted to the Head Quarter of Ranges and other major camps. These evacuated beats/camps, 30 in number, were also burnt by extremists in the same year.

6. In order to ensure the protection of staff and wildlife, the Government of Assam, in co-ordination with the Government of India, deployed Assam Protection Force in 1989. The camps and ranges were reorganised and the Government of India provided two Companies of Eastern Frontier rifles in June 1990. Unfortunately, the personnel of this force could not withstand the climatic and environmental conditions of the area. After the death of two of their jawans, the force was withdrawn and replaced by platoons of Assam Police Battalion. During the intervening period in August, 1990, the Boyan Para Range was attacked by extremists killing one forest official. They also damaged 20 number buildings, looted arms and ammunition, wireless sets and injured Departmental Elephants. As a consequence some of the camps and beats were again evacuated. In the middle of continued restoration and reconstruction works in 1992, the Assam Police Battalion were withdrawn from Uchilla beat. Similarly, in March, 1993, Banswari Range Office was also attacked, severely injuring the Range Officer. The extremists looted arms and ammunition, cash, and seized stocks of rhino horns, ivory and damaged bridges and culverts which were reconstructed. A lot of damage was done to the flora and fauna of the area within two and a half months. Just after the attack on Banswari Range in March, 1993, 19 rhinos were killed by extremists. So far, a total of six officials have been killed in the core area during the last four years.

7. At present, the Assam Government has deployed seven platoons of Armed Forces including four platoons of Assam Police Battalion and three platoons of Assam Protection Force at seven different forest camps in Manas. No staff of Manas is located in the interior forest at present and patrolling in the forest is continuing from these fringe camps and ranges only which is not a healthy sign and one can't eliminate the activities of wood smugglers and poachers in the interior areas where the prime biodiversity and wildlife exist. There have been reports of continuing illegal felling, encroachment and poaching in the Manas Tiger Reserve.

8. Manas being a World Heritage site has generated a lot of concern in the World community which has asked the Government of India to take immediate measures to protect and properly manage this World Heritage site, which apart from being a National Park and Biosphere Reserve, is also a Tiger Reserve. It is informed that UNESCO is considering this area to be declared as "World Heritage Site in Danger".

9. The Government of Assam have requested the Government of India to arrange for deployment of four companies of Para Military Forces / CRPF, exclusively for the protection of Manas Tiger Reserve. The Ministry is taking up the issue with the appropriate authority for providing desired security in the area as an immediate measure. However, National Environmental Council may deliberate on the issue to find ways of providing long term solution.

PROBLEM OF POACHING OF WILD ANIMALS

10. In spite of the legal protection available to the wild animals, there have been instances of illegal hunting. The purpose of poaching may range from hunting for meat and trophy to selling parts of the animal in commercial international markets in order to get immediate gains through illegal means. Tackling of poaching of animals is very similar to dealing with narcotic drug smuggling or even to the tackling of terrorism. The high value attached to the wildlife items like furs, tiger bones, rhino horns, ivory etc., could be the main reason for poaching incidents. The poachers and smugglers keep on continuously changing their techniques and are armed with sophisticated and lethal weapons including modern gadgets. Novel methods like electrocution have also been used by poachers in case of rhinos. One kilogram of rhino horn can fetch as much as US \$ 50,000, a tiger penis US \$ 1700 and powdered tiger bone US \$ 500 per gram in far eastern countries. The prices of virtually all the contraband articles are continuously soaring which make the illegal activities more and more lucrative as particular article becomes more rare. The network of smugglers and poachers continues to operate in spite of the efforts of the Government to curb their activities. Many of these gangs even do not hesitate to liquidate the forest officials who come in the way of their nefarious activities.

11. Recent case of seizure in Delhi in August, 1993, in which tiger, leopard and black buck skins were seized along with tiger bones could only be a tip of the iceberg indicating the trade that may be going on, causing serious threat to several of the country's rare species.

12. According to one of the study conducted by Traffic India, illegal fur trade between India and Kathmandu is still continuing through Kashmir. A consignment of shahtoosh imported illegally from Nepal was reportedly cleared by the customs at Delhi. Shahtoosh is the world's finest wool that is obtained from the Tibetan Antelope, which is a scheduled I animal and is protected under the Wildlife (Protection) Act. The lack of coordination between the Customs and Wildlife officials could be the reason for this. As such, there is a need to have better coordination between the two wings so that the wildlife of the country is protected for the posterity.

13. Looking at the trade that is going on in the country, there is a need to strengthen the Wildlife Wing both at the Central as well as State level on modern lines. There is a need to provide sophisticated equipment, arms and ammunition, better communication and better facilities to the staff. As the job has become very tedious and risky, it can be compared to the job of any of the Para-military Forces.

14. These are some of the issues, which the Ministry is seized of and is also taking up with the appropriate authorities. National Environmental Council may consider issues inherent in this problem to suggest effective ways of conserving biodiversity and ecological balance of the country leading to greater environmental protection.

AGENDA ITEM NO. 3

INTERNATIONAL ISSUES CONCERNING ENVIRONMENT, FORESTRY AND DEVELOPMENT

India's stand on global environmental issues has been clearly articulated at several levels, both before and since the significant development represented by the UN Conference on Environment and Development (UNCED) of June, 1992. The Rio Declaration on Environment and Development, which received universal agreement, states this position well. All human beings are entitled to a healthy and productive life in harmony with nature and the eradication of poverty is an indispensable requirement for sustainable development. All States have the sovereign right to exploit their own resources, but the right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations. Further, environmental protection must be seen as an integral part of the development process. While all States have responsibility to conserve, protect and restore the earth's ecosystems, the concept of "common but differentiated responsibilities" must be recognized. The developed countries have a special responsibility deriving from their responsibility for the environmental degradation and greater access to financial resources.

