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Environment in the Indian Parliament An analysis – 2004

Rajya Sabha 2004

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Environment in the Indian Parliament

Rajya Sabha - 2004

Introduction

Historically, referred to as the Golden Sparrow for its abundance in natural resources and culture. The Indian Sub-continent attracted peoples from varied lands and cultures who were readily assimilated into its fabric. This richness worked to its detriment in the long term and initiated the long period of sustained exploitation and greed in this blessed land. The disparity between the weak and strong, the ruler and the exploited raised the question of equity and conservation of the remaining resources to ensure a sustainable development pattern in free India. Indian Government as early as 1972 made its commitment to preserving its natural resources clear. We today have one of the most extensively drafted Policies, Laws and Acts in place for preventing extensive environmental damage.

It is the Parliament of India where all these policies and Acts are formulated. The Indian Parliament composed of the Lower House of the People (Lok Sabha) and the Upper House of States (Rajya Sabha). It is the highest legislative authority in the country and a platform for voicing opinions on important matters of the country. The representatives belong to different states/union territories or are experts in the fields of scientific, cultural and social issues.

A significant amount of environmental related information is transacted every year in the Indian Parliament. The ENVIS Centre- 07 at World Wide Fund for Nature-India has been actively monitoring parliamentary reactions on environmental issues for over a decade. This continuous monitoring has been significant insofar as it provides a valuable source of authentic information, originating from the Government on environment related issues. A package, which is important to policy-makers, planners, environmentalists and other opinion leaders.

The report on the 'Analysis of Environment in Indian Parliament –2004' is a preliminary analysis of the attitudes and trends in the Parliament during the year 2004. These attitudes and trends are indicated by the nature and number of questions pertaining to different environment related issues asked in Parliament during the concerned period. Also, to be noted, it is highlighting only the Parliamentary queries and is not subjected to any extra elaboration.

It is designed in such away, that the environment related interests of any particular Member of Parliament (MP) could also be gleaned from this monitored data. The information may, therefore, be of use to MPs for their campaigns, as well as to the interested public in seeking parliamentary support on environment.

The ENVIS Centre has divided the environmental issues into 24 (twenty-four) subjects. Each subject is having its own area of coverage. The questions put in the Parliament are categorized according to these subjects. The prepared list (showing the subjects) is given below:

Subject	Area of Coverage
Agriculture	Agriculture, Animal Husbandry, Fisheries.
Animal Rights	Animal Rights/Welfare
Alternative Technologies	Eco-friendly Techniques, Alternative Power, Non-Conventional Energy, Application of Remote Sensing & GIS, R&D.
Biosafety	Gene Revolution, Genetically Modified Foods, Bio-Hazards.
Climate Change	Global Climatic Change, Ozone Depletion, Asian Brown Cloud.
Conservation	Eco-Development, Biodiversity Conservation, Social Forestry, Agro Forestry, Soil Conservation.
Disaster	Natural And Man-Made Hazards/ Management
Ecology (Land)	Terrestrial Features, Degradation.
Ecology (Water)	Both Freshwater And Marine.
Environmental Impact Assessment	Dams, Case Studies On Impacts ,Project Clearance.
Environmental Law	Litigation, Legislation, Policy, Committees, Bureaus, Boards.
Health	Health/Hygiene, Sanitation.
Medicinal Plants	Ethno –Plants, Medicinal Use.
Mining	Related Occupational Diseases, Impacts On Ambience.
Ngos/Others	Funding, Awareness, Others.
Pollution	Air, Water, Land, And Others With Their Impacts And Controls.
Population	Plant Population, Animal Population And Human Population.
Rural Development	Rural Development – Government Schemes, Role Of Panchayats And Gram Sabhas.
Socio- Economic Issues	Gender Equity, Human Rights, Human Settlements, Social Responsibility Of Industry/Corporates.
Sustainable Development	Debates On SD, Intra-Inter Generational Equity, Ecotourism.
Tribal Studies	Indigenous Knowledge, Tribals In Preservation/ Conservation, Their Culture.
Waste Management	Solid, Landuse/Landfill, Recycling, Chemical Hazardous Waste.
Water Management	Water Management/Monitoring, River Linking, Water Harvesting
Wildlife Trade	Legal Trade/ Poaching, Penalties/Regulation.

A total number of 452 Parliament Questions pertaining to various aspects were dealt in this report that was considered under the Ministry of Environment & Forests, Government of India during the year 2004 of which 317 questions in the Lok Sabha and 135 questions in the Rajya Sabha were answered.

