

VANA PREMI

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Vana Premi Wishes Happy Christmas



A parade (herd) of elephants protects recently born calf.

JOURNAL OF THE ASSOCIATION OF RETIRED OFFICERS TELANGANA & ANDHRA PRADESH
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EDITORIAL

International Disability Day: International Disability Day, or the International Day of People with Disability, is a day that has been promoted by the United Nations since 1992. International Disability Day is observed on 3rd December every year throughout the globe. Disability is defined as “a person with restrictions or lack of abilities to perform an activity in the manner or within the range considered normal for a human being and it excludes illness and injury of recent origin resulting into temporary loss of ability to see, hear, speak or move”. According to the Peoples Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 “Disability” means all those people who are suffering from blindness, low vision, leprosy-cured, hearing impairment, loco-motor disability, mental retardation, and mental illness. This Act is being amended and disorders of blood like thalassemia and hemophilia and those with learning disabilities are also proposed to be included.

Around 15% of the world's population, or one billion people, live with disabilities which is slightly less than the population of our country. People are often unaware of the great number of persons living with disabilities around the world and the challenges they face. Our country's disabled population has increased by 22.4% between 2001 and 2011. The number of disabled, which was 2.19 crore in 2001, rose to 2.68 crore in 2011 which is 2.21% of total

population of our country. This number should have been further increased in the last four years. Rural areas have more disabled people than urban areas. In Maharashtra, undivided Andhra Pradesh, Odisha, Jammu and Kashmir and Sikkim, the disabled account for 2.5% of the total population, while Tamil Nadu and Assam are among those where the disabled population is less than 1.75% of the total population, according to the 2011 census figures. Most of the disabled are those with movement disability. According to the census, 20.3% of the disabled are movement disabled followed by hearing impaired (18.9%) and visually impaired (18.8%). Nearly 5.6% of the disabled population is mentally challenged. The growth rate of disabled population is more in urban areas and among urban females.

Each year since 1992, a variety of events are held in many countries. Disability Day is used for holding discussions, forums and campaigns relating to disability and communities are encouraged to organize meetings, talks, and even performances in their areas. These can range from hosting a musical to a play, with disabled people being involved in these productions. Everything started in 1976, when the United Nations General Assembly made the decision that 1981 should be the International Year of Disabled Persons. The 5 years between the making of that decision and the actual Year of Disabled Persons were spent contemplating

the hardships of the disabled, how the opportunities of the disabled could be equalized, and how to ensure the disabled take part fully in community life enjoying all the rights and benefits non-disabled citizens have. The decade between 1983 and 1992 was later proclaimed the United Nations Decade of Disabled Persons, and during that time, all of the concepts previously created became part of one long process that was implemented in order to improve the lives of disabled persons the world over. The theme of the year 2014 was "Sustainable Development: The Promise of Technology" and theme for 2015 is Inclusion matters: access and empowerment of people of all abilities.

The aim of observing Disability Day is to encourage a better understanding of people affected by a disability, together with helping to make people more aware of the rights, dignity and welfare of disabled people, as well as raise awareness about the benefits of integrating disabled persons into every aspect of life, from economic, to political, to social and cultural. The overall aim is to show non-disabled people that a person with a disability can be a vibrant member of society, as it happens that the entirely healthy are not always quite aware of this fact, which can lead to different kinds of discrimination of varying degrees of severity. The disabled, on the other hand, benefit from such performances by proving to themselves that there are many things they can still do, despite their conditions, which can help with their self-

esteem and avoid mental issues such as depression from plaguing them.

Every year Government of India and State Governments announce various measures to make life easier and better for its disabled citizens. At the same time those of us who have travelled and lived abroad have seen the utmost care caution and special concessions given to the disabled to make their life both at home and at work place less difficult.

Considering the enormity of situation in our country I would like to wind up this editorial with a food for thought for the esteemed readers of Vana Premi to give their valuable suggestions as to how we as a group of retired but not tired persons can contribute to the welfare and wellbeing of these less fortunate people of the society. Suggestions will be published in the next issue of Vana Premi. Little drops of water make mighty ocean. So let us initiate a process by which we can light up the lives of at least a handful of people with our sustainable and continuous help.

George Bernard Shaw once said "I am of the opinion that my life belongs to the whole community and as long as I live it is my privilege to do for it whatever I can. I want to be thoroughly used up when I die, for the harder I work the more I live". Taking inspiration from the above opinion of George Bernard Shaw Vana Premi wishes that we all should help the disabled of our country as much as we can and get the satisfaction of helping the needy persons. **QMK**

LETTERS TO THE EDITOR

Dear Sir,

Apropos to the 'Oxford study casts doubt on India's tiger success story' in item News & Notes of VP, Nov, 2015; I wish to offer my following comments on the same for the information of the Readers.

This really is an issue to be taken seriously by the authorities, since tiger is an icon species of Indian wild animals enjoying the status of 'National animal' and also the representative of our ecosystems by occupying the 'apex of the complex ecosystem of India'. It is being protected by exclusively reserving pristine forests as 'Tiger Reserves'-TRs with huge out lay since 1973. The tiger population which was at its nadir in 1972 as low as 1,872 could increase to 3,750 by 1993 and fall to 1,411 by 2003 and now (2014) at 2,226. The analysis of this latest census figure was projected as 30 % increase of its population in 4 years. This is the figure the Wildlife Biologists of Oxford University is consistently objecting, since January, 2015; when the result of the 2014 tiger census was finalized and published by the Scientists of WII, Dehradun.

The objection projected by the two Scientists Dr. Arjun Gopalswamy and Dr. K Ullas Karanth is about the short coming in the 'Index calibration' method which could not sustain the empirical tests done by them with the data from Indian tiger survey efforts and proved that such calibrations yield irreproducible and inaccurate results. They have argued that the data arrived in a 'smaller region' using reliable, intensive and expensive methods (such as camera trap) and then relating this measure to a more easily obtained, inexpensive indicator (such as animal track counts) by means of calibration. The calibrated index is then used to extrapolate actual animal numbers over 'larger regions'. They attribute, the methodology is inaccurate and suggests for a more scientific method of the tiger census to find out the accurate population.

I am one of the old timers having directly involved in the process of tiger census right from pug mark method of census up to the stage of expensive method of camera trap (but not in it) in one of the 9 TRs initially launched in India, Bandipur TR. The method of tiger census is a product-outcome of multiple parameters collected from the field for a longer period in the tiger habitats and processed by the scientists at the WII level for the whole country- after the state wise figures.

Here, many parameters are referred and taken to account like, camera traps, pug marks' photo/tracing/ plaster cast molds with GPS location, sightings with GPS location, home range markings/ scats/ tiger kills with GPS locations... all these data are plotted on the maps and the home range of each tiger will be assessed and a census figure will be arrived for a region; this will be compared with the old census data, and the record on loss of tigers due to kill, death will be taken to account... then the prey base for sustenance of such population will also be taken in to account for theoretical substantiation of the figure of tigers... then parallel scientific analysis as explained by the scientists is also carried out for arriving at a figure of tigers as per census....And final figures will be arrived. In spite of all these process, here is the dispute on the population of tigers making news all over the world. Huge amount of tax payers' money is being spent for the tiger census but no satisfaction. This is one field where Indian

wildlife management faces disputes.... & requires corrections. One thing ambiguous is the announcement of the exact figure of tiger numbers as 2,226 as per 2014 census rather than probable figures like- 2200 to 2252 adults and 250 to 300 cubs likewise. It appears that the wildlife managers are left free of the analysis of the census data by entrusting to the scientists of WII.

With the dispute about the tiger census figures, neither tiger population goes up nor does it come down... whatever the population figure arrived is O. K for management purpose. On the other hand, no biologists or naturalists are commenting on the ground problems/ reality of the habitats -in spite of escalating man-wild animals' conflicts. The habitats of tigers/ wildlife are facing a lot of threats on the ground and are affecting the prey base of the tigers. The tigers and leopards may invade human habitations in future in search of prey-food as we are seeing elephants entering human habitations in search of fodder.

Need of the hour is improvement of tiger/ wildlife habitats by taking 1) measures to control exotic and invading weeds- like Lantana, Eupatorium and Parthenium spp. in the South Indian forests/ protected areas; 2) measures to check forest fires by removing dead fuel wood loads from the fire hazardous protected areas; 3) measures to improve the fodder base of the wildlife habitats wherever affected by weeds or closed canopy or degradation due to cattle grazing and droughts; and finally 4) measures to stop indiscriminate release of forests- wildlife habitats outside the PAs under Tribal Rights Act, 2006 and Rules, 2008 since the nation cannot buy wildlife habitats after losing the existing ones.

B. M. T. Rajeev,

Dear Editor,

Hearty Greetings!!

Hard-copy of The Journal for 11/15 having been received on time (on the only postal working day of 9th inst., squeezed between a number of general holidays observed in Karnataka, because of festive season)we were all happy to note your exhaustive editorial on such a non-forestry & alien topic as 'World Diabetes Day',supplemented with a beautiful cover-photo (in color) of the residence of Dr.Frederick Banting, the discoverer, which was informative, while being enjoyable by most of your readers (many of whom are found afflicted with the said disease, having passed their 70s & 80s). In addition, the published key-note address of Sri. J V Sharma (spread over as many as 13 pages) was eminently readable along-with the Telugu article of K.B.R., using typical Telangana-Telugu, beautifully brought-out para-after-para, which he alone could authentically scribble out, et al. Thus the Issue has been made quite interesting, catering to the varied tastes of readers (of three languages) to whom your magazine goes to. May you be privileged to continue to serve so in the months to come! Please find enclosed herewith is an article '...about Hyderabad...,' having already caused to e-mailed similarly an article in Urdu a few days ago, as desired, for the favor of further needful. With best wishes,

Sincerely,

Dr. Raghotham Rao Desai.

Sir,

I am not tired of complementing and congratulating Sri J. V. Sharma, Hyderabad, for his highly educative and enlightening articles published in Vana Premi and I really envy Vana Premi for that. His 'key-note' address on Forest Rights Act delivered at the National Workshop of IFS Officers is a masterpiece of oratory and vocabulary, as usual of him. It is an authentic text on the subject, in its presentation and content. Evidently I am bewildered to see as to how he collected those exhaustive facts and figures, sitting at home at this octogenarian stage of life. Obviously it requires consistent reading and collection of data from authentic sources. From the beginning itself, I have been following him on this subject, especially because it was I who have filed the PIL against this obnoxious Act, in the local High Court, on behalf of Karnataka Retired Forest Officers Association and he was my guide and catalyst on the subject. I have been reading all his articles like a student reads the text books. The comprehensive details and the incisive analysis and the latent subterfuge to the ills of the Act offered in the name of tribal development are all mirrored objectively in his addresses. The very slogan of tribal development is a misnomer and it is misapplied here because by giving land in the forests to the tribals they are relegated permanently to the backwardness of the interior of forests, instead of educating them and bringing them to the main stream of modern life, by offering them better employment and health-care.

The PILs of all States are in the Supreme Court for the last seven to eight years. I had been to Delhi recently to try to bring up the case at least now. I am told by my Advocate that in spite of the collective request by the Advocates to take up the old cases, yet no progress is seen. Now that there is a change at the top, we can hope to find a change. The lecture of Mr. Sharma looks like the arguments of a Senior Advocate in the Supreme Court. On going through that, any layman will see that this Act is very shallow and is against all the established laws of the country. It is evidently a political product aimed at electoral gains, as is evident from the fact that it was passed in the Parliament unanimously in seven minutes, without an iota of discussion or dissent. God save our forests.

Keep up your crusade, Sharmaji,

S. S. Joshy, Bangalore.

COLLEGIUM VS. NJAC ACT

By
J. V. Sharma

It was on 14th October 2015 I delivered a Key Note Address at the National Workshop of IFS Officers on Forest Rights Act conducted at Telangana State Forest Academy, Hyderabad. To drive home my point that even important issues get often clouded and distorted in democratic structure for queer reasons, I spoke of elective despotism borrowing it from Thomas Jefferson. Not much later or rather soon thereafter on 16th October 2015 itself, I was in for a pleasant surprise when I happened to see scrolls on TV of National Judicial Appointment Commission Act (NJAC Act) being struck down by the Supreme Court holding it unconstitutional. The appointments to higher judiciary thus revert back to Collegium system which was in vogue immediately before the ill-fated legislation came on to statute.

Going back to the thorn in flesh, the Forest Rights Act, I did not expect the legislation to become law so soon in December 2006. The Government exhibited unusual alacrity in going through the legislative process. Given the sensitivity the tribal issues command, almost the entire Parliament was on board. Both the Houses returned the Bill by voice vote without any discussion worth the name. So began the testing time for me to prepare the case for Court and to find a willing lawyer. Both the tasks were difficult, particularly the latter. Many told that it would be a futile exercise. Some said it will be a very weak case to stand judicial scrutiny. A few however said that a chance can be taken if only I can gather incontrovertible material to bolster my arguments, especially to counter the wisdom of Parliament. I purchased a book of Constitution. It did not help me. Then I went after books of commentary on the Constitution. About three months of pursuit made me confident and it took me another three months to prepare the case.

But the expressions "Collective Wisdom of Parliament" and "Primacy of Parliament" were constantly nagging me. Then one day it suddenly occurred to me that the TADA, enacted by Vajapayee Government in the face of stiff opposition was unceremoniously dumped by the next Parliament refusing to provide necessary oxygen for its survival. Then, the Centre amended the AIIMS Act, ostensibly to provide ammunition to the Minister in his running feud with Director, AIIMS. When the Director took the matter to Supreme Court, the Apex Court did not hesitate to strike down the amendments. On both the occasions it was Collective Wisdom of Parliament which made the legislations possible. There are two lessons to learn from these two cases. One, the Collective Wisdom of Parliament may not always be good and acceptable. And the second, it can drastically

shift its position from one extreme to the other like a pendulum. One should restrain in comments in this regard as the core issue is of democracy and one should better try to address the grey areas rather than hurting the main structure. As for the other expression of 'Primacy of Parliament', it is the highest legislating body with all competence and power to legislate, but subject to checks & balances within the framework of the Constitution. Though endowed with all sweeping powers, Parliament is a creature of Constitution and the Constitution is supreme and sovereign.

The eight years of running around the courts and lawyers made me hardy if not wiser. Though I cannot claim to have acquired any legal knowledge, I have the satisfaction of being an 'informed citizen'. It makes me that much more confident and responsible to air my views frankly exercising freedom of expression.