2. The main results of the UNCED were:-
 - i) The Rio Declaration on Environment and Development
 - ii) Agenda 21
 - iii) The non-legally binding principles on the use and sustainable management of forests.
3. In addition, the United Nations Framework on Conventions on Climate Change and Biological Diversity were both opened for signature. India has since ratified both the Conventions, both of which have come into force.
4. The crucial issue in the area of international cooperation in the environmental sector relates to the issue of responsibility. India's position is that while we understand the nature of global environmental crisis and are accordingly willing to participate in international Conventions etc. our primary objective is poverty alleviation and the welfare of our people. Given resource constraints, our emphasis will have to be on provision of drinking water, sanitation shelter, health care, etc.
5. Many of the global crises such as the global warming, flow from unsustainable development and lifestyles in affluent countries. It has consistently been the position of developing countries that they should not be asked to bear the burden of addressing these issues. While developing countries must continue to search for new sources of

internal funding, significant contributions from international sources are necessary if programmes to achieve sustainable development are to be implemented.

6. Strengthening the scientific efforts to understand environmental phenomena increase biomass productivity and fixing up measures for technology of an environmentally compatible nature are activities the Ministry is engaged in collaboration with other scientific Ministries and institutions. But these efforts need to be supplemented by greater understanding in the international sphere.

7. Issues related to the flow of funds, and the transfer of appropriate technologies form the crucial part of the discussions at Rio and subsequently. A beginning has been made with the establishment of the Global Environment Facility which will fund programmes related to the objectives of the Conventions of Climate Change and Biodiversity. The infrastructure for cleaning up air and water (including rivers and lakes) is also being strengthened with both domestic investment and external aid.

8. India is committed to increased international cooperation in forestry. Since the early eighties several initiatives have been taken including the formulation and implementation of the Tropical Forestry Action Programme (TFPA). Forestry research is also being strengthened at Indian Council of Forestry Research & Education (ICFRE). There is a concentrated approach to combat deforestation and promote planned forestry development. National Forestry Action Programmes on the lines of the TFAP is being drawn up by India. India's programme is in accordance with the Forestry Principles adopted at Rio and seeks to fully involve forest dwellers and all those dependent on forest products.

AGENDA ITEM NO. 4

ENVIRONMENTAL APPRAISAL OF PROJECTS

CONSTITUTIONAL PROVISIONS

The Indian Constitution enjoins the States to take measures to protect and improve the environment and to safeguard the forest and wildlife of the country. It also stipulates that it is the fundamental duty of every citizen to protect and improve the natural environment including forests, lakes, rivers and wildlife.

2. To conserve & protect the natural resources and their optimal use for sustainable development is, therefore, a prerequisite for long term welfare of the society. To achieve the objective of sustainable development, Environmental Impact Assessment (EIA) is the basic tool adopted in assessing the environmental impacts and preparing the required Environmental Management Plans (EMP) for Development projects. Since, the development projects are interrelated and interdependent using the same resource base, it is essential that adverse impact of these projects is studied in detail to ascertain whether the stated objectives of the development activities can be achieved or not.

OBJECTIVES AND CONTENT

3. The basic objective of EIA is to Identify, Predict and Evaluate the likely impacts of a given activity and then prepare necessary Action Plans to prevent, eliminate or mitigate the adverse impacts as a part of the overall EMP. The following components are considered in the preparation of an EIA:

- Air Pollution
- Surface and ground water pollution
- Thermal Pollution
- Noise Pollution & vibrations
- Land degradation & subsidence
- Flora & Fauna and genetic resources
- Biological richness, diversity & productivity
- Human Displacement & Cultural loss including Social stress and disruption
- Deforestation and Compensatory Afforestation
- Health impacts and
- Risk analysis & Disaster Management

4. Some regulatory measures, among other initiatives, have been taken for prevention and control of pollution as also for conservation of the forests, wildlife, biological diversity and natural eco-systems. These include:

- i) Wild Life (Protection) Act, 1972.
- ii) Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988.
- iii) Forest (Conservation) Act, 1980 as amended in 1988.
- iv) Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987.
- v) Environment (Protection) Act, 1986.

5. To ensure that environmental considerations are integrated into the development projects right at the planning stage, procedures have been instituted for environmental, including forestry, clearance of projects before approval for investment decisions/licensing is accorded.

6. Therefore, under the various administrative orders of the Government of India, the following types of projects are presently assessed by the Ministry of Environment & Forests :

- i) Major irrigation projects, hydel power projects and multi-purpose river valley projects.
- ii) Thermal power projects.
- iii) Nuclear power and interrelated projects.
- iv) Mining projects of Public Sector Undertakings.
- v) Industrial projects(a) requiring the clearance of the Finance Committee or the Public Investment Board or (b) requiring international funding, or (c) those projects referred specially to the Ministry of Environment & Forests by the State Governments or the respective administrative Ministries or (d) those taken up for scrutiny by the Ministry of Environment and Forests due to public complaints.
- vi) All projects being put up before Cabinet Committee on Economic Affairs (CCEA) or Public Investment Board (PIB), such as ports and harbours, communication projects, etc.
- vii) Projects in certain areas such as the Doon Valley and the Islands are taken up for scrutiny because of ecologically fragile nature of the areas. Projects falling in Aravalli, Agra, Mathura and Dahanu area are examined more critically being located in sensitive areas.

- viii) Tourism projects including beach resorts.
- ix) Other projects such as construction in violation of the existing rules brought to the notice of the Ministry of Environment & Forests.
- x) All the projects involving forest land requiring central clearance for diversion of forest land.

EIA NOTIFICATION

7. Through a Gazette Notification dated 27 January, 1994, the Ministry of Environment and Forests has laid down the procedure for mandatory EIA for 29 different development activities both in the private & public sector. Besides this, the notification has the following salient features:

- i) Proforma for submitting the requisite data & action plans.
- ii) Composition of an Expert Committee to appraise developmental projects.
- iii) Provision for Public Hearing.
- iv) Transparency in decision making.
- v) Time limit for deciding the cases.
- vi) Penalties for submission of false and misleading information
- vii) Separate provision for location specific projects for site clearance.
- viii) Small scale sector projects having an investment of less than Rs. 1 crore are not covered.

8. The project proponents apply for environmental clearance, after taking approval of the concerned State Pollution Control Board (and State Forest Department if diversion of forest land is involved), by submitting the case to the Government of India in the Ministry of Environment and Forests accompanied by EIA/EMP, feasibility report and duly filled in questionnaire. These documents are examined by an Expert Committee which bases its recommendations on this data and presentation made by the proponents.

GUIDELINES

9. The Ministry of Environment and Forests has developed following guidelines so that the proponents are able to prepare EIA report & management plans:

- Guidelines for EIA of River Valley projects.