-An Analysis-

Animal Rights

In the year 2004-05, major emphasis in the field of animal rights was given to the topics of cruel and inhumane treatment given to animals and use of animals in scientific experiments. However, areas related to shrinkage of habitat for wildlife as a result of extensive deforestation and human encroachment also formed large part of the questions that were asked in this field.

Climate Change

The Rajya Sabha session'04 didn't witness many questions in the field of climate change. The three questions which were asked included queries related to the constitution of a Committee of experts on Climate Change by the Government of India; submission of India's initial national communication to the United Nations Framework Convention on Climate Change to the Convention Secretariat towards fulfillment of India's obligation under the convention and impact of climate change on the retreating glaciers of Mount Everest. However, it was mentioned that as Mt Everest falls in the territory of Nepal and is a sovereign part of that country. Therefore, the snow cover and glacier studies of the Mt. Everest are the concern of government of Nepal. It was also mentioned that a number of important events have been organized in India like Eighth Conference of Parties (COP-8) to UNFCCC in Oct-Nov'02; Climate Technology bazaar in Nov'03 and 22nd Plenary session of Intergovernmental Panel On Climate Change in Nov'04, which have been helpful in making the civil society in India aware of the latest developments in Climate Change.

Conservation

In the year 2004, major impetus in the field of environment related matters was given to Environmental Conservation, amongst which Forest and wildlife conservation had maximum number of questions. Community Forest Management (CFM) Programs like JFM (Joint Forest Management) which involve the participation of local people (forest dwellers) in the management of forestland is one of the most forefront and successful effort in Natural Resource Management. This was clearly evident as there were many questions on the role of forest dwellers as the real protectors of forest and wildlife. As a matter of fact World Bank aided forestry projects involving rural poverty alleviation through capacity building at village level for the implementation of CFM in the states of Madhya Pradesh, Andhra Pradesh and Jharkhand. A number of questions involved enquiries about the current forest cover status, forest density, area under various reserves and afforestation programs in different states of the country. Management of Protected areas, encroachment of forestland, deforestation along with the steps being taken by Government to overcome these issues were among the preferred questions. Financial assistance for conservation and management of biodiversity and protection of environment were also given importance in the Rajya Sabha sessions.

Disaster

Disaster management is one of the upcoming and currently researched fields for Environmental Protection. Questions enquired about the ecological disaster due to grounding of cargo vessel River Princess and actions being taken by government to avoid it. Along with that queries related to the restoration of some portions of various National Parks and Sanctuaries like Manas and Orang in Assam where heavy damage was caused due to devastating flood in the state was also prominent.

Ecology (Land)

The damage to the ecology (Land) is on a widespread increase. This could be seen in the Rajya Sabha Session'04 as many questions were asked enquiring about the loss of forest wealth due to encroachment, forest Mafia, deforestation and losses due to fire in Pine forest etc. Concern was raised regarding the rapid erosion of the riverbanks in few states and queries about the study being made by River Conservation Directorate on the damage caused to the rivers by erosion were also significant.

Ecology (Water)

Steps envisaged by Government to protect Marine Environment along with progress made in the National lake Conservation project (NLCP) for their revival of major lakes in the country were among the prominent questions asked related to the degradation of Ecology (water). Concern was raised about the shrinking Dal Lake and the deterioration in its water quality.

Environmental Law

The Rajya Sabha session'04 included questions from almost every aspect of environmental Law subject area. There were questions ranging from Government's policy guidelines to convert forest villages into revenue villages to recycling of imported electronic scrap which are included under List a and List B of Schedule – 3 of the Hazardous Wastes (Management and Handling) Rules, 1989. Concerned about the continuing pollution of the rivers and water bodies by release of untreated sewage and effluents from industrial estates, the Central Government has issued draft notification on the basis of due procedure prescribed in Environment (Protection) Rules, to make environment clearance mandatory for new construction projects.

Questions related to the export policy for illicitly felled sandalwood, steps taken by Government for controlling and enforcing prevention of cruelty to animals in the legal and illegal slaughter houses in the country etc. signified the fast emerging importance and acceptance of Environmental Law in public domain. Questions about the bringing of White Paper on Pollution in Delhi with an Action Plan for the prevention and control of pollution in NCR of Delhi during 1997-98 were also significant. There were questions highlighting the

significance of setting up of “Environment Courts” and National Environment Policy (NEP).