In the context of the latest event of the Supreme Court striking down the NJAC Act, it would perhaps help us to throw more light on the AIIMS case to see the NJAC Act in right perspective. Though the text of the Statement of Objectives and Reasons or the Preamble of the Bill of the legislation does not convey the whims & fancies or the personal agenda of persons who matter in such high level decisions, it was an open secret that the Minister for Health & Family Welfare Mr. Ramadoss and the Director, AIIMS, were not pulling together well. If the Minister had the power in his favor, the Director had good reputation and moral support of public in general. Dr. Venugopal was appointed as Director in 2003 for a term of five years which would expire in 2008. Running battle between the Minister and the Director came to a pass in 2007 when the Minister was no longer prepared to countenance the presence of Director in AIIMS. Evidently, he prevailed upon the Prime Minister to bring in an amendment to the AIIMS Act limiting the tenure to 65 years. Accordingly, the Parliament enacted the Amendment Act which was promptly assented by the President Ms. Pratibha Patil and the Director was squeezed out of AIIMS on 1st December 2007 when he was in any way to retire in few months hence.

Dr. Venugopal did not take it lying. He approached the Supreme Court who struck down the Amendment not without some acerbic comments against the Government. Dr. Venugopal had the last laugh but there was no sign of remorse in the Minister. It may not be irrelevant to the context to inform the readers that the request of Dr. Ramadoss seeking stay of proceedings before the trial Court was dismissed by the Delhi High Court on 20th October 2015 and a Delhi Court fixed December 10, 2015 for framing charges against him and several others in two separate graft cases related to alleged favors to medical colleges. It is said that the prosecution moved an application for addition of offences under various sections of the Indian Penal Code including Section 420 (cheating) read with Section 471 (*The Hindu* Dated 3rd November 2015 – Hyderabad Edition).

But there is more to see in this case than what is written in lines. It is perhaps unfair to criticize the Minister alone. There are some other dignitaries and institutions that are perhaps more to blame for the fiasco. If it is Mr. Ramdoss's agenda to settle scores with Dr. Venugopal, why did the Prime Minister (Dr. Mammohan Singh) choose to be a willing tool? He not only failed to reign in his Minister guiding him to the right path, but is also guilty of staking the credibility of the Executive and is also to be blamed for involving the Parliament, to satisfy the ego of a Minister. Striking down the amended law does bring no credit to Parliament either with a big question mark on its "Collective Wisdom". This instance is a classic example of how the Executive can prevail over Legislature in practice. I am not referring to non-State actors who may have influenced the decisions.

Aggressive reaction from the Executive against the SC judgment painting it as disrespect to will of the people, is therefore not unexpected. Describing the reasons given by Supreme Court for striking down the NJAC law as "erroneous", Arun Jaitley, Finance Minister in Central Cabinet, said that Indian democracy cannot be a "tyranny of the unelected" and that it would be in danger if those elected were undermined. Though he qualified his statement as 'personal views', he did not mince words to berate the judgment when he went on to say that the judgment has upheld the primacy of one basic structure – independence of the judiciary – but diminished five other basic structures of the Constitution, namely, parliamentary democracy, an elected government, the council of ministers, an elected Prime Minister and the elected Leader of the Opposition. Being a very shrewd lawyer, he extended the scope of debate to the entire gamut of governance ordained by the Constitution, obliquely hinting that the judiciary is encroaching upon the functions of the State and State institutions. Given Mr. Jaitley's position in the Government and the value attached to his views, the official position of the Government cannot, in any way, be different from his personal views. But the issues raised by him need serious debate for the sake of democracy and to clear the air whether the democratic institutions named by Mr. Jaitley, are indeed under threat, lest, Nation may rest content with disinformation.

By far the most unfortunate comment is 'tyranny of the unelected', an intended jibe at the judiciary. It is true that election is the expression of people's will and a compulsory requisite to speak on behalf of people. It empowers one to represent his/her electors and reflect their will. This power needs to be understood to be different from a license where the elected arrogates to him the liberty to project his thoughts without any semblance of evidence that the electorate desired it. Mr. Jaitley did not enhance his stock even by a bit by making the observation least expected from a learned person like him. It should be appropriate to cite that it was Jaitley who fought Dr.

Venugopal's case in the Supreme Court and obtained a favorable judgment to showcase it as the 'tyranny of the elected' and the judiciary had to rectify it. Jaitley changed his role since then shifting his place from Opposition to Treasury Benches. Should an electoral change warrant change of values and principles, is a question he alone can answer.

But, what is all this controversy about?

It is all about picking persons for higher judiciary for appointment in Supreme Court and High Courts. The main story in brief is that Articles 124 of the Constitution empowers the President of India to appoint by warrant under his hand and seal, after consultation with such of the Judges of the Supreme Court as the President may deem necessary for the purpose and shall hold office until he attains the age of 65 years & 62 years respectively. In respect of the appointment as Judges of the High Court, Article 217 stipulates almost similar procedure extending scope of consultation to include the Governor of the State and the Chief Justice of the High Court. To start with, the President ordered appointments to higher judiciary on the recommendations of the Executive. There was no problem with the procedure and things appeared to move smoothly till 1973. It is this aspect which Mr. Jaitly cites forcefully arguing that the best were chosen as judges by the Executive. He is right on facts as far as quality of judges appointed during the period. The persons who comprised of the Executive then were above bias and their recommendations were also fair. Can this be said of the present day climate?

The Executive abused its authority when it departed from the seniority rule by superseding Justice J. M. Shelat, the senior most judge of the SC in 1973. Next in the seniority, Justice K. S. Hegde and Justice A. N. Grover were also ignored and the fourth in seniority Justice A. N. Ray was appointed as Chief Justice of India. Not much later, when Justice Ray retired in January 1977, the senior most judge Justice H. R. Khanna was ignored and his junior was appointed as Chief Justice of India. All the ignored judges were the best judges appointed on Executive's recommendation. Why did the Executive fail to keep up its earlier standard of equanimity? It has become a common to attribute the aberration to Emergency. True, but it is the system that should be strong, fair and workable un-influenced by political or other exigencies. Evidently, the Executive failed the test. The issue is simple –the judiciary need not look over its shoulders for its survival and continuity but the Executive can have a thousand reasons to fear for its survival.

Judges to the higher judiciary were appointed till 1993, by the President in consultation with the Chief Justice of India who was given primacy in making the recommendations. A nine-judge Bench of the Supreme Court expanded the scope and role of Chief Justice of India to a Collegium of Judges in 1993. The Collegium is a system where the Chief Justice of India and a forum of four

senior-most judges of the Supreme Court recommend appointments and transfer of judges and the President of India issues orders accordingly. Though secure from external influences, the system can be flawed on one count that it does not figure expressly in Constitution.

Yet, I feel that the Collegium system is more in tune with the spirit of Constitution. The President's powers to appoint the judges is indisputable. The dispute is on the mode of their selection. Most people miss that the Parliament comprises (Article 79) not merely of the two Houses viz. Rajya Sabha and Lok Sabha but also the President of India. Thus a check by Parliament is available in the form of President who acts as Guardian to care of the interests of the whole nation. The scheme of things devised in Constitution not only places the President at the top but provides all the necessary mechanism to ensure smooth governance. The President does not act in isolation. The executive action of the Parliament or for that matter any act of governance has to flow through the President directly or indirectly. This power of the President is balanced in the form of advice or recommendation from various institutions as provided in the Constitution.

Article 74 is perhaps the most crucial in so far as governance in the country is concerned. It provides for a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall in exercise of his functions act in accordance with such advice. Article 75 puts in place the mechanism of governance where the President shall appoint the Prime Minister and other Ministers will be appointed on the advice of the PM. The President is obliged to act on the advice of the PM in all matters of governance. But in respect of the appointments to be made by the President to various Constitutional positions either of the Attorney General under Article 76, or of Governors to States under Article 155, or of Comptroller & Auditor General under Article 148, or of Union Public Service Commission under Article 316, or of Election Commission under article 324, or of the Chief Justice of India and judges of higher judiciary under Articles 124 & 217, it can be seen that the text of Articles 124 and 217 of the judiciary is patently different, specifically providing for consultation with the CJI while it is open ended in other cases implying it is advice from the Executive. This subtle variation is missed by many.

I think it would do well to visualize various likely situations to assess the efficacy of any procedure envisaged. The procedure should stand to the test of time. In democracy, governments change and the new government should also respect the procedures in practice. The NJAC Act was a Constitutional Body to serve for all seasons. It would have comprised the Chief Justice of India, two senior-most Judges of Supreme Court, the Law Minister and two eminent persons. A small Committee of three comprising the Chief Justice of India, the Prime Minister and the Leader of Opposition in Lok Sabha will select the two eminent persons. The National Judicial Appointments

Commission was therefore to comprise of six persons and any two could veto a proposal. Serious difficulties could arise to constitute the Commission itself. Given the bitterness among contending political parties, it is highly improbable that Prime Minister Modi and Mallikharjun Kharge would agree on the choice of two eminent persons. When consensus becomes impossible, compromise will step in. In such an event, the 'the eminence' may become a casualty. There is also the possibility of CJI being sidelined.

There was the possibility of NJAC posing another practical difficulty in implementation. Assuming that the Grand Alliance of Opposition parties dislodge the present dispensation in 2019, what will be the position if Dr. Ramadoss or A. Raja or Madhu Khoda (if exonerated) or Lalu Prasad (freed from shackles) becomes the Law Minister? Can, for that matter, Jaitly or Sushma Swaraj is on the same page as the gentlemen referred. Let us not discount the situation as unlikely. It is democracy – anything can happen. Above all, existing political dynamics can only throw up a coalition and the compulsions of coalition have made even a person like Dr. Manmohan Singh to do things he would not have done otherwise.

I happened to watch one of the rarest debates on TV on 24th October 2015 anchored by Arnav Goswami on this very topic. Arun Jaitly and Soli Sorabji were on the side of NJAC and Justice R. M. Lodha, former Chief Justice of India and Rajeev Dhavan were on the side of Collegium. Well known journalists and political commentators, Mr. Dilip Padgaonkar and Mr. Swapan Das Gupta were the panelists. Given their caliber and expertise in their field and proximity to the issue under debate and the overall standing in public esteem, I hoped it would be a debate with difference, a serious exercise of a productive, purposeful, value-based interaction unlike the acrimonious political debates we see every day. It was no doubt a dignified discussion but without the expected outcome. As the anchor finally summed up, opposing parties not only failed to arrive at any compromise formula to offer to viewers but rather hardened their positions further. Nevertheless, the debate helped me to make my mind to bet on judiciary in a crunch situation like this rather than relying upon the executive.

The debate was interesting, Mr. Jaitly and Rajeev Dhawan effectively arguing their points. Mr. Soli Sorabjee, one of the illustrious jurists in the country, did not look an active participant, may be because Jaitly was more vocal. As for me, I thought that Sorabjee did not waste his breath because the brief he accepted was less convincing. Justice Lodha impressed me the most. Though not as flashy as Jaitly in making out his points, there was judicial wisdom & equanimity in his expression. Despite his brilliant performance, Jaitly appeared hollow on finer aspects of looking at an issue beyond the pale of mundane politics and one-up man-ship.

At the beginning of the debate itself, Rajeev Dhawan said that *"Jab Jaitly bolte hein to mujhe bohot mazaa aata hai. Jab ghalat bolte hein to ovr mazaa aata hai"*. (When Jaitly speaks, I enjoy. And when he speaks wrong, I enjoy more). Justifying his comment "tyranny of the un-elected", Mr. Jaitly based his arguments on:

- a) Parliament is the symbol of democracy and its collective wisdom is unassailable.
- b) Concept of checks and balances of Constitution seeks to provide space for Executive.
- c) Best appointments were made when the Executive handled the judicial appointments for more than two decades in the initial period.
- d) Even the Collegium system is not flaw-less.
- e) Judiciary appointing judiciary is like Gymkhana Club elections where the members choose the members.

Justice Lodha tried to explain that the judiciary does not have the mechanism to monitor the inputs and once a foolproof system of judicial appointments is in place, the aberrations can be avoided. He further said that judiciary is open to ideas to make the system strong and flaw-less.

Mr. Jaitly's analogy of judicial appointments with Gymkhana Club mode of choosing its member, is not in good taste, to say the least. What they were discussing is a national issue of far reaching consequences. Trivialising such grave issues is no doing justice to the cause. If we reduce the argument to such level, what about the composition of Rajya Sabha. Rajya Sabha is an equal entity like Lok Sabha to constitute the Parliament and all its members are either indirectly elected from State Legislatures or nominated. Mr. Jaitly is also an august member of Rajya Sabha, elected indirectly. Will of the people so actively reflected in election to Lok Sabha, cannot be seen in the case of Rajya Sabha. Yet, this does not diminish its stature or functional ability. As against this scenario, the judiciary has proven professionalism to go about its task.

Most unfortunate in the entire episode is the debate is being reduced to Executive Vs Judiciary and Legislature Vs Judiciary much against basic concept of our Constitution. Constitution provided enough space for Executive, Legislature and Judiciary to operate independently. Problems arise only when one organ feels that it is preeminent. Mr. Alexander Hamilton, world famous American Constitutional expert of the past, foresaw such aberrations to manifest in future when he said; *"The representatives of the people in popular assembly seem some time to fancy that they are the people themselves and betray strong symptoms of impatience and disgust at the least sign of opposition from any other quarter, as if the exercise of its right by either the executive or the judiciary were a breach of their privilege and an outrage on their dignity The power of judicial review enables the judiciary to maintain balance particularly during the periods of strong passions and feelings thus*

avoiding serious damage to fundamental human values." This statement very aptly portrays the situation now under discussion.

There is another angle to the issue which is far more important and peculiar to India. Of the three organs, the Executive, the Legislature and the Judiciary, the executive machinery is headed by the Prime Minister who is responsible to Lok Sabha which otherwise means, only he who commands majority in Lok Sabha can be the Prime Minister and Leader of the House. He thus effectively controls both the wings of Executive as well as Legislature. It also means that the Legislature will deliver whatever the Executive wants. In such circumstances, the independence and credibility of the Legislature are likely to come into question. Thomas Jefferson, former President of United States was frank to call it '*elective despotism*' and argued for a judicial check.

What happened in NJAC case is exactly what should have. The 1030 page judgment was very balanced and did not foreclose other more efficacious options. The SC by 4:1 judgment struck down the law as bad and left the matter open ended. Since a system is necessary to be in place, the Collegium system will be in operation as of now. The Supreme Court sought suggestions for its improvements. Under the circumstances, nobody need have any apprehensions.

No sooner the SC verdict came holding the NJAC Act unconstitutional; the media reacted rather very aggressively. Shrieking headlines and blaring scrolls were so deafening, cool thinking was impossible. Headlines and comments like "Pillars of democracy lock horns?", "SC vetoes United Parliament", "MPs OR Judges to decide for India?", "Judges appoint Judges", "Parliament Vs Judiciary", "Who failed India? Judiciary OR Legislature", "Political consensus ignored", "People's will not respected", "Blow to judicial reforms", "Judicial Independence Vs Judicial Accountability" are aggressive, provocative and even misleading. Though explicitly not stated in the Constitution, media is accepted as the fourth pillar of democracy and is therefore rightly called the "Fourth Estate". In fact, it has greater responsibility of a watchdog in the society. Media is expected to enlighten and educate the people by objective reporting without adding frills to promote a particular shade of the event. There is all the need for protracted enlightened debate on this issue to decide upon a foolproof system which can stand to all seasons.