- Environmental Management of Mining Operations.
- Siting Guidelines for Industries.
- Environmental Guidelines for Thermal Power Plants.
- Environmental Guidelines for Ports and Harbour Projects.
- Environmental Guidelines for Rail/Road/Highway Projects.
- Environmental Guidelines for Airport projects.
- Environmental Guidelines for Communication projects.
- Guidelines for EIA of New Towns.

10. Though the EIA was introduced in India in 1977, the following lacunae have been noticed in the working of the system:

- Lack of sufficient base line data and information in the project impact area.
- Lack of information on the various aspects of projects such as technology, safeguards to be adopted, remedial measures, suggested alternatives etc.
- EIA continues to be an add-on factor and clearance treated as a mere formality to be obtained by extraneous influence.
- The poor quality of the reports due to lack of expertise both with the consultants as well as with the project authorities.

11. In order to overcome these gaps the Government has initiated a number of measures which include generation of base line data, identification of the technologies which would help in sustainable development and conservation of resources and training of man-power in the preparation of EIA Report/Statements.

12. The status of various development projects received, cleared, pending with the Ministry is given in Annexure-I.

ISSUES FOR CONSIDERATION

Delays in clearing projects:

13. Even though guidelines have been widely circulated by the Ministry and a time limit of 90 days set for decision making, it is observed that the requisite data, and action plans are not generally forthcoming with complete details. Absence of action plans, or lacunae therein, can be generally attributed to the following:

- Paucity of professional talent (dedicated to the Environmental Planning), to prepare the required EMP in the Concerned Ministry at the Centre and the State as well as at the project level;

- A general feeling that environmental clearance is just a formality which will be completed soon after the project is accorded techno-economic approval.
- A general conviction on the part of the proponents that initiation of "Preliminary Works" is the best leverage, to obtain approvals, including environmental approval, with or without the required Action Plans/Environmental Management plans.
- A general apprehension that inclusion of the cost of environmental safeguards will upset the already precarious benefit : cost ratio thereby jeopardizing the viability of the project. Such an apprehension inhibits the proponents from collecting the necessary environmental data to prepare the environmental plans.
- The extreme reluctance of the proponents to furnish requisite details alone sometimes prolongs decisions and this tendency has to be overcome.

Internalization of EIA in the development programmes :

14. Project authorities tend to consider environment as another sector like transport, communication, power etc. despite repeated pleas of this Ministry to take into account the environmental concerns right at the project preparation stage. To facilitate this task, the Ministry organised a series of workshops including training workshops in collaboration with the Netherlands Government for preparation of EIA Reports. Policy level seminars have also been organised to sensitise decision makers on the need for internalising environmental clearance in the development process.

Monitoring:

15. Implementation of safeguards & conditions imposed while granting clearance rests with State Authorities. There is a need to moderate laying emphasis on completion of engineering works rather than implementation of environmental safeguards. Moreover, it is to be ensured that adequate provisions are made available for environmental conditionalities by industry and projects.

MINISTRY OF ENVIRONMENT AND FORESTS

STATUS OF DEVELOPMENT PROJECTS

AS ON 31.03.1994.

S.NO.	SECTOR	PROJECTS RECEIVED	PROJECTS APPROVED	PROJECTS REJECTED ON MERIT OR FOR NON-FURNISHING OF REQUIRED INFORMATION	PENDING PROJECTS
1.	MINING	364	168	159	37
2.	INDUSTRIES	274	198	54	22
3.	ATOMIC POWER	14	13	1	-
4.	THERMAL POWER	329	229	81	19
5.	RIVER VALLEY	659	325	324	10
6.	OTHER SECTOR	375	245	110	20
TOTAL		2015	1178	729	108

National Environmental Council
Note by Bittu Sahgal, Editor Sanctuary Magazine
April 25, 1994

1. Is the New Economic Policy of the Government of India by-passing environmental concerns? From many accounts a not-so-subtle signal seems to have been sent to all states from the PMO and the Finance Ministry that they will look the other way if the environment suffers in the quest for economic gains.

This is best illustrated by the manner in which state after state has begun to denotify sanctuaries in the name of development (Narayan Sarovar in Gujarat for limestone... Melghat in Maharashtra for tourism, teak felling and dam building... Bhitarkanika for marine food exports... Pirotan in Kutchh for a petroleum refinery).

Another instance is the damage to the coastline of India through the combined assault of new tourism projects, thermal plants and intensive and semi-intensive aquaculture ponds.

Apart from the direct effect of these actions on the environment of the fragile habitats (ingress of salinity, shore erosion, mangrove destruction), government seems unaware that millions of self-sufficient forest and fishing communities are being displaced to make way for commercial projects.

2. Is India's Gandhian legacy being frittered away thanks to our new-found infatuation with western ideas of development? Rather than be a world leader on the environmental front, we seem to have chosen to play second and third fiddle to industrial nations which jealously protect their own land and people from environmental abuse, but are enthusiastic about financing commercial projects in India which damage our water, soil and air.

Clearly prodigality is the greatest pollutant. But by chanting the mantra that 'poverty is the greatest pollutant' we seem to be paving the way for 'business as usual' rather than working towards the oft-uttered but seldom respected idea of sustainable development. This is why we are promoting consumerism among the rich as a matter of national policy. This is also why toxic industries are being sited in pristine areas of Gujarat and Maharashtra. Millions of kgs. of toxic wastes are being imported into India today under the guise of 'recycling' plastics, lead acid batteries and other such goods which industrialised countries do not wish to handle. For some reason the Cabinet seems oblivious to the fact that almost every so-called development project it launches has the effect of centralising still more power and money in the hands of the elite, while pauperising and distancing the rural poor and tribals from their life-support systems. The Narmada and Tehri dams and other such environmental and human rights controversies are typical of such problems. Most of these development refugees will eventually head towards one urban slum or other. Is this development?

3. Rather than winning the respect of the industrial world for our new economic policy, are we earning their derision by showing our willingness to poison our own rivers, cut down our own forests and destroy our own soils in our quest to 'catch up' with them?