Questions asking the details of steps being taken up by the government against pollution causing industries through regular monitoring of defaulting units by SPCB and taking appropriate actions under the Water (Prevention and Control of Pollution) act, 1974, and its amendments and the Air (Prevention and Control of Pollution) Act and its amendments were also prominent.

Environment Impact Assessment (EIA)

Central government in the Ministry of Environment and Forests has issued a notification on 7.7.2004 to bring new construction projects and new industrial estates with prescribed threshold levels within the purview of EIA Notification'94. This amendment in EIA Notification involving mandatory environmental clearance for new construction projects was one of the major developments in the field of EIA in 2004. Therefore there were many questions enquiring about the details of this new notification. Questions related to diversion of forestland for the construction of roads, transmission lines and other development activities that come under the provision of Forest Conservation act, 1980 were given due importance. Also, questions about the details of projects pending for environmental clearance state wise and reasons for the pendency were one of the highlights. Additionally, concern for pollution caused by coal based projects like Thermal Power Plants was exhibited as there were questions pertaining to the EIA of these projects. Questions about the environmental clearance for the Sewri-Newa sealink project in Mumbai were also asked.

Health

Questions were raised in the Rajya Sabha Session'04 regarding the deaths of tigers/lions in various zoological parks and Wild Life Sanctuaries due to the parasitic disease Trypanosomiasis. However, maximum number of questions enquired about the details of concentration of pollutants present above the safe level in air, water and soil, thus proving injurious to public health. Ban on the usage of Asbestos causing lung cancer and recycling of imported electronic scrap which can cause irreversible health damage were among the other highlights in Rajya Sabha Session'04.

NGOs/Others

Role of NGOs in the protection of environment was significantly evident from the kind of questions being asked in Rajya Sabha Sessions'04. The questions mostly enquired about the movements/campaigns taken up by various voluntary/non-governmental organizations in making people aware about the ill effects of the use of hazardous substances like Polythene, Asbestos on environment and actions taken by Central and State governments to ban these substances. However, large proportion of questions (21 of total 38 questions) were asked in the matter related to financial assistance in the form of funds/grants by the State or Central government to various projects for conservation and protection of environment. Few

examples of conservation projects at national level seeking financial assistance include Integrated Afforestation and Eco-development project Scheme, Conservation and Management of Mangroves and Coral reefs, Conservation and Management of Wetlands, Forest Fire Control and Management/Integrated Forest protection Scheme, Project Tiger, Project Elephant, Beneficiary Oriented Scheme for Tribal Development (BOD), India Eco-Development project, Common Effluent Treatment plants (CETPs), National Afforestation Program (NAP) etc. Concern was also expressed on the misuse of funds, which have been earmarked for cleaning up of important rivers like Yamuna, Ganga etc. in the country.

Pollution

Concerned about the continuing pollution of the rivers and water bodies by the release of untreated sewage and effluents from industrial estates, the central government had issued a draft notification making the environmental clearance mandatory for new construction projects.

National Workshop on Coastal Regulation Zone organized at Chennai jointly by MoEF and institute for Ocean management, Anna University, Chennai. Issue of regular monitoring of defaulting units by State Pollution Control Board (SPCBs) and taking appropriate actions under the Water (Prevention and Control of Pollution) Act, 1974 and its amendments and the Air (Prevention and Control of Pollution) Act, 1981, was also raised during the Rajya Sabha session'04.

Population

The decreasing population of plants and animals is an area of major importance, which has been put forward as one of the priority issues in government. Populations of Gir lions, rare kastoori deer in Uttranchal along with decreasing number of vultures were few of the highlights signifying the increasing level of awareness related to preserving the animal population. However, owing to increasing loss of human lives as a result of animal attacks, maximum queries were done on the topic of deaths due to animal attacks in the Rajya Sabha Sessions'04. Questions asking the details of number of people killed due to leopard attack in different places of the country were few of the prominent questions.

Rural Development

Promotion of bamboo in the country has been a priority item on the agenda of the Planning Commission for the last couple of years. Therefore for the upliftment of people dependent on bamboo for their livelihood, a question was asked about the steps Government have taken to study and assess the need of some communities dependent on bamboo for their livelihood.