According to latest reports, the Supreme Court, true to its stance reflected in the judgment, called for nationwide consultation process inviting suggestions for improving the judicial appointment system. The Government, however, is insistent upon its powers to bring in a law to replace the Collegium system.

MORE ABOUT HYDERABAD...

By

Dr. B Raghotham Rao Desai

(A sequel to an earlier article: "As a mention of Hyderabad is made...."; published in Vana Premi of May, 2009 – issue, which itself was a translated version of the speech in Urdu on 8-3-2009 before the APRFOS' Association, when the author was felicitated)

In its heyday, Hyderabad was the largest and richest of all the Indian Princely States that made up nearly a third of the Indian land-mass under the hegemony of the British Raj, far outshining in magnificence any of the small Rajput Kingdoms which are presently being regarded as essential parts of any tourists' visit to India. From about 40 years after the death of the last great Moghul (Muhi-ud-Din Muhammad Aurangzeb Alamgir), under its succession of Asaf Jahi Nizams, the Hyderabad State had for more than 200 years succeeded in preserving everything that had been salvaged from the wreck of medieval Deccan civilization, thus keeping alive a last flicking light of the arts and cultural forms of Indo-Islamic Civilization which had elsewhere been eroded — first by the onslaught of British Colonialism, then by the modernism of independent India.

As late as Nineteen-forties (a year after the commencement of World War – II), Hyderabad had income and expenditure equal to Belgium, and exceeded that of some twenty member states of the "League of Nations" — the Nizam's personal fortune, according to one contemporary

estimate, accounted to about Rs. 90,000 crores in gold and silver and four times of it in jewels! Osman Ali Khan was featured in 1937 (on the cover of "Time" magazine) as the Richest Man in the World!! Yet while many of the princes managed to find a place for themselves in modern India, the last Nizam found himself unequal to the task — the disintegration of the State and the dispersal of the wealth (of the Nizam's) is one of the 20th century's most dramatic reversals of fortunes: in early seventies his title along with those of all the other princes, was abolished and the Privy Purse was similarly removed, while subjecting all the princes to crippling new wealth taxes and land ceiling acts which forced them to sell most of their properties.

The last Nizam (Mukarram Jah) inherited a ridiculously inflated army of retainers, which liability he eventually gave up after struggling for some time, and shifted to Australia, donning blue overalls and spending his days tinkering under the bonnets of his cars or driving bulldozers around Western Australian bush at Perth! In his absence, even the *Chow-mohalla* was not spared from getting looted or possessions dispersed by a succession of incompetent or unscrupulous advisers — it shrank to a fourth of its original size, as courtyard after courtyard, ballrooms & whole stable blocks and even the famous mile-long

banqueting hall were all acquired by developers who demolished the 18th century buildings & erected concrete apartments in their place. One thing which is conspicuous about Hyderabad is: it hides its charms from the eyes of outsiders, veiling its splendors from curious eyes behind nondescript walls and labyrinthine backstreets — only slowly has it allowed itself into a hidden world where water still drips from fountains, flowers bend in breeze and peacocks call from the overlaid mango trees! There, hidden from the streets, was a world of timelessness and calm, a last bastion of gently fading civilization where old Hyderabad's gentlemen still dreamt about the rose and the nightingale!!

Can the description of Hyderabad be considered complete without making a mention of wonderfully ebullient and foppish monuments

(15th & 16th century's magnificent Qutubshahi tombs) which are restored by the Aga Khan Foundation? The domes swell out of all proportion to the base, each like a watermelon attempting to balance on a fig — the craggy citadel of Golconda rising above the domes, where ceaseless stream of 'Golconda diamonds' were stored, that ensured that the rulers would never ever be poor! Inside the walls of the glorious fort of Golconda, one passes a succession of harems and bathing pools, pavilions and pleasure gardens. Today, the fort is the magnificent venue for one of India's leading literary festivals.

Though much has been lost, but the 'future of Hyderabad's past' seems brighter, and there is every reason to hope that more & more travelers will be flocking to it to discover the largely forgotten but most fascinating part of India.

YOUR ATTENTION PLEASE

I am leaving for Sydney (Australia) on 3-12-2015 along with my wife to spend some time with my son, daughter in law and grandchildren. I will be back on 2-3-2016. During my absence the editorial work will be looked after by Mr. J.V. Sharma IFS (Retd.). His e-mail I.D. is jvsharma32@gmail.com and Telephone number 09441319151. All are requested to send articles to Mr. J.V. Sharma on the above e-mail I.D, for publishing in our Vana Premi from January 2016 issue. I profusely thank all the writers, subscribers, contributors, readers, all the office bearers of Association, Mr. V.V. Hari Prasad Asso. Editor, Venugraphics (printer) and his staff, Mr. Satish D.T.P operator, Mr. B.S.S. Prasad and Mr. Anwar (Both are helping me in VP office) for fully cooperating with me and rendering all the possible help to me. I welcome Mr. J.V. Sharma IFS (retd), the incoming editor and wish him all the best.

Qamar Mohammad Khan

MUSINGS ON INDIAN FORESTRY

By
Surya B. Singh

Forestry in India is entering a new phase. Hitherto destruction to forests and its biodiversity was usually caused by non-state actors. That is no longer so. Now the state itself is becoming an instrument of destruction of forests either in the name of preserving the rights of tribes and other forest encroachers or in the name of development or GDP growth. A voluble section of the society appears to be of the firm view that the environmental considerations are impediment to development. It may therefore be an appropriate occasion for some introspection on what we learnt of forestry and how relevant was it for the management of the forests entrusted to our care. It is also an occasion to critically examine the result of the forest management in general as practiced over past years on the forests of our country since Independence and then in the light of the conclusions drawn and lessons learnt from the analysis of the past, to suggest some course correction if needed, to visualize on the future challenges on the environmental front likely to arise and to speculate on how our future foresters may cope with such problems. Since the subject of forest and forestry is related to the entire gamut of environmental and developmental issues, unless the context indicates otherwise, I shall refer to forests to include environment in the discourse that

follows. I would like to examine the past management first and then examine the training aspect later on. Thereafter we try to visualize and throw some conjectures on future of forestry in 50 or 100 years hence.

1. **THE PAST**

2. **The British Period.** Vedic literature is full of speculations on man and his environment where the twain has been placed on equal pedestal. Here each element of environment including *abja* (born of water), *goja* (born of earth), *adrija* (born of hills) etc. have been accorded the status of divinity thus guiding their inter relationship which enjoin Man to regard both animate and inanimate objects of nature as enveloped with divinity and enjoy its fruits with detachment or renunciation. In the Upanishads we find hymns praying for peace even for *Vanaspati* that is vegetation! Here it may not be inappropriate to compare these noble thoughts on environment scattered in the Vedic literature with the teachings in some other cultures which assign Man's position at the apex of the pyramid of the creation and state that the rest of creation was there for his enjoyment. Then in the later historical period, we find Ashoka laying down elaborate rules for control and management of forests. A part of these rules may be seen in rock edicts etc. of the period (e.g. Dhauli rock edict in Odisha).

During the same period we find Kautilya's *Arthashastra* giving instructions for management of forests and Wildlife. However since neither the Ashoka's rule nor any of the other empires of the north or of south covered the greater part of India as we know it now, these regulations had only peripheral coverage. Same was the case with the subsequent ruler's right up to the end of Mughal period when quite a substantial part of present day India remained beyond the pale of various central authorities. Thus the organized forestry as we know it now started only about 150 years back during British rule. However for the discussion that follows for examining the past, I have taken an arbitrary cutoff date of the Independence because that was or should have been a point of inflection for the objectives of forest management in the country. The objectives of forest management during the colonial days, as expected, were guided by the sole purpose of exploitation of forests for earning maximum revenue therefrom, of course in a sustained manner. We may not have any dispute here with the goals set up by the colonial rulers in this regard. For meeting their objectives, they carried out the process of reservation of pockets of forests in the areas under their direct control which was no doubt, very commendable work on their part. This endowed us with a huge capital to work with and progress upon. Without this huge asset of Reserved Forests (R.F.) and Protected Forests (P.F.) variously estimated around 45 million hectares,

which was passed on to us at the time of independence, it may not be conceivable even to think either about the forest services or of the forest departments in the country. In this respect the Reserve Forests constituted by the British fall in the same genre as the net-work of Railways, Roadways and other such assets bequeathed to us by them.

3. The Transition Period: In contrast to the British period, the objectives of forest management in independent India could have been more holistic and broad based, embracing environmental aspects as opposed to mere management of government forests or as an agency for producing and selling timber or other marketable products. However looking at the forestry scenario of the period with the advantage of hind sight, a neutral observer may now feel that the endowment of this huge asset in the form of R.F.s, perhaps led to a feeling of complacency in the foresters of independent India which ultimately led them to have a very myopic view of the emerging problems on the environmental front. In the beginning say for about the first 25 years since attaining Independence, the approach of the foresters to the problems of forestry and the environment of the country remained confined only to the forests under the control of the Forest Departments. These were mainly the Reserved Forests (RF) and the Protected Forests (P.F.). The bulk of these forests fell in the first category. We may call all these types of forests as

Government Forests (GF). As opposed to these GF_s, or rather complementing them, there were forests, groves and tree lots etc. which were not under control of the Forest Departments. For our present discussion and for want of a better term we may call such forests as un-recorded forests (UF). The extent of such forests including tree lots was very large and perhaps more than that of GF under the control of the Forest Departments. ***In fact one should not be surprised if the extent of GF_s together with the UF_s at the dawn of Independence is found to be more or less equal to the objective on the extent of forests that was set out in 1952 policy.*** My premise in this regard follows from the fact that the extent of such UF_s of the country though very extensive was not known then to the policy makers and the foresters. It remained so till about mid 70_s or to be more precise till the establishment of the FSI in 1981. During this period of over thirty years, efforts to ascertain the extent of UF_s were either not made or even thought of. No doubt a substantial portion of these UF_s subsequently came over to the Forest Departments for management but the bulk of such UF_s got consigned to oblivion un-noticed as a consequence of land reforms and the program of grow more food schemes undertaken by the States as also perhaps unawareness of the policy makers and foresters of that period who remained busy with management of GF_s under their charge.

4. **The un - Recorded Forests Of The NE:** These

un-recorded forests at the dawn of independence were of several types. The first category of such forests outside the GF_s was in the various units of North East Region. These were quite extensive and most of them fell in the category of VDF (Very Dense Forest) as per present nomenclature of Forest Survey of India (FSI). In fact out of over 2.62 lakh square kilometers of the geographical area of the region there are grounds to believe that about 2.25 lakh square kilometers must have been covered with forests at that time. Allowing for about 50,000 square kilometers of then GF_s of the region, the figure for UF_s could have been about 1.75 lakh square kilometers. Even now as per the latest FSI report (2013), the total forest cover of the NE is of the order of 1.73 lakh square kilometers (It is 1.72592 lakh square kilometers to be precise- page 26 of the report). However apart from GF_s, ***there is even now no recorded (as against aerial data) reliable figure of the extent of UF_s of this region*** except perhaps, in case of Tripura and that too of a much later period. The FSI reports which give us *the recorded extent of UF_s* of the region are based on purely speculative data furnished by the states concerned. This sorry state of affairs is because the hill areas of NE as possibly similar areas in some other parts of the country were cadastrally not surveyed till then and there were no record of rights of such areas. The Brahmaputra Valley, the Barak Valley, the Imphal Valley and plains of Tripura are the only areas of

the region which were cadastrally surveyed then and where record of extent and ownership of land by various land use classes did exist. Since the rest of the areas of the region which are all hilly and inhabited by tribal clans who claim some sort of *suzerainty* over their respective lands and yielded no revenue to the Governments, these were therefore naturally NOT surveyed cadastrally by the British and surprisingly even by their successor Governments of the region. Forget about conservation of forests of this category, even some of the external boundaries of the region were physically not established on the ground till we experienced the Chinese push of 1962. Ignorance of ground realities led the Central Government to even cede away some areas to a neighboring country (Kabaw Valley of Manipur).

5. Protected Areas Of Human Population: But the political leadership of the period immediately after Independence was otherwise quite enlightened specially on forestry front and if we had foresters of the same genre we could have saved quite a bit of these forests of the region by continuing the policy of reservation started by the British. This is because the population of the region *then* was very thin – only in single or at the most double digit numbers per square kilometer in all the units. Even the Brahmaputra Valley – then the most densely populated area of the region - had a density of only a little over 80 souls per square kilometer to care for and it should have been possible to save large chunks of forests of the

region. But perhaps those who could not retain even the GF_s, the protection of which they were entrusted with, it was too much to expect from the forest administration of the period to think along these lines. Here it may be appropriate to point out that even though the density of indigenous population was then very thin, loose and apathetic administrations allowed encroachment of quite a few of the entire RF_s and protected areas by migrants, a few from within the country but mostly from across the borders. It was noticed that in the upper Assam, the encroachers were mostly outsiders and the local indigenous population was seldom involved in such activities. Such encroached areas used to be de-notified subsequently. This practice continued till the Forest Conservation Act 1980 (FCA) became operational. But the process of destruction of forests remained unabated even thereafter. Thousands of square kilometers of forest area have been encroached upon where even now the density of population is mere 16 souls per square kilometer (cf. 368 for the country). The result is that now we have quite a few protected areas in the region (e.g. Laokhowa Sanctuary of Assam) where you have only human habitation and agricultural fields and not even a hectare of forest left and naturally without any wildlife unless you count micro fauna in that category! Because of legal hurdles we cannot even de-notify such areas now.

6. The Zamindari Forests: The second category of such UF_s, though individually small in extent, but collectively quite large, consisted

of forests and tree lots owned by the erstwhile Rajas (not of the princely states, which type is discussed below separately), Zamindars, Chowdhurys, etc. and other intermediaries of British India. The forests and tree lots of this category owned by erstwhile intermediaries were cadastrally surveyed and record of rights in quite a few of these cases did exist. The political parties heading the freedom movement had land reforms as one of the important points of their agenda and had vowed to abolish the intermediaries once they came to power. Only the land directly cultivated by such intermediaries themselves called by various names like *khudcast, sir* (pronounced as seer) etc. was to remain with them. The rest of their holding whether agricultural fields or forests, groves, tree lots, or water bodies etc was to be taken over by the States. Though this was the avowed objective of the political parties heading the freedom movement, it took time of five to fifteen years and even more to pass legislation in that regard and then implement the same. In the interregnum, the intermediaries who knew what was there in offing, sold and destroyed the trees from their holdings as the land not directly cultivated by them was in any case to be taken over by the Government. In the process all the smaller forests and tree lots of this category got destroyed. The bigger ones could not be finished in their entirety though quite considerable destruction took place in their cases too. In retrospect I feel, *a simple provision in the land reform Acts of allowing retention of ownership of*

land by the intermediaries where a certain density of tree crop say 40 trees per acre of 4' girth and above was maintained, could have saved us more forests than what the forest departments subsequently tried to raise with varying degree of success under its social forestry and other programmes. In hindsight I do not see any difficulty in selling such an idea to the political class of the that period which may have perhaps accepted to incorporation of such a provision in the Land Reform Acts like UP Zamindari Abolition And Land Reforms Act 1948 and similar enactments of other states. The land of the erstwhile intermediaries thus vested in the state was subsequently transferred to village Panchayats who then leased it out for cultivation. Wherever some trees still remained on such village common lands, these became fuel for MDM programme.