The people of the industrial world have come to the conclusion that environmental issues cannot be swept under the carpet. But they seek technological solutions to what is essentially a philosophical and deeply spiritual problem: "Can the human race develop by opting for consumerism, acquisition and growth as a route to happiness?" Gandhiji had most of the answers to this crucial question and as the inheritors of his legacy we should have been setting an example to the world of making equity, respect for nature and reverence for life the cornerstone of our national purpose. Instead we seem to have capitulated to hedonistic ambitions which take the domination of nature in the shape and form of binding rivers, cutting down forests and poisoning soils as the inevitable result of 'development'. These ambitions are enthusiastically supported by the World Bank and the IMF which recognises that the only way they can recover past loans made to India is through the encashment of our natural resources... a process which is now on... at the cost of our traditional values and culture.

SAVE WILDLIFE PROTECTED AREAS FROM COMMERCIAL THREATS
(Note given to 1st meeting of National Environmental Council)

India's network of wildlife protected areas --- national parks and sanctuaries --- has been built up over the last few decades to help protect the remaining representative samples of natural habitat and their vast range of biological diversity. These areas also protect many of India's most endangered species of plants and animals. They are the repository of immense genetic wealth, mostly untapped at present, from where significant discoveries which could revolutionise our agriculture and medicine are likely to be made. Equally important, the ecologically wise cultures and practices of tribals and other traditional communities continue to be intimately associated with many of these areas, upon whose resources these communities are dependent.

However, the last few years have seen an increasing attack on these areas by commercial forces who ignore their social and ecological benefits, and are bent on making quick profits from their resources. Among others, such forces include big industrialists, mine owners, trawler operators, and timber merchants. At the behest of these forces, several state governments have started to misuse the powers given to them under the Wildlife Protection Act, to summarily denotify sanctuaries and national parks.

Starting in 1992 with the denotification of the Darlaghat Sanctuary by the Himachal Pradesh government, to allow the setting up of a cement factory, the trend has caught on in many other states. In some cases, as for instance the denotification of the Narayan Sarovar Sanctuary in Gujarat to make way for a cement factory, even the procedures of the Wildlife Protection Act were not followed, as no legislative approval for the step was taken. In some cases, as for instance the partial denotification of Melghat Tiger Reserve in Maharashtra, the interest of the local communities has been used as an excuse to effect denotification, whereas the real intention is to facilitate the entry of commercial forces. In most cases, however, the intentions are blatantly and openly commercial: trawler operations in Bhattarkanika Sanctuary (Orissa), hotel complex in Balukhand Sanctuary (Orissa), mining and other operations in Radhanagari Sanctuary (Maharashtra), timber operations in Mehao Sanctuary (Arunachal Pradesh), private oil refinery near Marine National Park (Gujarat), etc.

What is especially shocking is that most of these denotifications have been done or proposed without any environmental impact assessment at all. In the few cases where studies have been done, their impartiality is open to question, as for instance the reports commissioned by Reliance Industries about its proposed oil refinery, and the study commissioned by INDOL in the case of Radhanagiri Sanctuary.

Protected areas constitute only 4% of our total land area. Can even this small percentage of area not be spared by the rampantly unsustainable and inequitable commercial development that is engulfing all of India's environmental and cultural diversity?

If harmonising environment and development is topmost on the agenda of the NEC, it must immediately address itself to this urgent issue. Failing to do this would send the signal that the NEC is yet another governmental attempt to whitewash the environmental crisis facing India.

NATIONAL ENVIRONMENTAL COUNCIL WILL IT FACE REAL ISSUES

The first meeting of the recently set up National Environmental Council (NEC) to be presided over by the Prime Minister, is to be held tomorrow. The question is - will the NEC tackle the real issues of environmental destruction or will it remain a typical governmental attempt to whitewash these issues?

India's Environmental crisis is a result of a grossly unequal and centralised decision making process, an unsustainable development process and the ignoring of the essential links between natural resources and local livelihoods.

Our politicians and planners are so obsessed by outmoded concepts such as GDP and Per-capita income or by Western consumerism and Industrial Growth serving the elite few, that the basic survival issues of land, water and food facing the vast majority are lost sight of. That is why mega-projects which displace lakhs of people, destroy vast forests and wet land areas and provide short term benefits to small elite are today justified in the name of "development". And because the Government's sight appears to be restricted to this small elite, it continues to ignore genuine grass root movements which are raising the real environmental issues. The Prime Minister is yet to acknowledge the presence of hundreds of Tribals and other farmers of the Narmada Valley, who have come all the way to Delhi to meet him, and have been camping in the open for the last five days.

These people have come to highlight the fact that in the coming monsoon, due to the illegal closure of the sluice gates and the continued construction of the Sardar Sarovar Dam, over 1500 tribal families face flooding and forceful eviction. For several years these same people and their hundreds of support groups have shown the SSP to be economically, environmentally and socially non-viable, violative of human rights and democratic standards and blatantly illegal and unconstitutional. In raising these issues the people of Narmada Valley are addressing the real environmental crisis facing local communities everywhere in India.

Unfortunately, since even the official monitoring agencies such as Ministry of Environment and Forests have failed or not been allowed to do their tasks, eg., in the case of the abortive Fact Finding Team recently appointed by Shri Kamal Nath, the people in the valley have no alternative but to face the rising waters this monsoon.

The real environmental challenge facing India is of forging an Alternative Developmental path which respects rather than violates nature, uses natural resources with prudence rather than profligacy, emerges from local communities rather than from centralised bureaucracies, and conserves rather than destroys India's cultural and biological diversity. We find it difficult to believe that a Prime Minister who is reluctant to meet the country's most poor citizens and who is forcing destructive economic policies down our throats can possibly lead the way towards such an alternative path. Shri Narasimha Rao raised the slogan of "sustainable development" at the Earth Summit in Rio in 1992, but has so far not only failed to even begin to implement any form of sustainable and equitable development, but has taken our country even further from this path.

This is why we fear that the National Environmental Council may remain an exercise in semantics and hypocrisy. If at all the Council's members truly mean to tackle the real issues, let them take the first step by acknowledging that the demands of the movements such as Narmada Bachao Andolan are genuine and need to be squarely addressed. The only way to do this is to review the controversial "Developmental Projects" and Plans and alternatively Plan every Project harnessing natural resources with people's participation, complete and comprehensive studies on social and environmental impact, and ensuring sustainability as well as justice. Will the Council adopt this approach beginning with "Narmada"?