Socio-Economic Issues

Promotion of bamboo in the country for the upliftment of people dependent on bamboo for their livelihood has been a priority issue on the agenda of the Planning Commission for

the last few years. Therefore, significant questions were asked about the bamboo cultivation in different states of the country. There were many questions enquiring about the details of people killed by wild animals (especially Leopard attack in Mumbai and few others states), the reasons thereof and the action being taken by government to subdue the terror. However, it was mentioned that the attacks on human beings by wild animals is due to human settlements/activities in and around wildlife habitats. Encroachment of forestland is one such activity, which has adverse effect on habitats/corridors of wild animals. Also, there were questions asking the details of tribal settlements in forest villages. In this case, concern was raised on the provision of basic development inputs to the habitants (tribals) of such villages when these forest villages are converted to revenue villages. Significant numbers of questions were raised related to the rehabilitation of displaced families when specific areas are reserved under various laws as wildlife sanctuary, tiger reserve, and biosphere reserve and so on in different states of the country.

Tribal Studies

Most of the questions in this subject area enquired about the details of tribal settlements in forest villages. Queries related to the provision of basic development inputs to these local dwellers when forest villages are converted into revenue villages along with their rehabilitation when a specific area is designated as a reserved/protected area by the government is also worth mentioning. It was mentioned that forest fringe dwellers (mostly tribal) are the real protectors of forestland as they are involved in the protection, regeneration and development of forest and preservation of wildlife.

Waste Management

Among the most important issues raised in the Rajya Sabha Session'04 regarding waste management were queries related to import of toxic wastes, ban on environmentally hazardous substances like polythene etc. To prevent environmental pollution due to indiscriminate littering of polythene bags, Central Government has amended the Recycled Plastics Manufacture and Usage Rules, 1999 vide S.O.698 (E0 dated 17th June, 2003 whereby manufacturing, stocking, distribution or selling of carry bags made of virgin or recycled plastics, which are less than 8*12 inches in size and less than 20 micron in thickness are banned in the country. There were many questions asking the details about the quantum of waste fly ash generated by the thermal power plants and steps taken by government for the proper management of these wastes through recycling and reuse as raw material in other productive purposes like road construction. Also concern was expressed regarding the recycling of imported electronic scrap, which is included under List A and List B of Schedule-3 of the Hazardous Wastes (Management and Handling) rules, 1989.

Water Management

Large-scale pollution in most of the important rivers of India, like Yamuna, Ganga etc. is a matter of great concern. Thus many questions in the related field were asked in the Rajya Sabha Session'04. Most of questions raised the issue of misuse of funds, which have been earmarked for river clearing and reason for the delays in the implementation of projects like