7. The Forests of Erstwhile Princely States:

The third category of such UF_s consisted of the forests which belonged to the erstwhile princely states numbering 562 which merged into the Indian Union. All these Maha Rajas/ Rajas/and Nawabs/etc. maintained large areas of forests for organizing *shikar* and for entertaining their guests. On merger of these princely states into the Indian Union, whatever was declared as the personal property of the erstwhile rulers in the instruments of merger of their respective estates remained under their possession and the rest of their holdings merged into the Indian Union and thereafter came over to the concerned States? Thus most

of the forests maintained by the erstwhile princely states were transferred to the States concerned. In these cases too there were quite a number of princely states where there was no record of forests. Here the mayhem on the forestry front during the transition period was not so wide spread in case of well administered larger princely states with well-organized forest departments and where the land had been cadastral surveyed and the record of rights over the land existed. But in other cases the turmoil of the transition took its toll and considerable areas lost their forest cover. Here too we do not have any authentic figure of the loss of the forest cover. But the loss of forest cover in this category was perhaps unavoidable.

8. Perceived Low Productivity of Indian Forests:

Now let us examine the condition of the GF_s i.e. the Forests under control of the Forest Departments immediately after independence. Here also the GF_s could not retain their pristine glory and soon came under scrutiny of foresters and were found wanting on two counts. The first was on account of their perceived low productivity and the second, which was apparently more condemnable, was the fact that most of our forests especially moist/wet tropical types with numerous tree species were not amenable to manipulations to attain the stage of Normal Forest of European concept. Though the foresters always cried hoarse from the roof tops to tell the world about the indirect benefits of forests, perhaps they themselves were not convinced about the same, and soon took upon

themselves the onerous responsibility of increasing productivity in terms of yield of marketable timber of the land under their charge. At this stage, and even now to a great extent, not much was known about most of the various species of flora and fauna and especially about their inputs and outputs in quantitative terms. What had been studied was a little about a few mega species of flora and even fewer of fauna. Precious little was/is known in quantitative terms, say about the absorption of GHG or the output of *the vital* gas from the floral species which is the USP of the forests. Productivity of forests should be assessed in terms of these and other such important parameters and not merely in terms of marketable timber produced by them for which there are any number of substitutes. Even for production of timber through the single selected species route, no heed was given to utilization of scarce inputs of land and solar radiation which go waste as these scarce inputs are not put to optimum usage when even aged stands of a single species is raised or the much touted 'Normal Forest' is formed. Some sporadic attempts were made in the past in this direction to study and evolve techniques of raising mixed plantation by optimizing utilization of vertical as well as horizontal space by applying optimization techniques (see the author's 'Linear Programming ——— Plantation' —Indian Forester, November 1981). But such attempts were few and far between to provide any meaningful impact. Here it is

pertinent to raise a poser viz. with optimum conditions of vegetal growth prevailing in most parts of our country barring the arid and the temperate regions, how is it that the productivity of our forests is found to be far lower than that of forest of temperate countries where the growth conditions are sub optimum?

9. Massacre Of Miscellaneous Forests: Loss Of Biodiversity: However these issues perhaps did not strike the imagination of our flag bearers of the time who continued to be obsessed with the single point programme of increasing productivity by raising plantations of fast growing species, economically important species etc. There may not have been much objection to these schemes if it had aimed at only the blanks and scrubs. But in their zeal they targeted all the areas which did not have pure crop of their chosen species and thus had supported mixed vegetation. Such mixed forests were given the nomenclature of miscellaneous or 'kukath' in Hindi which may mean 'bad wood'. Naturally such bad wood had to be removed and replaced with good ones! But it is felt that such nomenclature and consequent result flowed from lack of factual information about the so called miscellaneous species. The result was that tracts of beautiful forests were massacred and biodiversity destroyed over large areas in the name of raising plantation of fast growing species etc. This was attempted even in areas supporting tropical wet evergreen forests under various schemes. These schemes adopted 'one size fits all' approach of the Central Government

and prescribed three weedings in the first year, two in the second year, one in the third year and none thereafter. Needless to say, that under conditions of intense vegetal growth of the concerned moist/wet tropical areas, quite a few of such plantations were smothered by intense weed growth. Such plantations failed as a consequence. Similarly application of quite a few of the silvicultural systems taught to foresters did not yield the desired results.

10. The Forest Villages: Apart from a few Forest Villages which were retained inside R.F_s during the process of settlement, the foresters in their own interest created quite a few in almost all the States. For raising plantations of their chosen species, where labor was readily not available, as also to provide for supply of provisions for the forest staff in the interior areas, forest villages and taungya villages were established within the R.F_s. Though these habitations were temporary in nature, little effort was made to move them out of the R.F_s once the plantation work was over. Thus such forest villages acquired permanent position and grew in size with increase in their population. This necessitated more and more forest areas for cultivation by the forest villagers. Since little prior thought was given to this aspect before establishing them, most of these villages were located deep inside the R.F_s. Such villages have honeycombed the R.Fs and even the extent of area of RF now under their occupation is not known to most of the States. This is because no survey of the areas affected

by the forest villages was carried out. Now with Forest Rights Act in place, there is no way of getting rid of them. The problem of such forest villages was the creation of foresters themselves and the politicians appeared on the scene much later.

11. **Success Stories:** The foregoing discussion may paint a very dreary and bleak picture of the forests and forestry in independent India. But it was not so everywhere and there were numerous success stories as well. Consolidation and settlement of forest land of erstwhile Rajas etc. in quite a number of States was a gigantic task which was carried out mostly with success. Successful teak plantations raised over extensive areas in quite a few States is another shining example of the efforts made in this direction. Such plantations especially those raised in blanks and scrub areas were praiseworthy. Similar successful efforts were also made with some other species –mostly exotics.

12. **Wildlife Protection:** During this period i.e. up to 1960s, precious little was done in a positive way for the wildlife preservation, though sporadic efforts were made by several states in this direction. Some of the states devised the mechanism of shooting blocks which were closed/opened for shooting alternatively every fortnight. This was in addition to the closed period coinciding with the breeding period of the wildlife species. Nucleus of separate wildlife preservation organization was also set up by

some states. Efforts for in - situ preservation by setting up Sanctuaries and ex – situ by starting up zoos were also made by several states. All these efforts were made either by having standalone separate legislation for establishing sanctuaries or mostly under the garb of all embracing definition of 'forest produce' of the Indian Forest Act 1927 or its variants in different states or by adopting other short cuts. Forests of erstwhile rulers of princely states which were used by them for organizing *shikars* were converted into sanctuaries by certain States adopting such a short cut. It consisted of two steps. In the first the area was notified as some sort of shooting block under the local forest Act. Thereafter the definition of sanctuary was amended to include shooting blocks. The areas thus became sanctuaries under the Act of the State concerned. Once the Wildlife Protection Act 1972 was adopted, these areas were treated as Sanctuary under the saving section of that Act. Thus without following any settlement proceeding to determine rights and concessions of persons residing within the area at any stage, these forests were treated as Sanctuaries. This was untenable position and when challenged, the High Court naturally held that such areas were not Sanctuary under the Wildlife Protection 1972. The State Government concerned appealed against the order and the matter is still probably pending. (To be continued)

13. Deemed Sanctuaries: Such futile short cuts adopted by the States concerned did not remain confined only to the legal status to the protected areas concerned. Even boundary description of such areas was also accurately not prepared and these remain in that position even till now in quite a few States. These deficiencies could have come to light during the evaluation programme of protected areas undertaken by the Central Government but these being pro forma oriented and based on US model, could not bring it out.

14. Charge Of a Division to one Who Shoots a Tiger: But on a general examination of the scenario during the period, one may find that the emphasis was more on destruction rather on the preservation of wildlife. In fact in some of the states, the seniors insisted that charge of a Division should be given to an officer only after he had bagged a tiger! In the then Assam we had a piece of legislation under which licenses called 'Elephant Control License' were issued to individuals which allowed the licensee to shoot any male elephant provided he kills a *Makhna* if he had killed a Tusker earlier or vice versa. Thus if he kills two elephants - one tusker and then a *makhana* or vice versa - he gets back the tusks/tushes of the elephants killed and deposited by him with the Department. Such a provision may now appear to be outright encouragement to shoot all male elephants! The only control mechanism in the arrangement was to keep the

population of tuskers and *makhanas* at even level. Then you had the system of capturing of a certain number of baby elephants annually by operation of Mela Shikar. The number used to be quite considerable. Thus in Garo Hills Division of Meghalaya alone as many as 70-75 baby elephants used to be caught annually till 1974-75. Needless to say that the number of baby elephants caught was not based on any census data which was never carried out then.

15. Rhinos & Lions: Success Stories: However during the period quite a few outstanding efforts for saving some species which were on the brink of their extinction were successfully carried out. Saving of the Asiatic Lion in Gir Forests of Gujrat and One horned rhinoceros in Kaziranga in Assam are two outstanding examples. In fact some of the initiatives taken during the closing years of the period were of far reaching importance and bore fruits during the subsequent years. At the initiative of NBWL an expert committee appointed during the late 60s recommended, inter alia that at least 4% of the geographical area of the country should be covered under the protected area network. The Wildlife Protection Act and starting of wildlife training course at the Academy which was a precursor to the setting up of WII also originated from the thinking of the experts of the Committee. (To be continued in January 2016 issue)

HEALTH CARE AND THE UNDERPRIVILEGED IN INDIA

By
V. V. Hari Prasad

Last month when I was travelling by train from Visakhapatnam to Secunderabad one of my co-travelers asked me to provide my lower berth to his sister who was operated upon a few months back as she was allotted the middle berth. Out of curiosity when I asked him as to what kind of surgery was carried out on that young lady who is probably in her early thirties, I was flabbergasted by listening to the pathetic story of that young lady, on whom liver transplantation was carried out. Their family hails from a small and a remote village near Paderu in Visakhapatnam district. She was married to an employee who works in fans manufacturing company. She suffered from jaundice. The medical treatment given to her probably by a quack was neither in time nor appropriate. Consequently her liver got damaged and it became imperative to transplant her liver lest she may die. Her brother donated his liver and it resulted in a costly surgical operation of more than 35.00 lakh rupees in one of the corporate hospitals in Hyderabad. It reminded me a proverb "*A stitch in time saves nine*".

Timely and proper treatment of jaundice would have averted the transplantation of liver which caused her husband to spend probably the savings of their life time they being the members of a middle class family. AVS a

renowned comedian of Telugu silver screen, and my contemporary in the college on whom transplanting of liver was carried out had his last breath after surviving probably more than a year due to the subsequent complications of the surgery carried out.

There is another interesting case in which one of my close relatives was involved as a patient. The man in his early thirties and the son of my cousin has been staying with me. Suddenly one day when I came back from my office he was found suffering from fever. I immediately took him to one of the nearby corporate hospitals. The doctor prescribed immediate medication and suggested some blood tests. We gave the blood samples and came back. Next day morning on my own I got him tested for "Dengue" a worst kind of viral fever, as I knew that the repercussions of that disease once ignored would be disastrous. The report was negative. Following day not satisfied with the diagnostic report I went to another corporate hospital of higher repute and showed the doctor the reports. To my surprise he said, "For Dengue within a span of 3 days antibodies are not developed and as such antigen test has to be carried out." Having got perplexed I got the test done immediately and "Dengue" was confirmed. He was in the hospital for 7 days and

the bill was Rs.70,000/- and he came out having been cured of the disease. He being a person covered by the "Health Insurance policy" 90% of the bill amount was paid by the Insurance company itself within three hours of the claim forwarded by the hospital.

All the health conscious individuals are bound to know the complications of Dengue fever once neglected. It is a mosquito inflicted tropical disease caused by dengue virus. Symptoms include fever headache, muscle and joint pains and a characteristic skin rash that is similar to measles. The treatment is symptomatic and in a small proportion of cases the disease develops into the life threatening "dengue hemorrhagic fever" resulting in bleeding, low levels of blood platelets and blood plasma leakage or into dengue shock syndrome where dangerously low blood pressure occurs. Dengue has become a global problem since the Second World War and is endemic in more than 110 countries. Work is going on dengue vaccine and in the absence of timely medical intervention the patient may die in a couple of weeks.

Recently one of the Central Government security personnel who went on camp as part of his security duties was struck with Dengue fever and died within 15 days as he was neither given leave nor was administered with medication. After his death the expression of the agony by his spouse became a cry in the wilderness. I was at a loss to understand at the apathy of his senior officers and their criminal irresponsible behavior towards one of their staff members.

Another heart rending episode is that of a young person who was treated for dengue by one corporate hospital where as he was suffering actually from malaria. When I saw him in the same corporate hospital where the son of my cousin was an in-patient, the delay in treating him for malaria resulted in costing him four lakh rupees by that time and he was still in the bed under treatment. His father probably from a middle class farming community was found, moving earth and heaven by pooling up his resources in a tireless bid to save the precious life of his young son.

These instances where in thousands to lakhs of rupees are to be spent for curing the diseases or carrying out the indispensable surgery narrated above in corporate hospitals in view of the fact that Govt. hospitals have been virtually defunct, make us to sit and ponder over the plight of a common man in the context of his health care in India. To know as to what extent the ruling classes either at the Central or at the state level are serious to address the issue of the Primary health care of a common man, or the underprivileged ones of this biggest democratic country I am afraid one has to keep his fingers crossed brooding over it.

The recent incident which took place a few months back in the state of Andhra Pradesh is heart rending. A new born baby died bitten by rats in Guntur general hospital subjecting the parents to lot of agony as earlier the poverty stricken parents were left with the Hobson's choice of approaching a Government hospital

for delivery. The rats' menace could not be controlled by the hospital authorities probably because of dearth of funds. The Government of Andhra Pradesh suddenly woke up and started eradicating the rat population in the hospital. What an ad hoc measure in tackling with such an important issue of dealing with the lives of the children?

Recently one of the leading Telugu dailies wrote an article where in the pathetic condition of primary health centers of Telangana state was dealt with as they were started with an aim of meeting the primary health care requirements of the villagers. The article gave a vivid picture of the deplorable condition of basic infrastructure in the hospitals and perpetual absenteeism of the staff working there. What a pathetic condition of primary health care in rural India?

Ashok K Agarwal from International institute of Health Management Research – India in his article titled "The Primary Health Care in India - A critical Analysis" wrote as follows.