Signed by

Narmada Bachao Andolan

Kalpavriksh

Delhi Forum

Nav Janvadi Shikshak Manch

KSSP

PIRG

Ankur

Lokayan

Delhi General Mazdoor Front

The Other Media

Human Rights Campaign On Narmada

Udhvasit Kisan Mazdoor Parishad, Singrauli

Lokhit Samiti, Singrauli

Adivasi Yuva Samiti

Bhopal Gas Peedit Mahila Udyog Sangathan, Bhopal

Chandreshwar Kissan Samiti, Udaipur

Busalpur Bandh Virodhi Samiti, Alwar

Bargi Bandh Visthapit and Prbhavit Sangh, Bargi

National Fish Worker's Forum

Date: 24/4/1994.

PROGRAMME FOR THE 1ST MEETING OF THE
NATIONAL ENVIRONMENTAL COUNCIL

DATE : 25TH APRIL, 1994

TIME : 10.00 AM TO 5.30 PM

VENUE : PARLIAMENT HOUSE ANNEXE, NEW DELHI

1. 10.00 AM : Arrival of Prime Minister
2. 10.05 AM to 10.20 AM : Welcome speech by MEF and Vice Chairman.
3. 10.20 AM to 10.40 AM : Opening Remarks by the Prime Minister and Chairman of the Council.
4. 10.40 AM to 11.30 AM : Statements by the members of the National Environmental Council
5. 11.30 AM to 12.00 NOON : Response by Prime Minister/MEF to initial Statements.
6. 12.00 NOON to 12.15 PM : Tea
7. 12.15 PM to 1.30 PM : Statements by the members of the the NEC (continued)
8. 1.30 PM to 2.15 PM : Lunch
9. 2.15 PM to 3.30 PM : Consideration of Agenda items
10. 3.30 PM to 3.45 PM : Tea
11. 3.45 PM to 5.15 PM : Consideration of Agenda items
12. 5.15 PM to 5.30 PM : Concluding remarks by Vice Chairman

No. 24011/2/94-GC
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan, CGO Complex,
Lodi Road, New Delhi-110003

August 23, 1994.

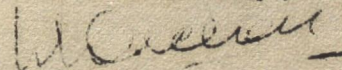
To 59. Shri Deb Roy,
Central Board of Wildlife,
B-4/V-24, "
Lodi Road Complex,
New Delhi.

Subject:- Minutes of the 1st meeting of the National
Environmental Council held on 25.4.1994 at
10.00 A.M.

Sir,

I am directed to enclose a copy of the minutes of
the 1st meeting of the National Environmental Council held
under the Chairmanship of the Prime Minister at 10.00 A.M.
on 25.4.1994 in Committee Room (Main) Parliament House Annexe,
New Delhi for information and further necessary action.

Yours faithfully,



(K.S. ACHAR)

Under Secretary to the Govt. of India.

Summary of the proceedings of the first meeting of the National Environmental Council held at 10.00 A.M. on 25.4.1994 in Committee Room (Main), Parliament House Annexe, New Delhi.

The meeting was chaired by Shri P.V. Narasimha Rao, Prime Minister. A list of the participants is attached.

2. Shri Kamal Nath, Minister of State for Environment and Forests and Vice-Chairman of the National Environmental Council welcomed the Prime Minister and Chairman of the Council, the Chief Ministers of Orissa and Punjab and other Honourable members of the Council and requested the Chairman to give his inaugural address.
3. In his inaugural address, the Chairman emphasised the need for striking a balance between the requirement of economic growth and development and the protection and preservation of the environment of the country. Whereas the country needed speedy economic growth and industrialisation to alleviate poverty and promote the welfare of the people, it was necessary to ensure that the processes of economic growth and development did not have an adverse effect on the environment. The Chairman stressed the need to harmonise the relationship between man and nature which was a basic element in the point that self-discipline was necessary to bring about the requisite balance between human activity and environmental conservation.
4. The Chairman mentioned that modern technology had an important role to play. At the same time, it was necessary to take lessons in this behalf from the ancient Indian traditions of living in harmony with nature. The Chairman called upon scientists in the country to develop low cost technologies which were appropriate to Indian conditions. In this context, the Chairman pointed out that the increase in population over the last several decades as also the processes of industrialisation place a great strain on the country's natural resources. The challenge before the scientists of the country was to provide innovative technologies which would contribute to the country's sustainable development.
5. The Chairman further observed that while the industrialised countries were seeking to improve their standard of living together with moderating the adverse impacts of rapid industrialisation and growth, they were also trying to place limits on growth in the developing countries. If this was to happen, the gap between the rich and poor countries would be widened further still. The need for economic growth and industrialisation in the developing countries was an essential requirement to meet the challenge of alleviating poverty. At a global level, sustainable development involves not only growth and improvement in the standard of living in the developed countries but also economic growth and industrialisation of the developing countries.
6. Appreciating the efforts made in the country to involve the people in the afforestation efforts through joint forest management and also efforts made to expand the afforestation activities, the Chairman noted that there have been slight

increase in the green cover of the country recently. However, there were still large areas of degraded forests and other wastelands in the country. The chairman, therefore, stressed the need to continue the efforts to increase the green cover in the shortest possible time as this was an essential requirement in preserving and promoting the environment and ecology of the country.

7. Concluding his address, the Chairman stated that the country was faced with important environmental issues. In this context, he welcomed the meeting of the National Environmental Council and expressed the hope that deliberations would result in fresh thinking and recommendation which would assist the Government in promoting sustainable development of the country and the better preservation and protection of the environment.

8. Earlier in his welcome address, the Vice-Chairman observed that the environment is an all embracing subject permeating the entire body politic, social fabric and geographical spread of the nation. The concern for the environment and the need to protect the environment from being degraded is a concern of the general public. On the other hand, global warming, depletion of the ozone layer, urban congestion, industrial pollution, vehicular pollution associated with the process of industrial development posed serious threat to the environment. At the same time, poverty and increasing population of human beings and animals contribute to the pressure on the environment of the country.