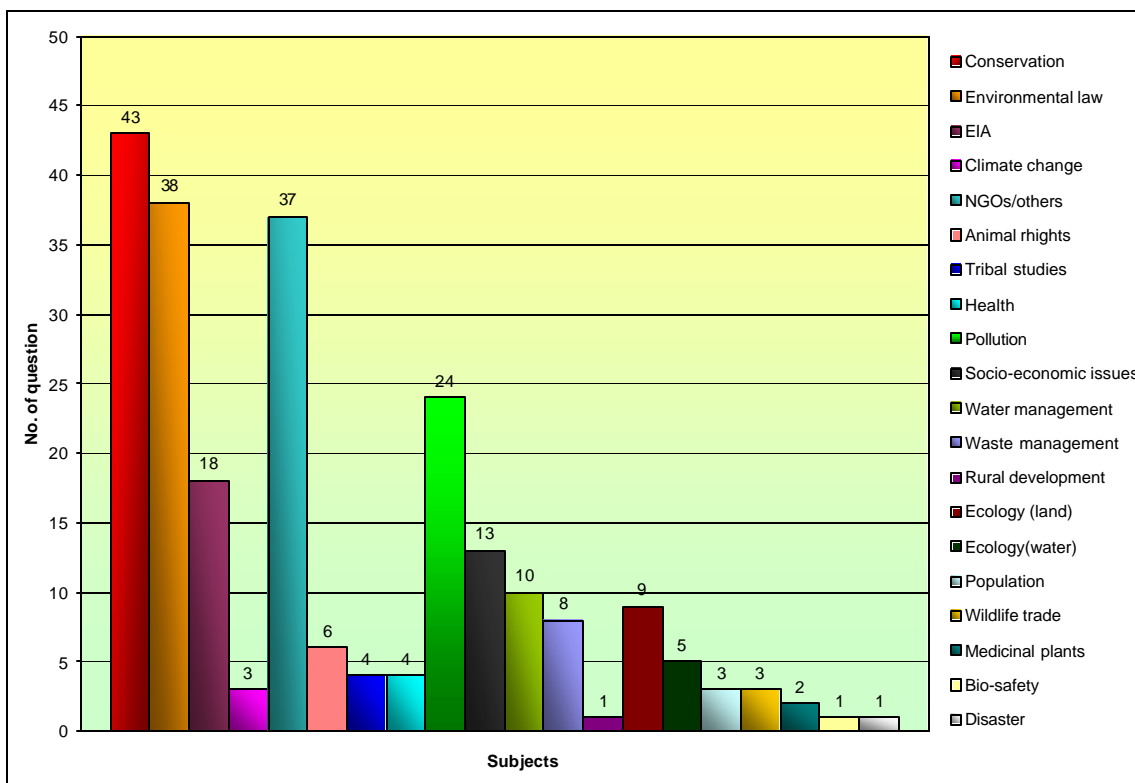
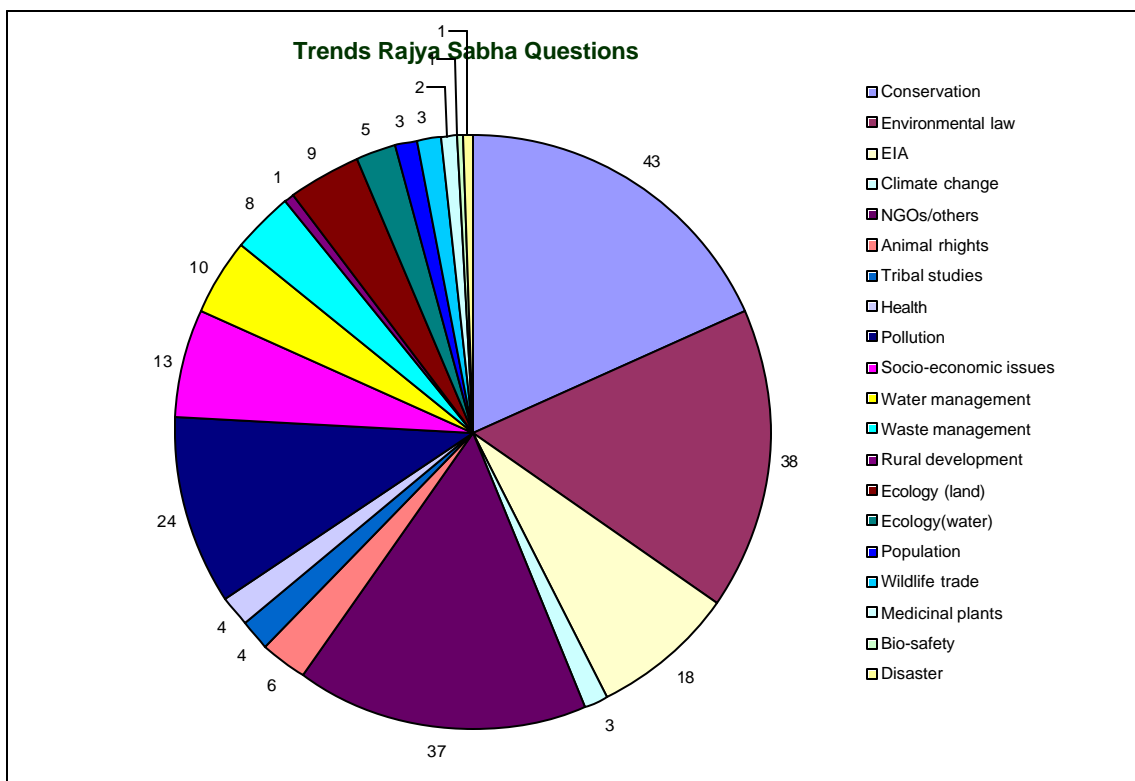
Yamuna Action Plan – II (YAP-II). Revamping of major lakes and clearance of water pollution projects were also among the priority agendas in Parliament.

Wildlife Trade

Illegal trade/export of illicitly felled sandalwood from Karnataka, Tamil Nadu and few other states along with illicit sandalwood oil distillation in Palakkad district in Kerala were few of the preferred subjects with respect to asking questions. Loss of forest wealth by Forest Mafia and steps being taken by government to check deforestation and hence illegal trade of natural wealth were also mentioned as important issues in Rajya Sabha Session'04.

Subject wise Break-up of Questions – Rajya Sabha

Subject	No. of questions
Conservation	43
Environmental law	38
EIA	18
Climate Change	3
NGOs/Others	37
AnimalRights	6
Tribal studies	4
Health	4
Pollution	24
Socio-economic issues	13
Water management	10
Waste management	8
Rural development	1
Ecology (land)	9
Ecology (water)	5
Population	3
Wildlife trade	3
Medicinal plants	2
Bio-safety	1
Disaster	1



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