Economic survey of India way back in 2010 summed up, "Huge gaps are seen in primary health care." It says, "Inadequate health infrastructure, in addition to shortage of trained personnel, has resulted in glaring gaps in health coverage and outreach of services mainly in rural areas." The economic survey of India said, "At present India is short of by 20,486 sub centers, 4477 primary health centers (PHCs) and 2337 community health centers. What is worse is that basic facilities like proper buildings, hygienic conditions electricity and water supply were still

found absent in namely existing health centers with many PHCs and CHCs not providing even the guaranteed services such as in patient services, operation theatres, labour rooms, pathology tests, x-ray facilities and emergency treatment. High absenteeism among personnel manning PHCs and CHCs is also a major bottleneck."

The survey rues the fact that India fares poorly in most of the health indicators in comparison with developing countries like china and Sri Lanka. India is growing as fast as the other BRICS' (Brazil, Russian Federation, India, China & South Africa) economies but its spending on health care is much lower among all the BRICS nations. India's share of public expenditure in the total health expenditure is the lowest in each of the years (between 2004 and 2009). Public spending on health care spending in China accounted for 43 per cent of its total health care expenditure. In India the corresponding value was 28 per cent. But in the U.S the average public share of health expenditure was 46.8 per cent during the period.

Such being the scenario the Government of India wanted to take-up certain measures and the following are the provisions of "Draft National Health Policy of India -2015".

The "Draft national health policy – 2015" has proposed a target of raising public health expenditure to 2.5% from the present 1.2% of GDP. It also notes that 40% of this would need to come from central expenditure.

The draft policy suggests making health a

fundamental right similar to education and denial of the same could be punishable. The center shall enact after due discussions and on the request of three or more states a "National Health Rights Act" which will ensure health as a fundamental right whose denial will be punishable.

The draft policy was placed in the public domain until 28th February 2015 for public consultation. The policy is a first step in achieving universal health coverage by advocating health, as a fundamental right whose denial will be justiciable..

The current government spending on health care is a dismal 1.04 percent of Gross domestic product, one of the lowest in the world, which translates to Rs.957/- per capita in absolute terms. The draft policy has addressed this critical issue by championing an increase in Government spending to 2.5 percent of GDP (Rs. 3800 per capita) in the next 5 years.

Imagine the plight of a common man approaching a Government hospital which does not possess adequate equipment to diagnose his disease and the doctor if at all he is present in the hospital prescribing a medicine thinking it to be apt without possessing any diagnostic report ultimately resulting either in aggravating the disease or the untimely death of the patient. What a façade of health care in this great country?

Good health care is about effective and well – administered public provision of the basics. The centre and states must expedite public health

care infrastructure, recruitment of doctors and Para medical staff, setup new diagnostic laboratories and revamp procurement, stocking and distribution of drugs.

Announcement of relaxation of FDI norms for 15 sectors by Indian Government is a welcome step where as health and education sectors are conspicuous by their absence though Private medical care for the poor in India is not affordable.

The doctor to population ratio in India compares with the poorest African nations the improvement of which probably can be addressed only by hefty FDI in both health and Medical education.

In 1995 the Supreme Court held that right to health and medical care is a fundamental right covered by Article 21 of the Constitution since health is essential for making the life of workmen meaningful and purposeful and compatible with personal dignity.

The Supreme Court, while examining the issue of constitution and right to good health in "Consumer education and Research Center vs UOI explicitly held that, the right to health was an integral factor of a meaningful right to life". The court held, "The right to health and medical care is a fundamental right under Article 21 of the Constitution." Hope that the "Draft National Health Policy-2015" which was formulated to meet the health requirements of the poverty stricken millions of underprivileged masses of this great nation, shall achieve the goals aimed at.

KESAVA REDDY – AN INSPIRING ICON

BY

C. Rama Krishna Reddy

I have a long association with Dr. K. Kesava Reddy in his official and personal life. He made a journey of an eventful career. He was an intellectual par excellence. I came in contact with him during 1969 to 1971 when he was my boss as DFO of Chittoor (East) division and I was the Range Officer of Chittoor (East) Range.

I also worked with him when he was Conservator of Forests Telugu Ganga Project with H.Q at Kadapa and I was Divisional Forest Officer, Nellore Division when both of us coordinated with each other and identified 20,000 Acres of Revenue Land in Nellore District itself for compensatory afforestation during 1985 to 1988.

In the multidisciplinary science of forestry, Sri Kesava Reddy worked successfully in many areas. He was a forester extraordinaire.

Soon after he passed out of the IFC, he was posted to the Pre-Investment Survey. He worked as ACF in the PIS in East Godavari district with H. Qrs at Rampa Choudavaram during 1962-'63 and did a good job.

As the DFO Anti-Smuggling of Red Sanders Squad at Kadapa, he did monumental work in controlling the smuggling of red sanders wood during 1966 -'68 and detected a few sensational cases.

During the period 1969 – '71, Sri Kesava Reddy worked as DFO Chittoor East division. He used to

tour extensively for many days in a month for inspection of the forests, particularly in the forests which supported sandal wood trees in Bakarapet Range. He found many sandal wood trees missing. The trees in fact were illegally felled and the wood was smuggled. During inspection by Sri Kesava Reddy, a novel idea struck his mind. Knowing well that the roots of sandal wood trees possess good content of oil cells, he ordered for digging out the roots. The uprooted material, when sold fetched revenue of a few crores of rupees. For this innovative work, Sri Reddy received encomiums from the then CCF Sri P.S. Rao.

Another good example of Sri Reddy, as DFO Chittoor East and Anantapur divisions, was to organize a drive for reduction of pendency of offence cases. This had set a precedent for organizing similar drives in other divisions of the state.

On promotion, Sri Kesava Reddy was posted as CF Telugu Ganga Project. That was yet another challenging task and a test period for Sri Kesava Reddy for display of efficiency and intelligence. The Project demanded about twenty five thousand acres of forest land for canals, reservoirs etc. spread over four districts Viz. Kurnool, Kadapa, Nellore and Chittoor districts and these forest lands required forest clearance under the Forest Conservation Act from

Government of India for diverting forest land for non-forest purpose. The onerous task before Sri Kesava Reddy was to find an equivalent area in all the four districts to compensate the loss of forest land. Sri Reddy, with the active cooperation of all the forest staff concerned identified 25,000 acres of revenue land in four districts. A scheme for compensatory afforestation was prepared costing about Rs. 35 crore. This was a remarkable performance and it earned a good name for Sri Kesava Reddy. Taking advantage of the availability of funds under the TGP, Sri Kesava Reddy got constructed staff quarters, Rest Houses and office buildings at Tirupathi, Nellore and Kadapa.

While getting Forest Clearance for the Telugu-Ganga-Project- affected-forest-lands, Dr. K. Kesava Reddy achieved the distinction of interlinking of Krishna River with Penna River. This was a pioneering and marvelous job performed by Sri Kesava Reddy.

Sri Ramakrishnaiah, Officer on special duty for Telugu Ganga Project, out of immense gratitude to Dr. K. Kesava Reddy's efforts in getting forest clearance, innovated two irrigation as well as drinking water projects; namely *HANDRI NEEVA SUJALA SRAVANTHI* and *GALERU NAGARI SUJALA SRAVANTHI* to cater to the needs of Rayalaseema Region and got approval from Sri. N. T. Rama Rao, the then Chief Minister of composite A. P. State. These projects now came into reality. The people of Rayalaseema Region owe a debt of gratitude to Dr. K. Kesava Reddy for his immense help rendered to them.

Sri Kesava Reddy was especially interested in

developing Horsley Hills as a tourist attraction center. When he became the PCCF, he ordered for renovating the guest houses. To perpetuate the memory of the rivers around, he named all the suits of the Rest Houses by the names of the rivers. At a strategic point on Horsley Hills overlooking a tank (named by him as Manasarovar) a beautiful building is constructed to serve as the Environmental Education Centre. The building is well equipped with a Museum, Library, a Projector Room, and a small Auditorium. Some models of stuffed wild animals like tiger; Bison; Deer etc. were put in place. A crocodile pond, children's park, an arboretum, a mini zoo with rare animals and birds are added to the Horsley Hills.

Sri Kesava Reddy, apart from being an able administrator, was an avid researcher. He worked as State Silviculturist. While being in active service, he conducted research on forest ecology and earned a doctorate from Sri Venkateswara University at Tirupathi. His keen interest in research and use of bio technology in forestry resulted, as stated above, in establishing Bio-Technology Centre (BIOTRIM) at Tirupathi.

Dr. Kesava Reddy was a wildlife enthusiast and has authored a book on wildlife. He is responsible for establishing Sri Venkateswara Zoo Park over an area of 2500 acres in Seshachalam reserved forest.

Dr. K. Kesava Reddy was always keen on having the office premises free from trash and garbage. This was strictly implemented in ARANYA

BHAVAN when he was P. C.C.F during the years 1991 to 1993. He has established cultural and research wing at Dulapalli near Hyderabad City. In course of time, this has emerged as a prestigious center for forestry education and is known as Forest Academy catering to the needs of personnel of all ranks up to Ranger's cadre from all over India. He has also established NANYALA ELEPHANT center in Kuppam Range of Chittoor West Division where Wild elephants are tamed by KUMKIS.

Dr. K. Kesava Reddy was an expert professional forestry consultant. He has a distinguished career as 'Forester' stretching over a period of nearly 35 years. His academic career at the University was brilliant. He did his post-graduation in Zoology with Genetics as special subject after obtaining Bachelor of Science Degree in Biological Sciences. Immediately after his post-graduation, he was selected by the Government to undergo the Forestry Diploma Course at the famous Indian Forest College, Dehra Dun, for a period of 3 years. He thus started his professional forestry career in 1957, joining the Government service and became an Officer of the Indian Forest Service and retired in the cadre of the 'Principal Chief Conservator of Forests before he retired on superannuation in July 1993 at the age of 58 years. He started his service as a 'Divisional Forest Officer' and worked for 18 years in that level where he handled several nursery and afforestation programmes. He served as State Silviculturist in charge of basic research at the field level before he was

shifted to handle the planning and budgeting activities of the State. At this stage he was promoted as 'Conservator of Forests' to handle the State forestry personnel management in which capacity he worked for about 5 years.

He has guided and directed the preparation of Forest Working Plans for about 15 districts out of 23 districts of the State. He has drafted several afforestation and research reports for implementation. His interest in 'research' made him to work for his Ph. D Degree. Amidst his busy official duties he found time to carry out research and obtained Ph.D in 'Forestry Biology' on the subject entitled 'Biotic and Abiotic factors influencing the status and distribution of Flora and Fauna of the Seshachalam Catchment of Andhra Pradesh'. He has established as stated herein, 'Bio-technology Centre for Tree Improvement - BIOTRIM' at Tirupathi in Andhra Pradesh State. He is the recipient of the 'Schlich Memorial Prize' and has authored a book on 'Vegetative Propagation and Bio-technologies for Tree Improvement' and has several publications of research papers to his credit. His latest Book is "The wild in Wilderness a Reference Book on Indian Wildlife and their Abodes". He was instrumental in drafting and obtaining a major World Bank aided Forestry Project to the State of Andhra Pradesh costing over 350 crores of rupees implemented from 1994 onwards. He also worked as Senior Forestry Specialist for Winrock International, U.S.A., as a freelance consultant. He is also a registered Forestry

Consultant with the World Bank, Washington, LTS International Ltd. Edinburgh U.K., Ministry of Environmental & Forests and Ministry of Rural Development, Government of India, New Delhi and was on the panel of experts of the National Wastelands Development Board and National Afforestation & Eco-Development Board. He has widely travelled all over the world in countries like USA, UK, Netherlands, Belgium, Luxemburg, Switzerland, Austria, Italy, France, Nepal, Philippines, Singapore, and Thailand. He was the Chairman of the Horsley Public School and on honorary advisory board as member of CIFEWA, a quarterly review magazine on Forestry, Environment & Wildlife. He has worked as National Consultant in UNDP/ICFRE Project IND 92/038 for National Consultant for 'Research Review and Consolidation', at the Tropical Forest Research Institute, Jabalpur, an Institute of Indian Council of Forestry Research and Education, India. He is the president of Green Action Team a Non-Government organization for greening environment and Rural Development and also a member on the Board of Directors of Arogyavaram Development Society (ADS) another Non-Government Organization of long standing. He has evaluated about 50 wasteland and Drought Prone Area Projects including their impact assessment.

After retirement he had been nominated by the Ministry of Environment and Forests GOI as an empanelled evaluator for evaluation of GOI

projects. In this capacity he had the opportunity of taking up evaluation of 2600 watershed projects (each water shed 500 hectors) in Srikakulam, Vijayanagaram, Nellore, Kadapa, Chittoor and Anantapur Districts. These works were taken up by the PD of respective districts under the scheme like IWDP, DDP, DPAP, APHM, EAS, RIDF sanctioned from 1995-1996 onwards, 2004 to 2011. He had also made the assessment of the water sheds and its impact in the areas covered by the Commissioner, Rural Development GO A.P. He had also evaluated IWDP, DPAP, FDA projects of Krishna, Prakasam, Kurnool and Vishakhapatnam Districts of A.P and also FDA projects of A.P., Chhattisgarh, Kerala, Karnataka states from 1980,1999 to 2014-15. The last report was in respect of Chhattisgarh state done in February, April, 2015 covering Danthevada, Bijapur and Sukma divisions.

Dr.K.Kesava Reddy was highly disciplined and always inculcated to his fellow beings on punctuality, aesthetic sense and strong believers that work is worship. Till his last breath he was quite agile, active and healthy and never rested. Thus he has become a LEGEND and ICON of forestry for posterity.

Dr. Kesava Reddy served the forest department with a sense of commitment. He was endowed with circumspection, pragmatism and qualities of leadership. In his death we have lost a friend, philosopher and guide

GOD'S DIVINE SONG

By
V. S. Joshi

The every first verse of 'Bhagavat Geeta', the God's Divine Song consisting of 700 verses opens up with four Sanskrit words '*Dharma-kshetre kuru-kshetre*' which literally mean 'On the righteous field of Kuru-warfield'. These words were part of a query posed by the blind King Dhritrashtra belonging to renowned Kuru clan to Sanjaya, the courtier who was supposed to convey to king actual events of the great Indian war of Mahabharata about to unfold before his divine vision blessed by Seer Vyasa. And it sought the details of impending war from Sanjaya.

The period of this dialogue was about 1000 years BC and unfolding war scenario was deadly confrontation between the mighty armies, belonging to two warring cousin groups of Kuru clan namely one hundred Kauravas and five Pandavas, jointly consisting of 1.968 million Foot soldiers, 0.394 million Elephant riders and Chariot riders each and 1.181 million Horse riders. The electrifying atmosphere was uproariously surcharged with loud blaring of various conches and fierce war-cries all around. And still at the very centre of this most explosive confrontation, Lord Krishna was about to preach to his most favoured disciple Partha, the archer who had become sorrowfully distressed on viewing all his kith and kin arrayed in different battle formations before him. Partha had thrown away his famous Gandiva bow and sorrowfully declared to Lord that he wasn't going to fight that unrighteous war. The Lord's preaching contained the finer niceties about Partha's most appropriate karma at that crucial juncture.