9. The Vice-Chairman also stated that sustainable life-style was an intrinsic part of the Indian tradition. Yet, the economic development process throws up the challenge of reconciling the demands of development with those of sustainable development. India had played a leading role in the deliberations of the UNCED and the drawing up of Agenda 21 and the signing of other Conventions. The initiative taken by the Government to liberalise the economy from constricting administrative and fiscal controls were intended to promote development and industrialisation of the country. In this context, he stressed that it was important that in the process of industrialisation of the country the adverse impacts of the industrialisation process experienced by the developed countries was avoided. An essential element in promoting sustainable development of the country was to ensure that India went in for 'clean' technologies instead of having to resort to cleaning up technologies.

10. The Vice-Chairman gave an account of the effort that the Ministry of Environment and Forests is making to control pollution. Apart from statutory measures and processes of environmental impact assessment, environmental audit, steps were also being taken to involve the industry and to make them responsible for dealing with industrial wastes and pollution and to adopt technologies that were not polluting. He also stressed the need to involve non-government organisations in afforestation and conservation activities as also

the need to involve the local village communities in the process. The country had made progress in promoting joint management of forests and there had been an increase in the afforestation efforts in the last so many years. He mentioned that the satellite imagery was now showing that there have been a slight increase in the forest cover recently. He hoped that the green cover in the country would increase in the years to come and announced that an innovative scheme to involve industry in plantation work was under formulation. The Vice-Chairman also mentioned that the Ministry would set up a National Parks Authority to strengthen the national parks and wildlife sanctuaries in the country.

11. The Vice-Chairman also mentioned that the Public Liability Insurance Act was brought into being to provide relief in respect of injury or death or damage from hazardous substances. He also mentioned that efforts were being made to develop a National Resource Accounting System. There was also a suggestion that, on the lines of the Economic Survey, an Environmental Survey of the country should be presented to the Parliament which would give an indication of the health of the environment.

12. The Vice-Chairman concluded by saying that, whereas the Ministry Environment and Forests is making all efforts to protect and preserve the environment and thereby promote sustainable development, there has to be a continuous dialogue needs to involve the State Government, scientific and other institutins, the industry and the NGOs. The National Environmental Council has been conceived as an apex body in this context and is intended to provide a consultative mechanism to review the status of the efforts being made to address the environmental issues and to provide direction for future action.

13. Dr. M.S. Swaminathan expressed the view that with the coming into force of the Panchayat Raj system, there is a need to involve the Panchayat's and local people in the efforts to promote sustainable development. He felt that women are sensitive to environmental issue and their sizeable presence in the Panchayat Raj bodies would help the cause of sustainable development. He advocated that each village should have its own plan for conserving nature.

14. Speaking about National Forestry Action Plan, Dr. Swaminathan suggested that there should be district level programmes for sustainable development with mutually reinforceable package for meeting (a) conservation requirements, (b) community requirements and (c) commercial requirements. For this purpose district level plans for sustainable development would need to be prepared and implemented.

15. Dr. Swaminathan underlined the need to expand the concept of joint forest protection by involving particularly young people.

In this regard, he suggested the establishment of Environmental Peace Corps consisting of energetic local people throughout the country. He felt that there was need to strengthen the capacity to undertake environmental impact assessment which would take into account parameters such as ecology, equity, employment and economics.

16. Shri Biju Patnaik, Chief Minister, Orissa stated that the forest cover in Orissa had dwindled from 35% to 13.5% of the total geographical area of the state. He felt that this was inevitable because of increased population and its pressure on forests for meeting the requirement of fodder and fuel wood. Rapid population growth in India has been the major reason for shrinking forest cover. This problem needed to be addressed on a priority basis. Further, he emphasised the need to accelerate the afforestation efforts, and supported Dr. Swaminathan's suggestion for involving women in afforestation programme.

17. Shri Patnaik emphasised that while, afforestation efforts must go on, there was also need to remove bottlenecks in the developmental efforts. He suggested that the State Governments should be given powers to clear projects which entail diversion or utilisation of the forestlands. Compensatory/affor-
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on revenue lands which are meant for agriculture purposes. He felt that rules relating to construction in coastal areas and mining areas were preventing development in these areas. Likewise, he felt that present policies worked against the development of tourism.

18. Shri Patnaik suggested that there should be a comprehensive review of the policies of the Ministries of Environment Rural Development, Welfare etc, and said that the State Governments should be left to manage their environment and development. He felt an early meeting of the NDC should be held to consider all these aspects of environment.

19. Shri S.K. Bhargava, President, Confederation of Indian Industry(CII) mentioned that having established an Environment Management Division soon after Rio Summit, CII has committed itself to promote cleaner, greener and healthier environment for the people. The CII are also trying to motivate the Indian industry not only to comply with the environmental regulations but to demonstrate that excellence in environment performance makes sound business sense. Towards this end, the CII in collaboration with the Ministry of Environment and Forests had organised during the last year over 100 training programmes, seminars and workshops for over 4500 industry personnel. The CII has also developed a database on environmentally sound technologies, and has been interacting with various international agencies to pass on the benefit of their success stories to the Indian industry. The CII has also initiated the programme of forging environmental partnership between Government regulatory bodies and specific industries.

20. Shri Bhargava suggested handing over of degraded forest lands to industries to grow trees to meet the industrial requirements. He recommended setting up of task forces to evolve short and long term national strategies to address the issues concerning the management of the national resources. Shri Bhargava supported the regulatory interventions instituted by the Ministry of Environment and Forest because the regulatory frame work was preferable to end of pipe solutions. The regulatory framework would facilitate innovation and adoption of clean technologies.
21. Shri Bhargava also stated that the industry would like to play a positive role in improving the urban environment. He felt that if lead free petrol could be made Available, industry's efforts in this regard would become more effective. He also suggested that the urban planning must include planning and management of traffic for the future.
22. Shri Bittoo Sehgal, expressed the concern that the country's environment was under threat. Forest cover had gone down over the years, there was reduction in country's bio-diversity and there was severe problems of pollution. The construction of large dams was creating its own problems. He also expressed the fear that the new economic policy, which would encourage rapid industrialisation, would also have adverse impacts on the environment. He therefore, stressed the need to ensure that serious efforts were made to preserve and protect the environment. In this connection, he mentioned that moderating consumption, instead of going in for conspicuous consumption as in the Western countries, would contribute to preserving the environment.
23. Dr. (Smt) Vandana Shiva felt that the trade issue was crucial and this could determine the environmental agenda for the future. She felt that it was important to determine the impact of international trade regime on India. She suggested that a detailed examination of the Rio agreement in the light of GATT agreement was necessary to assess its implications for ecological order in India.
24. Dr. Bansi Dhar, President, FICCI stated that it is the industry's endeavour to closely work with Government agencies to develop norms, standards and procedures for harmonisation of environmental considerations with the imperatives of economic growth. He stressed that the frame work for implementation of environment friendly norms and guidelines should aim at fulfilling a common purpose so that Government-industry interface is collaborative rather than adversarial. He suggested exemption of certain anti-pollution goods from import duty. He felt there was a need for consistency and coordination between the Central and the State Govts. as also their agencies in formulation and implementation of environmental policies, He suggested a review of procedures for curtailing the time spent on clearance of project, which stretches even upto three years or more at time. Shri Bansi Dhar also stressed the need for substantial research and development, in the fields of environmental conservation, pollution control and industrial technologies.

25. Shri Banshi Dhar suggested realistic and cost effective norms for BOD standard of distillery effluent as the laid down norm has been found to be unachievable with current technology. He said that promotional efforts should be launched to reduce recourse to fossil fuels and encourage use of alternative sources of energy, as also the need to maximise efficiency of thermal power plants and minimise transmission losses.
26. Shri Shyam Chainani of Bombay Environment Action Group said that the environmentalists were opposed to the construction of a jetty at Bhattarkanika as this would adversely affect the breeding grounds of the Ridley turtles. However, Shri Biju Patnaik, Chief Minister of Orissa disagreed with him. He was of the opinion that while making the environment impact assessment, the interests of the people should also be kept in view. Programmes for preserving the forest land including sanctuaries and improving the living conditions of the people should go side by side. What is good for the state is also good for the people.
27. On the subject of Environmental Impact Assessment, Shri Chainani expressed his dismay that the provisions of original draft of January, 1992 had been substantially diluted in the Notification issued in January, 1994. In this connection, he pointed out that Schedule-II relating to power of State Govts. had been deleted and the Railway Projects had been left out even though the other public sector projects were covered. He said that a number of sugar mills are not conforming to the required regulations. Shri S.K. Bhargava of CII, however, intervened to say that out of 395 sugar mills, 294 sugar mills conformed to the required regulation. The remaining sugar mills, were largely in the public sector and sick units which were financially not in a position to implement the safeguards. Shri Bhargava further stated that while CII supported the need for EIA, the procedure should be made transparent and simple.
28. Shri Rajinder Singh, Chairman, NTPC stated the NTPC promotes environmental awareness in industry and it has already started using 30-40% of the flyash as building material. He further mentioned that despite offer of assistance by NTPC, not many entrepreneurs appear interested in this area.
29. Shri. B.R. Yadav, Minister of Forests, Environment and Mines, Govt. of Madhya Pradesh stated that with the rise of fly-ash in the atmosphere, it had become very difficult to see the sun in Bhopal. He felt that there was need to tap the rich forests of Madhya Pradesh for increasing revenue.
30. Shri K.K. Mathur, Secretary, Deptt. of Chemical and Petro Chemicals expressed the view that to have sound environment, we need to protect our forest. He advocated popularisation of plastic as a substitute for wood. He felt that as the plastic is recycled, there should be no difficulty in meeting the demand for plastic products. He felt that with the cooperation of State Governments, NGOs and industry, it should be feasible to have the use of plastic popularised as a substitute for wood.

31. Shri M.N. Buch stated that wood being a wonderful building material, there could be no real substitute for it. He advocated aggressive afforestation to meet the demand for wood as a long term solution. Plastic, he said, it is not a solution because it is neither bio-degradable nor environment friendly.
32. On the question of fly-ash, Shri Buch felt that it is an excellent building material and the power stations should not shy away from its use. As per his information, at Singrauli alone, 1600 acres of land has been used for ash dump. He suggested that fly-ash should be used as a building material in the power sector itself.
33. Shri Buch stated that forest, land and people are inter related. He suggested greater and speedier afforestation of the degraded lands. As for giving forest lands to the industry, he felt that as this would be for commercial production, the industry should pay market rates for the forest land made available for their use.
34. Shri Buch suggested the setting up of an institute of Environment Audit. He felt that each company could provide an environment balance sheet and have it audited from the environmental auditors.
35. Dr. R.K. Pachauri of TERI also stressed the need for setting up of a mechanism for environmental audit. He pointed out that large number of auditors are already available in the country. As regards the internalisation of costs, he felt that there are several areas where component of prices could be internalised depending upon the amount of damage due to clearance of forests etc.,. He felt that there was a need for closer coordination between Bio-Technology Department and the Forest Department. He suggested setting up of task forces for critical areas related to environment.
36. Shri Sahib Singh Verma, Minister of Forests, Govt. of Delhi stated that there is a need to put the inter-related subjects under one Ministry preferably Ministry of Environment and Forests. He pointed out that the Ridge area in Delhi is being looked after by a number of agencies such as DEA, NDMC etc and suggested that a single agency should be made responsible for over-all management of Delhi Ridge area with a view to effectively tackle the problems of encroachment, deforestation etc.
37. Shri Bhagwati Singh, Environment Minister, UP stressed the need to develop low cost technology for cleaning and upgrading the quality of river waters. He suggested framing of a national policy for maintaining minimum levels of water quality in the various rivers. He also suggested that there should be a national consensus on the use of fly-ash for cement manufacturing purposes.