However if we shuffle the four words of first verse of 'Bhagavat Geeta' and rearrange them as '*Kshete kshetre Dharma kuru*', what meaning would they

imply? They would mean 'In whatever field you are working, be virtuous', of course without expectation of any fruits there from. And that was the very essence of Lord's invaluable preaching to Partha.

At this turn of these events, the blind king anxiously asked Sanjaya as to which side does he think would win that disastrous war. Whereupon, Sanjaya replied in the last verse of 'Bhagavat Geeta' that starts with words '*Yatra Yogeshwara Krishna, yatra Partha Dhanurdhara*' which literally mean that 'Wherever there are Krishna, the Yoga Lord and Partha, the archer' and ends by saying that 'There would lay the wealth, success, prosperity, stability and ethics'. When Lord delivered this divine knowledge during his discourse to Partha on Kuru-warfield, Partha finally relented and agreed to faithfully abide by whatever Lord expected him to do and eventually fought the righteous war with all the valour and archery skill at his command. The most devastating Mahabharata war lasted for eighteen fateful days at Kuru-warfield that terribly ended with total annihilation of both the armies consisting of 3.937 million soldiers including all Kauravas and 1.575 million animals including all chariots except the five Pandava brothers who followed the virtuous path of their ordained karma during that entire episode.

However if we shuffle the six words of last verse of 'Bhagavat Geeta' and rearrange them as '*Yatra yatra Parth dhanurdhara Yogeshwar Krishna*', what meaning would they imply? They would mean 'Whenever Partha, the archer unites with Krishna, the Yoga Lord', he would certainly attain supreme enlightenment in perpetuity.

TIGER SAVED

By
Dr. Naveen Kumar

I received a call from Project Director Srisailam Tiger reserve Sri Sarvanan at about 8 a.m., requesting me to come over to Atmakur to capture one adult tiger which had taken shelter in a bush surrounded by agricultural fields. The animal is not in a condition to walk and unable to move.

I was on my way to Ramoji film city and was travelling in the company's car, I contacted one of a known rent a car fellow and was told that all his cars are engaged for "Pushkaralu". I had decided to go in my own car and asked the driver to turn back home, I just enquired if he can accompany me in this venture. He informed me that he has already promised someone for Pushkaralu. Then I thought of one of my close friend, if he can spare his driver for a day for which he immediately called up his driver to directly go to my house and accompany.

I reached Kurnool town and reached Forest complex at 1 PM, parked my car. DFO'S car was already waiting for me to pick up and take me to Atmakur. I reached Atmakur guest house after one hour, Sri Sarvanan was waiting for me, immediately after quick lunch we went to the spot where the tiger was taking rest in a thick

bush.

I could go close to have a view of the tiger for its physical condition for preparing the dosage of drug. I had spotted the tiger which was in lateral recumbence and as it heard some sounds, it raised its head and again lied down. I had roughly estimated the weight between 70 to 80 kilos and weak. I prepared the Dan inject dart with 200 mg of Ketamin Hcl. and 40 mg of Xylaxine Hcl., shot the animal but the dart deviated as it hit a creeper in between and landed somewhere by the side. The animal got up and slowly walked away and again sat on the other side of the bushes but this time in the open. I sat in the four wheeler and spotted the tiger in sitting position and as close as 15 ft. I aimed at the shoulder, and triggered, the dart straight hit the left shoulder muscle, the tiger got up and slowly walked away to the same spot where it was first sitting. Within 7 minutes the animal became unconscious. I checked for its reflexes and found no movement, and then I called other team members to get the stretcher. Recorded the respiration and pulse, and found it was very slow and weak, temperature was sub normal. I could not take measurements of the body as

required, due to heavy crowd along with press personal.

The animal was a female and quite emaciated and dehydrated .The tigress was shifted to the transport cage of the rescue van and immediately shifted to nearby forest Nursery, there I could access the age of the tigress and estimated it to be 16 to 17 years.The canine teeth were aroused at both the tips, One frontal tooth was missing. I gave Intra venous fluids, Ringers lactate 450 ml and 10 ml Meloxicam (anti-inflammatory) intra muscular. The respiration was ten per minute and pulse was 40 per minute. The Project Director after consulting PCCF Andhra Pradesh decided to transport the tigress to SVZP Tirupati for further treatment and care. We got the news that the tigress got up and consumed adequate water and also meat which

was carried along. It was a very good sign and relief as I could save a tiger which was about to die if not rescued and taken care. I had started back for Kurnool town, had my dinner and started back for Hyderabad and reached Hyderabad at 1 a.m.

Next day morning I received news that the animal had reached Zoo and shifted to a cage and was given water and chicken which it consumed.

Later I had enquired about the tigress and given to understand that it improved a lot and doing fine. Fortunately I had to make a visit along with my family to visit the shrine of Venkateshwara, and I made a visit to the zoo to see the tigress and got very happy for saving a tigress which was to die due to starvation.

“Without your involvement you cannot succeed with your involvement you cannot fail”.

You Cannot Change Your Future, but, You Can Change Your Habits, and Surely Your Habits Will Change Your Future

NOTICE

The 78th GENERAL BODY MEETING of the Association of Retired Forest Officers of Telangana and Andhra Pradesh will be held on 06-12-2015 (Sunday) 11 a.m. at Aranya Bhavan, Hyderabad. All the members of the Association are requested make it convenient to attend the meeting with their spouses.

B.M.Swami Dass, SECRETARY

THIS IS WHAT HAPPENS TO YOUR BODY WHEN YOU EAT SUGAR

Here's a quick question: How many spoonful of high-fructose corn syrup did you eat yesterday? Oh, you don't recall slurping down any of the hyper-sweet corn extract? Well, you did—about eight teaspoons' worth, according to the U.S. Department of Agriculture. In fact, the average American consumed 27 pounds of the stuff last year.

But while 8 teaspoons of artificially manufactured syrup may seem like an awful lot, it's only a drop in the sugar bucket. The USDA's most recent figures find that Americans consume, on average, about 32 teaspoons of added sugar every single day. That sugar comes to us in the form of candies, ice cream and other desserts, yes. But the most troubling sugar of all isn't the added sugar we consume on purpose; it's the stuff we don't even know we're eating.

In recent years, the medical community has begun to coalesce around a powerful new way of looking at added sugar: as perhaps the number one most significant health threat in America. But what exactly is "added sugar," and why do experts suddenly believe that it's the Freddy Kreuger of nutrition?

The Deal with added sugar: When they talk about "added sugar," health experts aren't talking about the stuff that we consume from eating

whole foods. "Added sugars are sugars that are contributed during the processing or preparation of foods and beverages," says Rachel K. Johnson, Ph.D, RD, professor of nutrition at The University of Vermont. So lactose, the sugar naturally found in milk and dairy products, and naturally occurring fructose, the sugar that appears in fruit, don't count. But ingredients that are used in foods to provide added sweetness and calories, from the much-maligned high fructose corn syrup to healthier-sounding ones like agave, date syrup, cane sugar, and honey, are all considered added sugars.

That's because naturally occurring sugars, like what you find in an apple, come with their own health posse—fiber, which slows the digestion of the sugar and prevents it from spiking insulin response and damaging your liver, two serious side effects of added sugar. "It's almost impossible to over-consume fructose by eating too much fruit," says Johnson. Consider this: You'd need to eat six cups of strawberries to get the same amount of fructose as in one can of Coke.

Fortunately, giving up added sugar has been shown to have several dramatic and rapid impacts on your health. In a newly released

study, children who cut added sugars from their diets for just 9 days showed dramatic improvements in cholesterol and blood sugar levels.

On the flip side, adding sugar to your diet can quickly put your health into a spiral: People who consumed beverages containing high fructose corn syrup for two weeks significantly increased their levels of triglycerides and LDL cholesterol (the “bad” cholesterols), plus two proteins associated with elevated cholesterols and another compound, uric acid, that’s associated with diabetes and gout. So found a 2015 study in the *American Journal of Clinical Nutrition*.

In fact, in a 2014 editorial in the journal *JAMA Internal Medicine*, the authors made a bold statement: “Too much sugar does not just make us fat; it can also make us sick.”

The editors of *Eat This, Not That!* took a look at the most recent research and discovered just how much harm added sugars are doing to us:

How a sugar rush works: The more added sugar that sneaks its way into your diet, the less healthy food you’ll eat the rest of the day. That’s the finding of a 2015 article in *Nutrition Review*, which looked at dozens of studies conducted between 1972 and 2012. The researchers found that a higher intake of added sugar was associated with poorer diet and a lower intake of micronutrients.

That’s in part because of how sugary foods retrain

our taste buds and mess with our bodily systems. When even tomato sauce is laced with sweetener, we then need greater and greater doses of sugar in order for the flavor to register. That leads us to seek out candies and baked goods at the expense of real food.

But it’s not just a matter of taste. A sugar rush creates an overflow of insulin into the system to try to manage the toxic substance. Because it can create an overreaction within the body—too much insulin pulling too much sugar out of the bloodstream—it can lead to crash that sends us seeking another immediate sugar rush, the kind that no whole food can satisfy.

The most powerful effects, however, aren’t on our bodies. They’re on our brains. In one study, researchers measured the levels of oxytocin, a feel-good hormone that helps us feel satiated, in the brains of rats. When rats that ate a low-sugar diet were given a meal high in sugar, their oxytocin levels didn’t change. But when they were given the high-sugar diet regularly, their brains began to show lower levels of oxytocin activity. In other words, the more we’re bombarded with added sugars, the more chronically unsatisfied we feel, and the more we need to eat. An editorial in *JAMA Internal Medicine* asked, “Why are we consuming so much sugar despite knowing too much can harm us?” The answer: “The high prevalence of added-sugar consumption...is very likely

influenced by and a result of addictive behaviors incited by reward system activation after overeating highly palatable foods.”

Added sugar causes your body to store fat around your belly: Within 24 hours of eating fructose, your body is flooded with elevated levels of triglycerides. Does that sound bad? It is. Triglycerides are the fatty deposits in your blood. Your liver makes them, because they’re essential for building and repairing the tissues in your body. But when it’s hit with high doses of fructose, the liver responds by pumping out more triglycerides; that’s a signal to your body that it’s time to store some abdominal fat. In one study, researchers fed subjects beverages sweetened with either glucose or fructose. Both gained the same amount of weight over the next 8 weeks, but the fructose group gained its weight primarily as belly fat, thanks to the way this type of sugar is processed in the liver.

What’s unique to fructose is that it seems to be a universal obesogen—in other words, every creature that eats it gains weight. Princeton researchers recently found that high-fructose corn syrup seemed to have a unique impact on weight in their animal studies. “When rats are drinking high-fructose corn syrup at levels well below those in soda pop, they’re becoming obese—every single one, across the board,” psychology professor Bart Hoebel, a specialist in appetite and sugar addiction, said in a report

from the university. “Even when rats are fed a high-fat diet, you don’t see this; they don’t all gain weight.” Fructose is the freak show of fat.

Added sugar makes you skip going to the gym: There are a lot of ways that added sugar can make you gain weight, but the most bizarre may be the way it reduces actual physical activity. In one study at the University of Illinois, mice that were fed a diet that mimicked the standard American diet—i.e., one that was about 18 percent added sugars—gained more body fat even though they weren’t fed more calories. One of the reasons was that the sugar-addled mice traveled about 20 percent less in their little cages than mice that weren’t fed the sugary diet. They just naturally...slowed...down.

Added sugar is the number one factor in your risk of dying from diabetes: The link between increased sugar and diabetes risk is right up there with “smoking causes lung cancer” on the list of immutable medical truths—despite what soda manufacturers are trying to tell us. But researchers at the Mayo Clinic have come right out and said that added fructose—either as a constituent of table sugar or as the main component of high-fructose corn syrup—may be the number one cause of diabetes, and that cutting sugar alone could translate into a reduced number of diabetes deaths the world over.

Added sugar makes you dumb, demented, and depressed:

“Reduce fructose in your diet if you want to protect your brain,” announced Fernando Gomez-Pinilla, professor at the University of California Los Angeles. He and his team tested how well rats recovering from brain injury learned new ways to get through a maze. They found that animals that drank HFCS took 30 percent more time to find the exit. “Our findings suggest that fructose disrupts plasticity — the creation of fresh pathways between brain cells that occurs when we learn or experience something new,” he says.

In an earlier study, researchers found that a combination of sugar and fat could actually change one’s brain chemistry. The brains of animals on a high-fat, high-sugar diet had decreased levels of BDNF, a compound that helps brain cells communicate with one another, build memories, and learn new things; decreased levels of BDNF have been linked to both Alzheimer’s and depression.

One of the recent mysteries of science is why depression, diabetes and dementia seem to cluster in epidemiological studies, and why having one of these health issues seems to increase your risk for the others. The answer: In a study in the journal *Diabetologia*, researchers found that when blood glucose levels are elevated, BDNF levels drop. That means that the simple act of eating sugar makes you instantly

dumber; the more you do it, the greater your risk of diabetes, and the greater your risk of depression and dementia as well. In a 2015 study of post-menopausal women, higher levels of added sugars and refined carbs were associated with an increased likelihood of depression, while higher consumption of fiber, dairy, fruit and vegetables was associated with a lower risk.

And, in a study of nearly 1,000 seniors (median age: 79.5), researchers found that eating a diet high in simple carbs significantly increased the risk of developing dementia. All of the subjects were cognitively normal at the beginning of the study, and about 200 developed signs of dementia over the next 3.7 years. The risk of mental decline was higher in those who ate high-carb diets, and lower in those whose diets were higher in fat and/or protein.

Sugar doubles your risk of dying from heart disease:

People who get 25 percent or more of their calories from added sugar are more than twice as likely to die from heart disease as those who eat less than 10 percent, according to a study in the *Journal of the American Medical Association*. One out of ten of us fall into that category.

Now, if you’re an average American, your daily sugar consumption is about 17 percent of calories, according to the study. But that’s hardly a laurel to rest on. People who ate between 17

and 21 percent of their calories from added sugar had a 38 percent higher risk of dying from heart disease, compared with people who consumed 8 percent or less of their calories from added sugar.

At first, the researchers figured that since those who ingest more sugar have poorer diets, that might be a main cause. But even after making adjustments for the quality of one's diet, the link between sweets and cardiovascular risk remained the same.

The study found that the major sources of added sugar in the American diet were:

- Sugar-sweetened beverages (37.1%)
- Grain-based desserts like cookies or cake (13.7%)
- Fruit drinks (8.9%)
- Dairy desserts like ice cream (6.1%)
- Candy (5.8%)

And sodas and other sweet drinks are a major red flag: The researchers found that a higher consumption of sugar-sweetened beverages was directly tied to an increased risk of dying from heart disease. The impact is so great that you don't need to be meandering through middle age to see the impact: Even teenagers who consume food and beverages high in added sugars show evidence of risk factors for heart disease and diabetes in their blood, according to a second study in *The Journal of Nutrition*.