38. Shri Digvijay Singh said that continuous interaction with members having expertise in different fields such as water management, forests, wildlife, waste land development, sustainable development etc. is necessary for effective functioning of the National Environmental Council. He suggested the setting up of eight sub-groups of the National Environment Council on subjects of: (1) Forest, Wildlife and Wasteland Development, (2) Pollution, Urban Problems and Industry, (3) Water and Land Management, River Valley Authorities, (4) Sustainable Development in population and alternative energy, (5) NGOs, Education and political parties manifestoes, (6) Project Appraisal Impact Assessments and Audit, (7) Legislation and Administrative Reforms, (8) UN and International Agencies.
39. Shri Bindeshwar Pathak of Sulabh International urged that sanitation should be included as a component of environmental protection.
40. Shri Chandi Prasad Bhatt emphasised the need for effective steps against destruction of forests. He suggested exclusive forests for each village and entrustment of its management to the village Panchayat. He felt there was a need to streamline the procedures for grant of compensation for loss of human life, cattle, property, etc. from wildlife.
41. Shri Biplab Basu opposed the move to assign degraded forest lands to industry for plantation as he felt that it is a sustainable resource for the rural population. For afforestation, he wanted the machinery available with the Forest Department to be geared up. He suggested that the raw material requirement of forest based industries should be met from the non-forest waste lands. He felt that there was a need to involve the local people in the protection of forests through joint forest management.
42. Shri Duleep Mathai stated that ecological security was the foundation on which sustainable development could take place. He further stressed the need for concerted efforts to restore forest cover and cautioned that the current process of liberalisation should not lead to indiscriminate destruction of forests and damage to the ecology. He also suggested allowing growth of vegetation on waste lands undisturbed by human activities.
43. Dr. (Smt) Nandita Krishna felt that no forest based industry should be supplied forest produce at concessional rates. In order to curb the practice of illegal cutting of trees, she suggested replacement of the contractor system by tribal cooperatives especially of women who could be employed as watchmen to curb the menace of encroachment. She advocated amendment of the existing laws with a view to making the penalties more deterrent.
44. Shri S. Deb Roy expressed the view that encroachments by and large takes place due to political patronage. He, therefore, suggested that encroachers should be debarred from voting rights. He stressed the need for strengthening the system of forest administration in order to enable it to cope up with various pressures.

45. Shri P. Kolandaivelu, Special Representative, Government of Tamil Nadu stated that almost 4500 tonnes of sandal wood extracted from daad sandal wood trees has been lying in the depots as a result of ban imposed by the Government on export of sandal wood with effect from 1.4.92. He also wanted uniform rules to be framed in all the Southern States to curb sandal wood smuggling. He further mentioned that the domestic consumption of sandal wood for handicraft and other uses is only about 5% and, therefore, advocated lifting of ban on export thereof or to permit the Govt. of Tamil Nadu to export it direct.

46. Shri P. Kolandaivelu also suggested extension of financial assistance to all needy States to implement the programme of protection of endangered plant species. He advocated relaxation of the rules for allowing diversion of forest lands for non-forestry purposes so that the development projects were not impeded. He also suggested that the Government of India should provide funds for implementing tribal welfare schemes, river action projects etc. He suggested the creation of a highly specialised expert cell to acquire and transfer suitable technologies for colour and odour removal in the industrial processes, paper and pulp, distilleries, tanneries, and textile-dyeing industries.

47. Dr. (Smt) J. Geeta Reddy, Minister for Tourism/Culture, Government of Andhra Pradesh stated that the Govt. of A.P. has taken up several measures for promoting environment friendly technologies, preservation of bio-diversity and developmental activities in tune with the eco-systems. The Andhra Pradesh Pollution Control Board has taken a lead in establishing common effluent treatment plants for clusters of small scale polluting industries. She informed the Council that the Environmental Protection & Training Research Institute established in Hyderabad in the year 1992 provides training, consultancy and applied research services in environmental technology application in polluting industries. The State Government has also taken up cleaning up of Hussain Sagar Lake in Hyderabad.

48. Shri Haren Bhumij, Minister of Environment & Science and Technology and Flood Control, Govt. of Assam, stated that the situation had improved in Manas Sanctuary. But effective patrolling by paramilitary forces continued to be a must. He highlighted some problems such as extraction of coal by open cast mining through mechanised process in upper Assam areas leading to destruction of hillocks, vegetation and trees was resulting in extensive soil erosion during rainy days. Seepage/leakage of crude oil during exploration/ extraction was damaging nearby agricultural field crops, vegetation, drinking water sources, water bodies etc. Informing the Council about the action taken by the State Pollution Control Board, Shri Bhumij said that Assam Pollution Control Board faced financial constraints which was adversely affecting the Board in discharging its duties.

49. Shri Inderjit Singh, Minister, Forests, Govt. of Haryana stated that the Forest Corporation of Haryana was in a position to undertake afforestation on commercial basis in other States and suggested that instead of entrusting the work of development of degraded forest lands to the industry, Haryana State Forest Corporation should be allowed to participate in this venture.

50. Shri Banamali Roy, Minister of State for Environment & Forests, Govt. of West Bengal expressed the opinion that it is the poor who suffer the most due to environmental degradation. He hoped that National Environmental Council would be able to make recommendations which would promote economic development and improve the quality of life and dignity of the poor. Shri Roy also expressed the view that the principles and programmes of UNCED and GATT are not compatible. He said that while sustainable development through conservation of the ecosystem is globally acceptable, this cannot be achieved by denying the poor easy access to local resources and appropriate technologies.

51. While suggesting the expansion in the scope of the Ganga Action Plan to include other river, Shri Roy advocated similar action for preservation of the wetlands. He also suggested the setting up of a core fund to meet contingencies like loss of employment while enforcing pollution control measures, especially in the industry.

52. Shri A.V. Naik, Minister of State for Industry, Environment & Tourism, Govt. of Maharashtra expressed the view that setting up of environment courts and tribunals is necessary. In the absence of such courts, industries guilty of pollution etc, are getting away easily by obtaining stay orders. He was in favour of providing encouragement to the use of plastic as a substitute for wood.

53. In his concluding remarks, the Vice Chairman thanked the Members for their valuable contributions. He also stated that, as agreed by the Prime Minister, it was proposed to have two meetings of the National Environmental Council every year. The next meeting could be held in October, 1994. Discussions in future meetings of the council would be issue based. The Council could deliberate on issues brought before it by the Members and such other issues as may be brought before it by the Ministry of Environment & Forests for advice. Members would be required to give notes on such issues sufficiently in advance to enable their circulation to other Members. Based on the experience & suggestion in the first meeting, sub-groups of the Council would be constituted. The subjects and terms of reference of the sub-groups would be decided after further examination of the matter in the Ministry of Environment & Forests.

LIST OF PARTICIPANTS

1. Shri P.V.Narasimha Rao,
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2. Shri Kamal Nath,
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3. Shri Biju Patnaik,
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4. Shri Beant Singh,
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Chairman

Vice-Chairman

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