Sugar causes your skin to sag: Your skin has its own support system in the form of collagen

and elastin, two compounds that keep your skin tight and plump. But when elevated levels of glucose and fructose enter the body, they link to the amino acids present in the collagen and elastin, producing advanced glycation end products, or "AGEs." That damages these two critical compounds and makes it hard for the body to repair them. This process is accelerated in the skin when sugar is elevated, and further stimulated by ultraviolet light, according to a study in *Clinical Dermatology*. In other words, eating lots of sugar poolside is the worst thing you can do for your skin.

Added sugar raises your blood pressure: In fact, sugar may be worse for your blood pressure than salt, according to a paper published in the journal *Open Heart*. Just a few weeks on a high-sucrose diet can increase both systolic and diastolic blood pressure. Another study found that for every sugar-sweetened beverage, risk of developing hypertension increased 8 percent. Too much sugar leads to higher insulin levels, which in turn activate the sympathetic nervous system and lead to increased blood pressure, according to James J. DiNicolantonio, PharmD, cardiovascular research scientist at Saint Luke's Mid America Heart Institute in Kansas City, Missouri. "It may also cause sodium to accumulate within the cell, causing calcium to build up within

NEWS AND NOTES

A giant 'spooky' space rock is flying close to Earth on Halloween, but that's not the most disturbing part:

- On Saturday at 1:05 pm ET, an asteroid that could be up to 2.5 times taller than Trump World Tower in New York City will zip past Earth at a blazing speed of 78,000 miles per hour. Upon its closest approach to Earth, the space rock — dubbed asteroid 2015 TB145 — will pass by at 1.3 times the distance between Earth and the moon, or about 300,000 miles from Earth. Therefore, the asteroid poses no threat to life on Earth.

It is worth noting, however, that the event will mark the closest any object this size has flown by Earth in recorded history, NASA reported.

And we won't see anything like it again until the year 2027, when a different asteroid twice as large will fly even closer at just one lunar distance, or approximately 238,000 miles, from Earth.

Unfortunately, the asteroid is too small and far away to see with the naked eye — especially during its closest approach on Halloween in the middle of the afternoon. However, if you have a set of binoculars or a telescope, you could spot it that night.

The asteroid will be above the western horizon on Halloween night between 9 pm ET and midnight. After that, it will sink below the horizon and no longer be visible.

Here, we used the free app Stellarium to figure out where it would be in New York City at exactly 10 pm ET on Halloween night. To help identify it, look for the bright star Vega. (Universe Today has

excellent instructions on how to use Stellarium to figure out where the asteroid will be in your night sky on Halloween.)

Another option is to tune in to the live broadcast that the online observatory Slooh will be hosting starting at 12:30 pm ET.

The broadcast (provided below) will offer expert commentary by Slooh host Paul Cox, Slooh astronomer Bob Berman, and Slooh friend, Dr. Mark Boslough. The broadcast will also show time-lapse images of the asteroid. You can submit your questions to the Slooh folks about this spooky flyby on Twitter using #SpookyWeek. An asteroid named "Spooky"

This asteroid's size, speed, and distance from Earth are not what have earned it the nickname "Spooky."

"It's frightening to think an asteroid this size, approaching so close to Earth, was discovered only 21-days before its closest approach, which just happens to be on Halloween," Cox said in a statement. "If that doesn't give you chills, nothing will."

On Oct. 10, observers at the University of Hawaii's Panoramic Survey Telescope first discovered Spooky. Their observations were quickly confirmed by astronomers at the European Space Agency's observatory in Tenerife, Spain, shown below:

Since then, astronomers at other observatories around the world have studied the object to determine its density, size, and orbit around the sun — all of which are extremely important for measuring the asteroid's threat to Earth in the

future.

As it turns out, the asteroid is between 951 and 2,130 feet wide and is relatively light. This graphic by Slooh shows how that compares in size to the Trump Tower in New York City, which is 861 feet tall:

So, regardless of its large size, the space rock's light weight means it won't exert any noticeable gravitational influences on the moon or Earth as it passes.

Moreover, "Spooky" has a bizarre orbit that's very oblong in shape and takes it well below the plane of the solar system, where all of the planets or located

The European Space Agency said that Earth needn't worry about a collision from this particular object within the next 100 years.

(ESA)

That's certainly reassuring, because if an object that size impacted one of Earth's oceans, it would generate a tsunami 31 miles high, astronomy lecturer Daniel Brown estimated over at The Conversation.

Such an impact wouldn't cause a global extinction, but it could do significant damage depending on where it hit, Brown wrote.

During its close pass, astronomers plan to study the object further using radar technology that shoots electromagnetic waves at the space rock. How long those signals take to reflect off the surface and return to Earth will give astronomers a better idea of the chemical composition of the object

The most polluted city in the world, Delhi suffers from a toxic blend: - A new study on air pollution in Delhi by a team of researchers led

by the University of Surrey in the United Kingdom has found the city suffers from a "toxic blend of geography, growth, poor energy sources and un favorable weather that boosts its dangerously high levels of air pollution". The study also recommends all-round solutions instead of just focusing on vehicular pollution. The study was recently published in the journal Atmospheric Environment and includes a professor from IIT Delhi. The team researched how Delhi's landscape, weather, energy consumption culture, and growing urban population combines to elevate concentrations of air pollutants, including ultra-fine particles, the most harmful to human health.

"Air pollution has been placed in the top ten health risks faced by human beings globally. Delhi has the dubious accolade of being regularly cited as the most polluted city in the world, with air pollution causing thousands of excess deaths in a year in this growing megacity," said Dr Prashant Kumar of the University of Surrey.

"While it might be easy to blame this on increased use of vehicles, industrial production or a growing population, the truth is that Delhi is a toxic pollutant punchbowl with myriad ingredients, all of which need addressing in the round," said Kumar.

Classified as the world's fifth 'megacity', Delhi has a population of "25.8 million", which continues to grow. With this growth, the study predicted that the number of road vehicles would increase from 4.7 million in 2010 to nearly 26 million by 2030. The total energy consumption in Delhi has risen 57 per cent from

2001 to 2011, said researchers.

According to the report, as a landlocked megacity, Delhi has limited avenues for flushing polluted air out of the city. "Coastal megacities such as Mumbai have at least a chance to 'replace' polluted air with relatively unpolluted sea breezes, whereas Delhi's surrounding regions are sometimes even more polluted than the city," said a statement from the University of Surrey.

"The picture of Delhi's pollution problem is complicated and is aggravated by some factors that are out of human control. However, in this growing city it is important that the population is protected in whatever ways they can be from health-endangering pollutants," said Kumar.

"There is also a cultural context... even the best technology will not succeed in reducing emissions and improving air quality if it is not considered in a broader framework of economic development," he said.

Two unarmed men fight off tiger for two hours: -Balwant Singh, the owner of a poultry farm and his helper Upendra woke to a rude shock early Diwali day, seeing a tiger attacking chickens. Despite being unarmed, the two fought the big cat for over two hours before other villagers arrived on the scene and beat the tiger to death. Balwant Singh is under treatment at Dehradun's Jolly Grant Hospital. His assistant is at a local hospital. Fearing the two might be booked for killing an endangered animal, villagers refused to allow foresters to take away the carcass. They only relented when offered an assurance that no case would be made out against the men.

Officials said the dead tiger was a large creature,

which had attained a length of 10 feet.

The incident occurred at Halduwala village at 2.00 am, Wednesday. The two men were asleep when the tiger allegedly began to run riot with the chickens.

Before the men could react, a dozen fowl were killed. The screeching birds woke the men, who arrived to check - the tiger then attacked them. Caretaker of the poultry farm Upendra told TOI, "Bal farm Upendra told TOI, "Balwant was struck on the head by the tiger and he lost consciousness. Seeing us, the tiger panicked and attacked."

Upendra Singh sustained injuries in the leg and hands. "We kept the tiger off for about two hours. We kept screaming all the while, hoping someone would hear us"

Gurbaksh, a villager, first heard the commotion. "I raised an alarm and people arrived with sticks and surrounded the tiger. The two men might have been overpowered soon otherwise," he said.

Police have registered a complaint against unknown people.

Major earthquakes of the past 30 years: - A powerful 7.5 magnitude earthquake struck Afghanistan's Hindu Kush region Monday, with strong tremors felt in Kabul, Islamabad and New Delhi. There were no immediate reports of fatalities, but quakes of this size in the region have caused massive destruction in the past. Below is a list of some of the world's strongest earthquakes in the past 30 years.

— April 25, 2015: A 7.8 magnitude quake in Nepal kills almost 8,900 people and destroys about half a million homes. A massive

aftershock with a magnitude of 7.3 follows in May, killing dozens more.

— August 11, 2012: Twin earthquakes with a magnitude 6.3 and 6.4 leave 306 dead and more than 3,000 injured near the Iranian city of Tabriz.

— March 11, 2011: Nearly 18,900 are killed when a tsunami triggered by a massive magnitude 9.0 undersea quake slams into the northeast coast of Japan, triggering a nuclear crisis at the Fukushima Daiichi atomic plant.

— October 23, 2011: An earthquake of 7.2 magnitude rocks eastern Turkey, leaving more than 600 dead and at least 4,150 injured.

— January 12, 2010: Magnitude 7.0 quake hits Haiti, leaving between 250,000 and 300,000 dead.

— April 14, 2010: A 6.9-magnitude quake hits Yushu County in northwest China's Qinghai province leaving 3,000 people dead and missing.

— May 12, 2008: A quake measuring 8.0 hits China's southwest province of Sichuan, leaving more than 87,000 people dead or missing.

— May 27, 2006: A powerful quake in Indonesia's Yogyakarta region kills 6,000 and leaves 1.5 million homeless.

— October 8, 2005: An earthquake of 7.6 kills more than 75,000 people, the vast majority of them in Pakistan's North West Frontier Province and the Pakistani-administered zone of Kashmir state. Some 3.5 million are displaced.

— March 28, 2005: An earthquake on Indonesia's Nias Island of Sumatra leaves 900 dead.

— December 26, 2004: A massive undersea

earthquake off the Coast of Sumatra Island triggers a tsunami which kills 220,000 in countries around the Indian Ocean, including 168,000 in Indonesia.

— December 26, 2003: A quake measuring 6.7 hits the Iranian city of Bam, killing at least 31,884 people and injuring 18,000.

— January 26, 2001: A massive 7.7 earthquake hits the western Indian state of Gujarat, killing 25,000 people and injuring 166,000.

— September 30, 1993: A 6.3-magnitude quake hits the western Indian state of Maharashtra, killing 7,601.

— October 20, 1991: A quake measuring 6.6 hits the Himalayan foothills of Uttar Pradesh state in India, killing 768.

— August 20, 1988: A magnitude 6.8 quake hits eastern Nepal, killing 721 people in Nepal and at least 277 in the neighboring Indian state of Bihar.

Curiosity trapped Leopard hooked to pot: -

A young leopard's night out in Sadulkera village near Udaipur turned into a 10 hour long misadventure after its head got stuck in a water pot kept in a field. A crowd gathered around hapless animal, but fortunately no stone was cast at it. The leopard was not harmed in any way and forest departmental officials finally freed it after tranquilizing it. Vets checked the big cat, a three year old male, and said he seemed to be fine. Locals said the leopard may have strayed into the village from Kumbalgarh sanctuary. (Source: Times of India with thanks)

(Pls see last cover page for photo)

LEGAL NOTES

Kailash Chand and another vs. State of Madhya Pradesh and others

For the common questions raised in the writ petitions, they have been heard together and the writ petitions are disposed of by a common judgment on 19.04.1994 by the High Court of Madhya Pradesh by a Bench comprising Chief Justice Sri U.L. Bhat and Justice Sri P. Naolekar.

The petitioners are owners of motor vehicles like trucks, Jeeps, tractors etc. which were allegedly used in committing offences of illegal transport of forest produce. Proceedings were initiated or about to be initiated for confiscation of vehicles under the Indian Forest Act as amended by the Indian Forest (M.P. Amendment) Act, 1983. Provisions relating to seizure of property and initiating confiscation proceedings consequent to seizure are challenged in the writ petitions.

The following points / contentions are raised by the Counsel for petitioners:

- (1) Creating a new forum of Authorized Officer and confiscation by him of property, by the Amendment Act is unjust, unfair and arbitrary.
- (2) Conferral of power of confiscation on the Authorized Officer is arbitrary. He is made judge in his own cause which violates principles of natural justice. There is violation of Articles 14, 19 (1) (g) and 21 of the Constitution.
- (3) The provision for confiscation of vehicles is arbitrary, unjust and unfair. It leaves no no discretion to the forest officer to impose any

penalty less than that of confiscation.

(4) Barring jurisdiction of courts in regard to disposal of property is arbitrary and violates Articles 14, 19 (1) (g) and 21 of the Constitution. Legislative encroachment into judicial powers is bad in law.

(5). Absence of provision for interim release of vehicles or time limit for keeping vehicles in custody renders the scheme of the Act arbitrary.

(6) Provision of confiscation by the Amendment Act and liability of confiscation mentioned in the un amended Act are repugnant to each other.

Keeping the submissions made by the counsel for petitioners in view, Their Lordships went through minutely the relevant provisions of the Forest Act, particularly in the context of the drastic amendments made in 1983 providing for confiscation of property by Authorized Officer, in the event of occurrence of a forest offence.

The court adverted to all the points.

Point-1: The contention is that the procedure prescribed for confiscation is more disadvantageous to the person proceeded against than the criminal trial by Magistrate's court. Therefore it is arbitrary. The court referred to Sec. 4 of the Cr. P.C. and explained its implication. On the question of prosecution of

offenders, it is observed that the intention to lodge prosecution immediately or not is of course a matter for decision of the officer concerned. The intention to launch prosecution immediately is not dependent on the whims and fancies of the officer concerned; it is dependent on the objective factors present like by way of facts, evidence and information available in each case. Their Lordships extracted the Statement of Object and Reasons. In addition, Their Lordships followed the case law as noted below:

(1) D.F.O. Vs. G.V. Sudhakar Rao, AIR 1986 SC 328

(2) State of A.P. vs. P.K. Mohamad (1978) 1 APLJ 391

(3) State of A.P. vs. Haji Begum.

(4) Mohd. Yasin Vs. FRO Flying Squad (1980) 1 ALT 8 Their Lordships rejected the case law cited on behalf of the petitioners as inapplicable to the present cases and held that there is no arbitrariness involved in the provision. It was further held that the Show Cause Notice is given inviting representation. Provision is made for hearing of objections; the expression "hearing" is one of broad import. It includes opportunity to adduce evidence also. Appeal to the Conservator of Forests and Revision to the Sessions Judge are provided. The contention of the petitioners is repelled.

Point-2: The petitioners contended that the Authorized Officer is a forest officer and therefore it is vitiated of principle of natural justice. It was

held that forest officer has power to seize property and the power of confiscation vests with the Authorized Officer. An Assistant Conservator of Forests who is made Authorized Officer is a senior officer and holds a high rank post. It is therefore not possible to presume that the Assistant Conservator of Forests will act in favor of the forest officer's action. The appellate and revision authorities have ample power to correct order of confiscation. It cannot be remotely regarded as violation of Art.19 (1) (g) of the Constitution.

Point -3: The contention raised is that the amendment contemplates only confiscation and no discretion is vested with Authorized Officer to impose lesser penalty commensurate with gravity of the offence and it is alleged that the provision is arbitrary. The Court held the assumption that the confiscation is mandatory or is intended to be punishment for the offender is erroneous. The intention of the amendment is that the vehicle is no longer available for misuse and to act as deterrent for the offender and others. Confiscation should not be regarded as judgment of conviction or imposition of punishment. If imposition of fine is considered adequate, criminal prosecution could be pursued with vigour and the Authorised Officer could very well refrain from ordering confiscation.

Confiscation is a *quasi-judicial* proceeding and

not a criminal proceeding. Proof beyond reasonable doubt and proof of *mens rea* are foreign to the confiscation proceeding. Enough safeguard is provided to the owner of the property. The point is answered accordingly.

Point-4: The amendment makes provision for confiscation by Authorized Officer and Courts, Tribunals etc. are barred from passing orders with respect to the property when the Magistrate is informed by the Authorized Officer about the initiating of confiscation proceeding. This provision is alleged to encroach on the powers of the Magistrate. Forest Act is a special law within the meaning of Sec. 5 of the Cr. P.C. The rulings cited by the petitioners are held to be inapplicable to the case under consideration. The impugned provision does not offend Articles 14, 19 (1) (g) or 21 of the Constitution.

Point-5: It is argued that there is no provision for interim release, no provision for prescribing time limit for disposal of confiscation proceeding and no time limit for keeping in custody the seized property. The court compared the situation obtaining in the criminal courts for

disposal of criminal cases. The courts will take a longer period for disposal of cases. That is why new forum of Authorized Officer is created, whose disposal will be in quicker time than criminal courts.

Point-6: The Act provides for confiscation by Authorized Officer as well as criminal court. The standard of proof required for confiscation by Authorized Officer and that required for conviction / confiscation by criminal court is not the same. For that reason the provision cannot be regarded as conflicting or repugnant to each other. The scheme of the Act providing for a separate confiscation procedure has a substantial public purpose to serve and is in tune with Art. 48-A and 51-A (g) of the Constitution. There is no repugnance and the point is answered accordingly.

In view of conclusions drawn on the contentions raised, the petitions deserved to be dismissed and they are dismissed on 19.04.1994. **AIR 1995 MP 1 K.B.R**

“Be more dedicated to make solid achievements than in running after swift but synthetic happiness”.

“All of us do not have equal talent but all of us have equal opportunity to develop our talent”.

నరమేధం

by

N. కొండా మోహన్

ప్రాణానికి విలువ లేదు
మానానికి వలువ లేదు
ధర్మమన్న పదానికి
అర్థమసలే లేదు లేదు
మతసహనం మాయమయ్యె
జాతిబేధమధికమయ్యె
నరఖననం పెచ్చరిల్లి
జనం మనుగడ ప్రశ్నార్థకమయ్యె
శాస్త్రజ్ఞులు జీవితాలు
ధారపోసి చేసిన కృషి
మన మనుగడ భాసించుటకా?
నరజాతిని చంపుటకా?
మృత్యు యంత్రంతో పిట్టల్లా
మట్టుపెట్టె ముప్పురులు
ఏ అమ్మ కడుపు చెడ బుట్టిరో
నరహంతక కిరాతకులు !!

ఒకరినొకరు చంపుకొనుట కొంటి రంగు కారణమా?
భాష వేష బేదాలే చంపుట కవి నిర్ణయమా?
చాలు చాలు ఆపండిక ఈ రావణకాష్టం!
మానవతను మట్టుపెట్టు ఈ మారణహోమం !!
ఖురాన్లో మన ప్రవక్త ప్రవచించిన దిదేనా?
బైబిల్ గ్రంథాన ఏసుప్రభువు ఇదే చెప్పెనా ?
గీత యందు జగద్గురువు చెప్పిన ఉపదేశమిదా?
నాటి గాంధీ నుండి నేటి కలామ్ కలల కర్ణమిదా?
సమస్త దేశాల ప్రజల యొక్క మాటపై యుందాం !
ప్రపంచాన హింసకు తావేలేదని చాటుదాం !!
నరహంతక కిరాతకుల చీల్చి చెండాడుదాం!
భూగోళం వదిలె దనుక ముప్పురులను తరముదాం!!
(ప్యారిస్ లో ఉగ్రవాదుల ఘటనకు స్పందన.)

قومی کونسل برائے فروغِ اردو زبان (نئی دہلی) کی سہ لسانی لغت اور ڈاکٹر بی۔ رگھوتم راؤ دیبائی صاحب پروفیسر پیرزادہ نعیم الدین (گلبرگ)

ماہر لسانیات کہتے ہیں کہ ہر دور میں انسان نے اپنے جذبات و احساسات کو دوسرے تک پہنچانے کی کوشش کی ہے، اول اول مختلف قسم کی آوازوں سے اور اشارہ کرنا یوں سے اپنے مافی الضمیر کے اظہار کے لیے کچھ مخصوص قسم کی آوازیں مختص تھیں جن سے اپنی خوشی، پریشانی، گھبراہٹ کا اظہار ہوتا تھا۔ ماہرین کا کہنا ہے کہ یہی آوازیں لفظ کی شکل اختیار کرتے چلے گئے۔ مختلف زبانیں بنتی چلی گئیں۔ ایک زبان کے بننے میں صدیاں بیت جاتی ہیں۔ زبان کے بننے کے سفر میں کچھ الفاظ آتے ہیں، کچھ نکل جاتے ہیں۔ مستعمل الفاظ کی جگہ نئے الفاظ جگہ بنا لیتے ہیں۔ جیسے ”پرت“، ”پرت“: یہ لفظ اردو میں استعمال ہوتا تھا جس کے معنی ”واپس“ کے ہیں۔ اب پرت لفظ استعمال نہیں ہوتا۔ پہلے اردو بول چال میں مستعمل تھا۔ ایک عام زبان وہی زبان بن سکتی ہے جس میں دوسری زبان کے لفظوں کے قبولیت کا مادہ ہوتا ہے۔ اُس سے زبان آسان، سادہ اور شیرین ہو جاتی ہے۔ اردو زبان ایک ایسی ہی زبان ہے جس نے دوسری زبانوں کے لفظوں کو قبولیت بخشی ہے، یہی راس کی شیرینی اور ہر لہریزی کی وجہ رہی ہے۔

اردو زبان سارے مملکت میں بلکہ ساری دنیا میں بولی جاتی ہے۔ جہاں جس علاقے میں اردو رہی وہاں کی تہذیب و تمدن، عوامی قافی زبان کے اثرات و لب و لہجے سے اُس کا دامن وسیع ہوتا گیا۔ زبان پھیل گئی تو ادبی تخلیقات بھی پھیل گئیں۔ اسی پھیلاؤ کی وجہ سے زبان و بیان کو سمجھنے کے لئے لغت کا سہارا لیا جانے لگا۔ اردو زبان میں لغت نے بہت اہم رول نبھایا ہے۔ ہر دور میں بے حد کارآمد لغت منظر عام پر آتی رہی ہیں۔ یہ لغت زبان کو سمجھنے اور سمجھانے میں مددگار ثابت ہوئی ہیں۔

قومی کونسل برائے فروغِ اردو زبان (نئی دہلی) نے ۱۸ اگست ۲۰۱۵ء کو سہ لسانی اردو لغت کی رونمائی کا اہتمام بنگلور میں کیا۔ اس لغت میں اردو لفظ کے معنی انگریزی اور کنڑ میں دیے گئے ہیں۔ معنی کے علاوہ اردو الفاظ کے تلفظ کو انگریزی اور کنڑ میں دیا گیا ہے۔ اس سے اردو کے لفظ کو جاننے میں بھی سہولت ہوگی۔ اس سہ لسانی لغت میں تقریباً سترہ ہزار (۱۷۰۰۰) اردو الفاظ کے معنی و تلفظ دیے گئے ہیں۔ اس کے لیے پانچ آفیشی کالموں کا استعمال کیا گیا ہے۔ مزید یہ کہ روزمرہ کے استعمال میں آنے والے الفاظ کو اس لغت میں جگہ دی گئی ہے۔

اس سہ لسانی لغت کے مکمل ہونے میں دس سال کی محنت شاقہ لگی ہے۔ اس سلسلے میں ڈاکٹر رگھوتم راؤ دیبائی کی نگرانی میں حیدرآباد، بنگلور اور میسور میں پانچ کارگاہیں منعقد ہوئیں، جن میں مختلف اصحاب فکر و نظر نے حصہ لیا اور جب مسودہ تیار ہو گیا تو نظر ثانی کے لیے تینوں زبانوں پر قدرت رکھنے والی شخصیت رگھوتم راؤ دیبائی صاحب کے حوالے کر دیا گیا۔ رگھوتم راؤ دیبائی صاحب کا کہنا ہے کہ ”قومی کونسل نے مسودہ پر نظر ثانی کی ذمہ داری جب مجھے تفویض کی تو میں آلف تائے تک تمام اوراق کا جائزہ لیا تو پتہ چلا کہ اس میں لفظ، تلفظ اور معنی کی کئی اغلاط راہ پا گئی ہیں۔ اخترن تنہا کئی مہینوں تک اغلاط کی اصلاح کے جانکاہ شغل میں بجا رہا۔ کئی مہینوں کی محنت شاقہ اور عرق ریزی کے بعد یہ کام پایہ تکمیل کو پہنچا۔“

دس ماہ، صاحب نے دورانِ نظر ثانی، اغلاط کا، ڈرنگا، اور تلفظ کے ادائیگی کے لکھنے میں، بے حد احتیاط اور توجہ کو ملحوظ رکھا ہے۔ اس کا سخت محنت محنتی اور سادگی پسند ڈاکٹر رگھوتم راؤ دیبائی صاحب کا تعلق حیدرآباد کرناٹک سے ہے مگر آب و وطن ثانی بنگلور ہو گیا ہے۔ موصوف کے والد بننے کے (تعلقہ بیلرگہ) ضلع راجپور (کوتیل) کے دیبائی تھے۔ والدہ ضلع محبوب نگر تعلقہ کولار پور (سابقہ سمستان کولار پور، تحت حیدرآباد ریاست) کی تھیں۔ گلبرگہ کے معروف ایڈووکیٹ (اور مجاہد آزادی) گسما کر دیبائی ان کے چچا زاد بھائی تھے۔ عثمانیہ یونیورسٹی سے سائنس میں ڈگری حاصل کرنے کے بعد وہ انڈین فائر سروس میں سے جڑ گئے۔ وظیفہ حسن خدمت پر سبکدوش ہونے کے بعد وہ انھوں نے ۱۹۹۳ء میں میسور یونیورسٹی سے اردو میں ایم اے کیا اور پھر ۲۰۱۲ء میں کونپو یونیورسٹی (شموگہ) سے پی ایچ ڈی کی سند حاصل کی۔ اردو زبان و ادب سے دلچسپی کی وجہ سے انھیں ۲۰۰۱ء تا ۲۰۰۳ء کرناٹک اردو اکیڈمی کارکن نامزد کیا گیا تھا۔

اردو زبان و ادب کے ہر کار خیر سے اور ہر قسم کی خدمت کے لیے تیار رہنے والے ڈاکٹر دیبائی صاحب کو لغت کی نگرانی کار کی حیثیت سے اور پھر نظر ثانی کے لیے چنا جانا ایک حسن انتخاب تھا جسے انھوں نے بہ حسن و خوبی نبھایا بھی ہے۔

سوا اٹھو وزنی یہ لغت جملہ ۶۲۸ صفحات اور تقریباً سترہ ہزار اردو الفاظ پر مشتمل ہے۔ اس کی قیمت ۵۵۴ روپے مقرر کی گئی ہے۔ اس لغت کو قومی کونسل (فروغِ اردو مہون، جسولہ) نئی دہلی ۲۵، وکرناٹک اردو اکادمی (بنگلور) کے علاوہ قومی کونسل کی شاخ (موقوفہ ساجدیار جنگ کا میلس، مھتر گئی، حیدرآباد) سے حاصل کیا جاسکتا ہے۔

OBITUARY

K. Ramakrishna Reddy
08.12.1926 – 24.10.2015



Sri Kuchkulla Ramakrishna Reddy, due to old age and age related ailments, has been living with his son in USA during the past few years; He passed away on October 24, 2015 in Middleton, Massachusetts. He was 88. Ramakrishna Reddy was born on December 8, 1926 in a family of agriculturists in Velgonda village, Bijinapally Mandal of Mahbubnagar district. He is the second child of his parents – Sri Ramchandra Reddy and Smt. Shantamma. He lost his mother when he was an infant, hardly about four months old. He was brought up by his maternal grandparents in Chada village of Nalgonda district. Ramakrishna Reddy received his early education in Chada and Velgonda villages and passed Matriculation from Mahbubnagar in 1942. For higher education, he went to Hyderabad where he did B.Sc.in 1946. He studied Law for a year but could not continue because of political turmoil in Hyderabad state. He was persuaded to continue higher education and he therefore joined M.Sc., but had to discontinue as he was selected for Forest Rangers course of 1949 – '51 at Madras Forest College, Coimbatore. He worked as FRO in Warangal, Khammam and Karimnagar districts and earned reputation of being firm in dealing with forest offenders. Sri Ramakrishna Reddy was promoted as ACF in the State Forest Service in 1967 and then to the Senior Scale of Indian Forest Service with effect from 31 July 1977. He worked as DFO in Khammam, Nalgonda, Adilabad, & Chittoor districts and DFO Social Forestry division at Hyderabad. Sri Reddy retired on superannuation in February 1983. Sri Ramakrishna Reddy was married to Smt. Ahalia Devi from Chintakuntla village Mallepally Mandal, Nalgonda district. She predeceased him only a few weeks before his demise. Sri Reddy is blessed with a son Dr. Pradeep cardiologist, with Hema as his spouse; and daughter Shailaja with Padmakar as her spouse. He is also blessed with two grand-daughters, Srinidhi with Abraham as her spouse, and Deepshika, two grand-sons, Rakesh and Rajesh, and two great grandsons Nikhil and Kian. All of them are well settled in USA. Sri Ramakrishna Reddy, though was born in a family of landed gentry, he preferred to lead a simple life. He had been a well-disciplined officer and is known for his amiability and friendliness. He was soft-spoken and commanded good respect from friends and colleagues. He always conducted himself with dignity in calm and quiet composure. In his death we lost a good friend and an elderly person. He will be fondly remembered by large number of friends, colleagues, relatives and his family members. We send our heart-felt condolences to the bereaved family. May his soul rest in peace. **K. B. R.**



Indian Roller (*Coracias benghalensis*)



Black Buck (*Antelope cervicapra*)



For details please see page no. 48

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